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NILES'

NATIONAL REGISTER,

CONTAINING

POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFICAL, STATISTICAL, ECONOMICAL, AND BIOGRAPHICAL

DOCUMENTS, ESSAYS AND FACTS:

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

JEREMIAH HUGHES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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CHRONICLE.

FOREIGN ARTICLES.

The packet ship North America arrived at New York on February 24, from Liverpool on January 8th. The Hibernia packet arrived on the 26th at the same port having left Liverpool on January 13th. On the 23d inst. the British steamer Clyde, Lieut. W. Worrell, R. N. commander, arrived at Charleston, from Grenada, Nassau, Savannah, &c. The steamer Dee had arrived at Grenada with Liverpool dates to January 16 which the Clyde brought on. On the 27th the Clyde arrived at New York and proceeded on the 28th to Halifax to return thence via New York and Charleston to Havana. The steamer Caledonia, which was to have left England on the 4th February, had not arrived at Halifax on the 26th.

GREAT BRITAIN.

Intelligence of the taking of Amoy had reached London on the 6th of January, and was published exclusively in the Times of that day. With it came information of the loss of the Madagascar steamship—"a very great misfortune, stated in a letter to Jardine Matheson & Co. or the senior naval officer at Hong-Kong. Captain Dicey, of the Madagascar, captain Graham, of the royal Irish, ten other gentlemen, and thirty Lascars, had landed from the wreck, and were believed to be prisoners in the hands of the Chinese.

Letters from Amoy say that the British got very little plunder—not more than 4,000 or 5,000 dollars. The ships were to sail for Chusan on the 5th of September, and winter there, the season being too far advanced for further operations northward.

The queen has granted a portion of the Canton ransom to the troops employed in the attack on that city—the shares of colonels will be £200 each, of lieutenant colonels £120, of majors £520, of captains £216, and of lieutenants £144. Officers of the navy sharing according to their relative rank, with those of the army.

The advices from Afghanistan were unsatisfactory. The Anglo-Indian forces in that region had been defeated in a battle with the mountain Ghilzies, with a very considerable loss of life.

The king of Burmah, Tharawaddie, had arrived at Rangoon, attended by a large body of troops and a contingent of his subjects. Suspicion had existed as to the motive of this visit, and the governor general of India had taken care to assemble a considerable force at Rangoon, with several steam frigates; but nothing or nothing of a hostile nature had transpired, and the better opinion seemed to be that Tharawaddie's object was only to amuse himself with a change of scene.

The British government had interposed to adjust the quarrel of etiquette between France and Spain. The Times seems to be of opinion that the regent Espartero had not the right side in this quarrel.

The elections in the Spanish chamber of deputies had resulted in a complete triumph for the ministry.

Lord Ashburton was to embark for New York, on board a steam frigate, on or about the 24th of January. His stay in the United States was expected to be very brief.

Mr. Everett the American minister, left London on the 5th of January on a visit to Lord Ashburton.

The various committees in the French chamber of deputies were pushing their investigations, preparatory to the drawing up of the address in answer to the king's speech. In the formation of the committees the ministerial candidates, almost without exception, had been elected.

Loans to Western States. The Morning Post, under its "money article," discusses the indebtedness of the American states, and sets forth roundly "that the defection of Michigan, Mississippi, Illinois and Indiana is the ready answer to any proposition for giving new credit to the states."

The accounts received from the Niger expedition continued to be of the most melancholy character. The mortality and disease on board the Albert were so great that little hope remained of her attempt to ascend the Niger being persevered in, and the Wilberforce had meanwhile abandoning the voyage up the Tchadda. She had followed the Soudan to Fernando Po. From that place the Soudan had been sent to follow the Albert, and render assistance in case of need.

Letters from Constantinople of Dec. 16th say that the porte has definitively expressed its determination not to grant the firman demanded on the part of the British government for the establishment of a Protestant church at Jerusalem.

The Hibernia brought out one hundred and twenty-three passengers, most of whom are farmers and their families, with good means, and with means to establish themselves comfortably in the western world.

Mr. Johnson, a passenger in the Clyde, in conversation with the harbor-master at Nassau, understood that the sixteen murderers, who were on board the brig *Creole*, were still in confinement at that place waiting the decision of the British and American governments, as to their ultimate disposal.

The United States government, it is stated, have decided that there will be no objections to the mail steamers taking passengers from and to the various American ports, as they carry no goods, or merchandise, or freight.

[The Courier then gives a number of extracts from commercial letters showing the condition of the cotton market, from which we copy the following.]

"*Liverpool, January* 13. Since your departure on the 4th instant, or cotton market has presented no particular change, the demand from trade has been very willingly met by the old cottons and by the recent arrivals; for cotton is offered as landed, and sold at the best price it will bring; and to day I have seen new Uplands, or Charleston, fully good fair, sold at 5¾, which the importer admitted cost him 5¼ to 6¼. We are now receiving accounts of the production of the United States being likely to fall short of previous calculations, but I entirely disregard any probable diminution, because the trade in this country is much depressed. The supply of cotton will be adequate to what has been required; I will not take any risk contingent on a short crop; besides, the quality is represented to be inferior, which enforces the necessity of attending strictly to the Liverpool definition of fair quality—good qualities may maintain their prices, whilst the lower will be interfered with by Surats, of which the stock in the kingdom is 220,000. 275,000 are known to be shipped for this country, and will be here during the next three months."

"*Liverpool, January* 15. We much regret that the state of our markets is so unfavorable; there was a fall last week in prices—good American cotton 1d. per pound, and the market is still drooping. A sale was made to-day of 500 bales which was considered one of the lowest ever made, except some in 1826. We quote Uplands, ordinary 4¾ fair 5¼, good 6¼. It is a bad sign that, notwithstanding your accounts from your side of the inferior quality of your crop, the prices of good cotton are comparatively low, as this is generally the sign of a bad trade."

Our cotton market continues very dull. Supplies of wheat are not very extensive, but in the uncertainty existing as to any alteration in the corn laws, millers are purchasing only for pressing wants, and prices are again rather lower. From the same cause, flour is in limited demand, and prices difficult to quote: probably 30s. might be obtained for American in bond, were holders disposed to realize. The present duty on wheat is 24s. 8d. per qr. and o flour 14s. 10s. per barrel. Drugs unaltered.

The arrival of the overland mail, with dates from Canton to 10th October caused a great dullness in our tea market, and prices immediately declined 2d per lb. In company's Congou, a few sales were made at 1s. 3½d. but in free trade, very little was done.—On the 5th instant, 21,100 packages were offered at auction; the sales opened by holders giving strong support, when prices fully received the decline above noted, and they closed yesterday at an advance of ½d. on Congou and Twankay: in all, 11,600 were sold. Congou is now worth 1s. 10½d. per lb.

London, January 11. 3 per cent. consols 80¼ consols for account, 80¼ 3 per cent. Reduced, 89 1-16 ¾ cent. Reduced, 93¼ long annuities 12 9-16 ½ exchequer bills 2½d. 18 20 prem; bank stock, 166; 67¼ India stock, 245 47.

LATER.

The Ruscius, Capt. Collins, sailed from Liverpool the 15th, and the Hendrick Hudson, Capt. Morgan, from Portsmouth, the 19th January. Capt. Morgan brings papers up to the evening of the 17th, four days later than the Hibernia.

Captain Morgan has crossed the Atlantic ocean 106 times, and in all that time, never saw such bad weather as he experienced from the 6th to 14th of February.

The king of Prussia's present to his godson, the prince of Wales, according to the *en fait* in the first circles at Berlin will be a splendid royal mantle, inured with ermine, decorated with the star of the order of the black eagle, formed of brilliants and other jewels of the first water

The meeting of parliament was fixed for the 3rd of February.

Heavy falls of snow are not usual in the neighborhood of London; but they had one there on the 15th of January, which lasted six or seven hours. Out of the metropolis the snow lay ten inches deep, and where there were drifts the travelling was much impeded.

The Columbia, which reached Liverpool on the 15th, carried out accounts of the Creole case, with the debate in the senate thereupon; the correspondence between Governor Yell, (name day to be heard of, says the Times,) Arkansas commissioner with Messrs. and Messrs. Holford & Co.; the message of the governor of Indiana, with the repudiation resolutions of different public meetings in that state, all of which we have anticipated, from the Times of the 17th. The article winds up in the following strain:

Summary work, this, with creditors and public officers; but the piper will be paid, gentlemen, and if the states of Mississippi, Arkansas and Indiana, are not very well inclined to pay him, so somebody rather more "innocent" must. And so we suppose, when all the concerned in the public loans, bank and individual states of America have become bankrupt, it will then be the turn of congress. Meantime, things go on merrily enough; Texas shall be incorporated, and the Florida Indians subdued, and the Canadian barns burnt, and the navy increased, and England fought with; and "who's afraid?" say Messrs. Upshur and Stevenson.

The latest accounts from Madrid are of the night of the 6th. At that time, M. Salvandy had prepared and fully intended to set out on the following day.—Communications between him and M. Gonzale having led to nothing satisfactory. Could M. Salvandy have waited till the 12th, the Spanish government would have received the despatches which left Paris on the 5th, and in which Lord Aberdeen joins Louis Philippe in pressing the regent to yield. But, in order to act upon this, the most send couriers after M. Salvandy—this is, if Espartero yields.

Bayonne, Jan. 12. Mr. Salvandy arrived here this morning at half past 5 o'clock. He left Victoria yesterday morning, dined at Tolosa, and travelled all night. On arriving at the hotel de commerce he felt so exhausted by fatigue and indisposition, that he was obliged to betake himself to bed. It is said that he starts for Paris at an early hour to-morrow morning. He receives the visits of the authorities, &c. at rather a late hour this afternoon.

Private accounts from Constantinople, dated the 27th ult. state that M. de Bourquency, the French minister, presented his credentials to the sultan on that day. His excellency, accompanied by Baron Billing, the attaches of the legation, and the officers of the ship Bonpariste, had the two successive audiences of the sultan, who expressed a hope that the friendship and good harmony which his predecessors had ever studied to maintain with France would not be disturbed during his reign.

The Austria admiral, Bandiera, was to leave for Smyrna on the 28th, and on the next day the Cameleon was to sail for Alexandria, with Baron Billing, the new consul general of France in Egypt, on board.

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All effendi and Akif effendi, who had been appointed, the first minister plenipotentiary in London, and the other in Vienna, have taken leave of the sultan, and were to set out after the Kourban Bairam.

FRANCE.

The National contains an account of a fight between two regiments of the garrison of Paris. The combatants share about 2,000 in number and were armed mostly with sabres, but some with bludgeons. Several were severely wounded bnt none killed.—Some four hundred students attempted a demonstration on the liberation of the Abbe de Lamennais.—They marched through the streets with shouts of 'Down with Guizot,' 'Down with the peers,' 'long live Lamennais,' but were soon dispersed by the municipal guard. La Presse says that the coolness which had arisen between France and Russia was subsiding.

M. de Bounteuiff had arrived at Paris from St. Petersburg, charged with the establishment of more friendly relations between the two governments.—General de Rumigny, who was sent to replace Gen. Bugeaud in the government of Algeria, soon to return as the latter refused to return unless he should receive a formal order to that effect from the minister of war. The public discussion on the reply to the king's speech was not to commence before the 22d.

SPAIN.

Nothing has been decided as to the quarrel between the French minister and the Spanish cabinet. M. Salvandy insists on presenting his credentials to the queen instead of the regent. It is expected he will soon address his ultimatum to the government, and set out for Paris, leaving a charge d'affaire at Madrid.

TEXAS.

The New Orleans Picayune of the 20th ult. acknowledges the receipt of late Galveston papers, from which the following items are obtained:

Congress adjourned on the 5th inst. The Galveston Civilian states that that body, after long and maturely considering the subject, deemed it unadvisable to take measures for the invasion of Mexico at this time, and left the navy, under the law of 1840, at the disposition of the president.

Gen. Hamilton's proposition was declined, and, although his mission has terminated, no report of his action under it has been submitted. Some money was obtained, but the people cannot, or upon what terms, have never been made public. He designs making a statement through the public prints.

Twenty thousand dollars have been placed at the disposition of the executive for the defence of the frontier.

The bill for the removal of the seat of government was lost in the house by a vote of 23 yeas to 16 nays.

Congress had passed a resolution extending the limits of Texas from the mouth of the Rio Grande to the Pacific Ocean, and along the exact fifteen miles in the sea, to the Oregon territory, so as to include the California in the territory of the republic.

Dr. Ashbel Smith has been appointed minister to France; W. H. Dangerfield, secretary of the treasury; P. Edmunds, consul at New Orleans; Henri Castro, consul general to France; William Kennedy, consul general to Great Britain.

The new exchequer money is selling at a premium of 3 per cent.

The bill providing for funding the old liabilies of the government had been vetoed by the president, and his veto was sustained by congress.

SANTA FE PRISONERS.

NARRATIVE OF FRANKLIN COMBS.

The expedition after about ten weeks march, through a country infested by Indians, arrived at the Palo Duro, where being straightened for food, and having previously sent their guides in advance, it was determined to despatch about a third of the armed force, and two of the commissioners to procure provisions and prepare the way for the entrance of the expedition into the province of Santa Fe. The impression at the time was that the expedition had reached within 90 miles of Santa Fe, in consequence of which belief the armed division took with them only three days rations. Col. Cooke and Dr. Brenham were the commissioners accompanying the advance and Capt. Sutton commanded the armed escort. The remainder of the forces were left at the Palo Duro under the command of Gen. McLeod, surrounded by a vast number of Indians, who were continually harrassing them and who had actually killed five of them the day upon which the division set out upon its march.

The advanced force soon learned that the expedition had made a fearful mistake in supposing the Palo Duro to be within 90 miles of Santa Fe. The distance was nearly 300 miles, and as a consequence the rations provided for the troops were exhausted before they accomplished a third of the road to Santa Fe. The division then resorted to every expedient to escape starvation. They first subsisted upon such of the horses as had broken down, and wild berries which were occasionally met with in the prairies. When these resources failed, they were compelled to live upon snakes, horned frogs and other reptiles which abound in the prairies and which constituted their principal and for a time, their only food. After wandering in this manner for two months, the division arrived at Gallinas. From this place, Van Ness, Lewis, Howard and Fitzgerald, accompanied by Mr. Kendall, were sent on to Santa Fe, to hold an interview with the governor, explain the pacific objects of the expedition, obtain stores for the troops and permit to bring the merchandise taken out by the troopers within the province.

Two or three hours after these gentlemen left the camp at Gallinas, a note was received from Captain Lewis to the effect that the country was in arms, but that they would proceed to the Pueblo de Santa Fe. They were, however, seized shortly afterwards, (as Capt. Lewis stated) bound and taken out to be shot but that their lives were spared through the intercession of a Mexican who took them to meet governor Armijo. In the mean while the governor had despatched a force of several hundred men to intercept the Texians. The commander of these troops had been prevailed upon by the commissioners, and endeavored to get the Texians to lay down their arms by assuring them of the friendly disposition of the governor and the inhabitants. This the Texians would not do. The Mexican officers undertook to take care of the few remaining horses of the Texians, and supply the men with food in order to allay all apprehensions of any hostile purpose. The next step was to cross the Gallinas with his men, with the avowed object of camping the two forces together as further proof of friendship. This he did, but as he ordered the Texian camp, the disposition of his lines left little doubt of his belligerent intentions. The Texians were immediately got under arms. About this time also another party crossed the river, and formed a junction with the first, banished every lingering doubt of the objects of the Mexicans, and an engagement was on the eve of taking place when Capt. Lewis and the nephew and confidential secretary of the governor made their appearance.

When Lewis and the governor's nephew came up, a parley was had between them and the Texians, the troops upon both sides maintaining their ground. Capt. Lewis represented the governor as willing to receive the Texians on condition that they would lay down their arms in conformity with a law of Mexico, which made it necessary for all persons entering the province to give up their weapons before reaching San Miguel. He represented himself, and the nephew and secretary of the governor as empowered to stipulate for the surrender of the implements of war, and to negotiate for the safe conduct of the troops to the frontier after they had complied with this stipulation. The governor had empowered them to blind the authorities to the journey of each individual, supply food for the march home, and return to every man his property. The representations were confirmed by the nephew and secretary of governor Armijo, as well as by the Mexican officers, a number of whom had joined in the parley.

The commissioners hesitating to confide in these representations, Captain Lewis informed him that the governor with a well appointed troop of 3,000 men, was within twelve hours march, and if the Texians gained the battle, they would soon be engaged with a more formidable foe. The commissioners, yet not satisfied, Captain Lewis pledged his honor to the truth of all these statements, swearing upon his Masonic faith (both being Masons) to every word of it.

Such being the circumstances of the division, without food, jaded and worn out by fatiguing marches, in front of a force of some six hundred men and exceeding the arrival of 2,000 more, and being especially ordered by the Texian government to avoid hostilities if the people were opposed to them, and not apprised of the capture of the gentlemen despatched to the city, and not suspecting that Lewis is a traitor, the Texians laid down their arms upon the terms of surrender proposed. Food was then furnished the troops, and they were treated with some leniency until the next day, when the governor arrived with about 1,500 men, a force sufficient to make him secure in his barbarity; we were seized and bound six and eight together, with hair ropes and thong of raw hide, and put in a filthy sheep-fold, surrounded by a large armed guard. The Mexican officers then excited the Peons to the highest degree of phrensy, by the accounts they gave of the Texians, and we were prevented from being slaughtered by being huddled together in a small yard enclosed by a mud wall, and defended by the regular troops. In this place we were kept all night, lying in heaps, one upon another, and suffering the most intense agony from the closeness of the confinement and the pressure of the ropes with which we were bound, and in full hearing of the disputes in the council called by the governor to deliberate upon our destiny, which decided about daybreak, by a *single vote*, that we should not be shot but marched off for Mexico.

At sun rise we had to take up our march for the city of Mexico, about 2,000 miles distant—the soldiers telling us that we were going to the mines.—Bound six and eight together, we were forced to travel, the three first days about thirty miles each, without food and even denied the privilege of drinking when we were wading the small streams, through which we were marched. We were stripped of hat, shoes, blankets and coats. The governor himself took from me my blanket and buffalo robe, cursing and striking the prisoners and raving like a madman, because (as he heard) his wish to have us shot had been overruled in council. I was obliged to give my shirt, in the extremity of my distress, for a loaf of bread, and swapped a tolerably good pair of pantaloons for a miserable coarse pair receiving a mouthful or two to eat in the exchange. When we arrived at the Rio del Norte I had parted with every thing but my tattered trowsers, vest and suspenders, every one being divided among those disposed of for bread or robe bed from me by the soldiers. Nor were the other prisoners in a better condition. The weather was then cold and we were nagh perishing in our naked-ness.

After a few days march, it was found, impracticable for us to get on with any speed bound together in such numbers. We were then tied two together, and to each pair there was a rope tied about the waist, neck or arms, and fastened to the pummel of the saddle of the horses on which the guard was mounted. The soldiers would occasionally put their horses in a gallop to torture those fastened to them, and whenever any of us fell down or lagged behind, we were dragged upon the ground and beaten with thongs, sticks or whatever else was at hand.

The principal, indeed almost all the food we received during the route was furnished by the women, who would follow us in large numbers for miles, weeping at the cruelties to which we were subjected. They would not be allowed sometimes the discharge of their offices of charity—the soldiers beating them off and reviling them with obscene and abusive language. We were marched, at times, all night and all day, blinded by sand and parched with thirst, until our tongues were so swollen as almost to be incapable of speaking.

In this manner we were hurried on to the city of Mexico, which we reached towards the close of December. But I must here pause, to do justice to one of the captains of the Mexican army, who had charge of us for about five days of the journey. He treated us with kindness, and furnished us with money out of his own pocket. He respected us as prisoners of war, and I lament that I cannot recall his name. He was the only officer who seemed to regard us as human beings during the whole of our long march. The foreigners also in Chihuahua and Zacatecas, raised a contribution for us, which gave us a temporary relief.

After we were taken prisoners, we learned that Howland, Rosenbery and Baker, the guides we took with us from Texas, and who had been sent on before the division left the Palo Duro, had been taken and shot—as well as an American merchant, named Rowland, who had gone their security when they were taken up, upon the information of one Brigole, a deserter from the expedition. Of these transactions however, I can only speak from hearsay. A number of other outrages were reported to have been perpetrated upon American citizens—no doubt correctly reported.

When we arrived at Mexico, we were covered with filth and vermin. We there met an order from Santa Ana, to be chained with heavy irons. We were lodged in the Convent Santiago, about two miles from the palace; confined in a room over the cemetery, and the effluvia from the dead bodies beneath was offensive in the extreme.

Upon my arrival, I wrote to our minister Mr. Ellis, informing him of my situation, and of being a citizen of the United States, and stated the fact of my having gone with the expedition only as a guest of the commissioners, which circumstance was corroborated in writing, by Messrs. Cooke and Brenham, two of the commissioners then prisoners with us.

The prisoners were, upon the order of Santa Ana, waked up and chained two and two together, and marched to the palace, at midnight. When they arrived there, the doctor was asleep; the prisoners were

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kept in the public square for some time, for the gratification of the rabble, and then marched back, no one daring to disturb the slumbers of the tyrant. I was not then put in chains, in consequence of my illness. Those prisoners who were able to do so, were subsequently made to work upon the streets of the capital.

About three weeks after we reached Mexico, two of the prisoners made their escape. This incensed Santa Ana to such a degree, that he ordered the whole of us, the lame and sick included, to be chained, and made to work with the rest. I was myself taken out of bed and chained with a heavy log chain about my ankles, and made to work in the streets. This, too, after I had been demanded as a citizen of the United States by our minister, Mr. Ellis; *I was kept in chains about two weeks*, until I was compelled to sleep and work in them, having thereby nearly lost my hearing, when I was sent for by Santa Ana.

The dictator asked me a variety of questions about myself, my parents, the objects of the expedition, and other matters. After I was in his presence about 15 minutes, the chains were taken off me by a blacksmith; Santa Ana then said, that in consequence of my youth, the capacity in which I accompanied the expedition, and my being the son of a general, I was at liberty, and might go home. During the interview Santa Ana did not once mention the name of our minister, Mr. Ellis, as having demanded me; and I gathered from what I heard and saw, that my liberation could not be traced to the energy of our representative in Mexico, or the dread of the dictator of the resentment of my government.

Before my release I ascertained from our secretary of legation that Mr. Ellis had called several times upon Santa Ana, but was refused an audience. To my enquiry if this was the manner in which the representative of the United States allowed himself to be treated, he answered there was no help for it—Mr. Ellis subsequently addressed a note to Santa Ana, but what effect it had I know not; it can be imagined from the refusal of an audience upon these several occasions. Whilst I was in prison I neither saw Mr. Ellis nor received any word of reply to my letters to him. The secretary gave for an excuse for this negligence, as I deemed it, that it was considered the dignity of a minister to correspond with a prisoner.

After my release, Mr. Ellis treated me with attention and politeness, and I have to thank him for the loan of money to bring me home. Whilst sick in prison Mr. Black sent me bedding, the foreigners sent me some necessaries, and Mr. Lumsden loaned me some money.

Amongst the persons who accompanied the expedition was one Mr. Faulkner, a British subject, who joined it with Mr. Kendall and myself under the same circumstances, except that he did not have a passport, which Mr. Kendall had procured before he left New Orleans from the Mexican consulate here. Mr. Packenham, the British minister, informed me that Mr. Faulkner would be demanded the moment he judge he could make a demand, and I have two days after I left the city. I heard they had suffered very much from bad weather, ill-treatment, &c. &c.; and to sum up their troubles, the small pox had made its appearance amongst them, and they reported that about fifty had already perished, or had been left on the road, through its ravages and the cruelty of their captors.

I have omitted to state in its proper place, that on my release the dictator ordered his state coach to convey me in my rags to look at the city, and thence in company with General Barragan to the office of Mr. Ellis. Several of the higher Mexican officers in the city—especially Barragan—expressed sympathy for me, and treated me kindly.

My warmest gratitude is due to the American consul at Mexico, (Mr. Black), for his constant kindness and attention to me while sick and in chains, as well as after my release.

FRANKLIN COMBS.

MASSACHUSETTS.

MESSAGE OF THE GOVERNOR on the subject of the Maine boundary:

Council chamber, February 23, 1842.

To the senate and house of representatives,

GENTLEMEN: The great interest which the commonwealth has in that portion of the state of Maine often called the disputed territory, seems to require that I should invite your attention to the subject. The northeastern boundary still remains unsettled. Several years have elapsed in the tedious process of arranging a joint-commission to designate the line, if they can agree, and, if not, to have the matter brought to a close by an umpire; but my belief is that this arrangement is yet incomplete.

While this state of things is pending, we learn from sources which seem to leave no doubt, that the government of Great Britain has appointed a special envoy to proceed to this country to adjust the controversies which have, in the northeastern boundary have been a leading topic of dispute, and will constitute a principal matter for diplomatic discussion. While this unusual movement of Great Britain seems to indicate a serious purpose of amicable adjustment, I cannot persuade myself that a special minister is despatched hither to arrange the remaining details of a joint commission, which seem to require no extraordinary array of diplomatic skill. I therefore anticipate, as a probable event, that this representative of Great Britain may be authorised to make other proposals of settlement. If, however, the subject be considered with attention, it is obvious that it must be disposed of in one of two ways. First, by ascertaining and establishing the line according to the terms of the treaty of 1783; or, second, by agreeing upon a conventional boundary, not the one described by the treaty. This commonwealth has repeatedly declared her solemn and deliberate conviction that the pretensions of Great Britain do not find any just or plausible support from the treaty; for the terms of that instrument are too plain to be misapprehended, and afford the most satisfactory means of designating the line. Nothing has occurred to change or modify that opinion, and yet the controversy is kept open, and aggravated by the irritating circumstances which surround it, by a steady refusal on the part of Great Britain to acquiesce in what seems an plain a matter to us.

This being the state of things, it seems to me to be the manifest dictate of wisdom to look forward to probabilities, and to provide for the support of our rights and interests in the contingency that may occur. We have sufficient evidence that Great Britain deems the possession of a portion of the territory west of the treaty line of the greatest importance to her, to facilitate intercourse with her colonies; we feel also as if she could not resist with violence the demonstrative proofs contained in the treaty of our right to the territory. We, therefore, in carrying out her wishes, manifestly but one alternative which is, to enforce, if she can her pretension against right, or to propose a conventional boundary. If she takes the latter course, it must be founded on an equivalent for any concession made for her accommodation, and that equivalent must be satisfactory to Maine, which holds the right of state jurisdiction, and owns nearly one half of the Massachusetts, which holds the other moiety of the soil; and to the United States, which hold the power of negotiation and settlement; for we can acknowledge no constitutional right to transfer territory and jurisdiction without the assent of the states interested.

Should questions of this description be discussed or listened with favor by the United States and by Maine, the interest and rights of the commonwealth involved in the issue would be of great magnitude and pressing importance.

Without any evidence of coming events beyond probability; I do not conceive such a measure so likely to occur, that I could not reconcile it with my duty to leave it unprovided for. I have therefore brought it to your consideration, not because I doubt the character of our title to the territory, or because I would invite terms of compromise which would involve a voluntary surrender of what belongs to us, but would imply any uncertainty as to our resolute determination to maintain our rights, but to provisions may be made for making known the sentiments of the commonwealth in case terms of compromise shall be discussed with a view to a settlement.

The sentiments of the United States and Great Britain are unknown to me, except as disclosed to the public; but I do not view it as an impossibility that terms may be proposed which will meet the approbation of both, and it is for this reason I have thought it proper, that, if such a state event shall be involved.

J. DAVIS.

ACCOUNT OF THE WRECK OF THE U. S. SHIP PEACOCK.

LETTER FROM AN OFFICER ON BOARD THE PEACOCK, COPIED FROM THE BROOKLYN STAR.

October 30, 1841. The Peacock, after sailing upwards of sixty thousand miles, arrived off Cape Disappointment on the 17th of July, ultimo.

At an early hour on the morning of the 18th she was standing in for the mouth of Columbia river.—As we approached the rugged pine-covered cape, to the northward of the river, it was apparent that a more weatherly position must be gained ere the passage of the formidable bar could with prudence be attempted; we had a fine breeze from south by east. We put about and stood off shore during the performance of divine service, Capt. Hudson, as usual, officiating. It was near half past 11 A. M. when we again went about on the shore tack. The wind had freshened to a moderate breeze, forcing us through the water at an agreeable speed, all drawing sails being set, from royals down. Following what we considered to be safe directions for our guidance, we were not aware of our error until we were rapidly shoaling our water, and the helm was ordered up. The yards were squared, and we stood down before the wind, with a line of warp upon our starboard beam, and what appeared to be deep water on the starboard bow. When abreast of the latter, we hauled up to the north and east, but had advanced not far on our new course ere we felt the keel touched lightly, and the next moment struck with tremendous violence.

"Wear and stand out," was the prompt order passed from captain to first lieutenant. But it was too late! Another and still more violent blow threatened to drive our masts over the bows. She was unmanageable and drove further on. "Clew up and furl every thing," "Send down top-gallant and royal yards," "Get up yards and sails," "Out first anchor," "Have stream anchor and hawsers ready for running out," followed in quick succession. All canvass was clewed up, top-gallant and royal yardmen mounted to the topmast rigging, but there clung for their lives, and were not then urged aloft to their most dangerous task, so doubtful did it appear whether the slender masts would stand from the shock, swayed as they were to and fro like whip lashes.

A boat, commanded by the second lieutenant, was lowered and sent out to sound, each of her crew being provided with an India-rubber life-preserver.

The yards having been firmly secured and the necessary purchase gotten up, the first cutter was hoisted out and moored by strong ropes head and stern. Years were joyfully entertained that she would live alongside. After several escapes, she was carried forward to the extreme of her sternfast, and then turned round, and driven into the ship with such force as to stave in all her bows. The wreck was secured with all the perfection of seamen's ingenuity, but she was afterwards broken in pieces, and her useless lumber thrown overboard.

Not one ray of hope could we see for prospects. The wind had chopped round to the northwest, and freshened with drizzling rain and strong symptoms of a gale.—Our launch remained our only boat that could possibly carry out kedge or hawser, but the sea alongside had become such that it would have been insanity to risk her to the first cutter's fate.

Immediately after we struck, signal had been made to that effect to the schooner, then some distance to leeward of us. She was now close to the edge of the breakers, when she was directed by telegraph to stand off and set at her own discretion.

Anxious eyes were strained upon the boat engaged in sounding; but, though in imminent danger, she was managed by skill that promised to secure her safety.

Between four and six P. M. we had driven on so far as to bring the outer breakers with the ebb tide a hundred yards or more to seaward of us. Our thumping became consequently for a time less violent. The top-gallant and royal yards and masts were sent down, with every thing out of the tops.—An anchor was swung out by the seaward foreyard arm, and let go clear of the ship. The pumps were manned and worked with will, and it was generally supposed with success in relieving a leak in the hold. The tanks were started, a gang of men set to work throwing shot overboard, and India rubber buoys secured to the main and fore yard arms. About this time the launch, and the sounding boat got alongside without her rudder, and was safely whipped on board.

As the flood tide made, our troubles were renewed. A large canoe had been observed pushing out towards the ship against wind and sea, but a dense fog came on and shut her, with all else beyond the ship, from sight.

The night set in dreary and dark enough. Rockets were sent up, and three minute guns fired to attract the attention of the Vincennes, supposed to be at anchor within the river.

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After eight o'clock the ship struck with a violence which exceeded all that had happened during the day. The lanyards of stoppers on the chain were carried away; new ones passed, which soon followed the old. The chain itself then parted. Another anchor was let go, which brought up and held up. Our position had shifted for the worse. Great floats were now excited lest the masts should come down about our ears and crush all on deck. They would have been cut away had they not been necessary for getting out the bower.

The rudder was carried away from its pintals, and, after chawing and grinding the stern frame for a time, happily left us. The leak in the hold gained fearful ly. At daybreak the sea boarded her on the port side, carrying away the stancheons of the larboard waist bulwarks and pouring water down the hatches by hogsheads. Gratings and tarpaulings were put over holes knocked through the bulwarks that were carried away by the sea, and the berth deck scuttled. The hope of seeing another sun grew dim and more dim, for spite of the quick clank of the pumps, which now tolled the passage of every second, the water never rose and gained upon us steadily. All thought of saving the ship was abandoned; but with the approaching daylight there was a chance of saving many lives in the boats. The water was then with and over the tanks, but the tide was falling rapidly, and it lacked but another hour of day.

Never did time grind slowly down upon the eyes of distressed mariners. It appeared as if all danger passed away with the darkness. The ship lay almost still, left by the tide, closely imbedded in the shifting sands. The launch and other boats on deck were hoisted out; the charts of our late surveys, the ship's papers and chronometers prepared for being sent on shore. A canoe was observed taking advantage of the unusual smoothness of the sea, and, as she was soon alongside, bringing an Indian pilot and a servant of Captain Wilkes. The latter informed us that the Vincennes had attempted to cross the bar about two months previous to our arrival, but found it impracticable on account of a heavy sea, had borne away for Puget's sound, where she had since lain at anchor in Nasqually harbor. Mr. Waldron was sick at Astoria, on Columbia river. Captain Wilkes had left his servant to attend upon him.

The Indian pilot could only be of assistance to us in pointing out the best passage through the inner breakers, and the safest landing place on the beach.

The scientifics, doctors, sick, and the marines, were sent with the ship's papers in the first detachment of boats.

The distance of the landing was great, and before the boats could return, the flood tide set in with its usual attendant—a heavy sea. Most of the boats, however, got along safely, but took of a second load. I was ordered into one of them. We pulled through breakers and tide up to Baker's bay, where, in a quiet little nook, we found those who had preceded us, many of them already engaged in throwing up the huts of boughs for shelter during the night. Some Indians of the Chinook tribe were lounging around, decked out in tawdry finery, and armed with musket, or rifle, and hatchet. They appeared truth a new lawless sight. She had borne us so long and well, yet now she was sinking fast, though resisting, with giant strength, to the last. The scene of the past night seemed about to be re-enacted, with a more disastrous finale.

One of the boats was thrown over and over, end for end, by the sea. Her crew were badly bruised, and one of the men had his hipbone broken, but all were saved by a second boat, which happened fortunately to be near at the moment. In another boat the bow-oarsman was thrown out over the stern, though the boat was not upset.

The ship was watched by a group of anxious eyes from a lofty cleared spot directly over Cape Disappointment. One by one the masts were seen to fall. None knew who of the gallant spirits remaining exposed to the increasing dangers might have been swept away with them. The hours dragged wearily on until the ebbing tide permitted boats to venture out for her. They reached the wreck, though the sea ran fearfully high. There were several feet of water on the berth deck, but, protected by the kind Providence in whom he had put his trust, the resolute captain stepped safely into one of the boats—*the last man to quit the ship.*

His arrival on the beach was hailed by three hearty cheers and many heartfelt congratulations, well deserved for the noble examples he had set of calmness and determination in the trying hours of peril.

The night passed wearily. Though many a poor fellow boasted neither pea-jacket nor blanket to protect his body against the heavy dew, yet not a life had been lost, nor a mortal injury received. No one could be sad.

The next morning saw nothing of the Peacock above water except the end of her bowsprit and a long splinter from the stump of her mizenmast.

The surgeon informed us that the Peacock's crew and officers, in the course of two days after the shipwreck, were conveyed in boats to Astoria, (now called Fort George), one of the Hudson Bay Company's stations, situated on the south side of the river, some twelve miles from its mouth; that at this place they met with the most hospitable treatment from that warm-hearted Scottish gentleman, Mr. Birnie, who superintends that establishment; that they erected a village of boughs and leaves around his house, and awaited nearly three weeks the arrival of the Vincennes, to which an express had been sent the second day after the disaster.

The Vincennes and Porpoise at length arrived, the latter sailing up the river and taking off the wearied crew, part of whom were shipped on board the Vincennes, and proceeded in her to California, from whence, on the 31st of October, they were expected to sail homeward.

A LETTER FROM PRESIDENT TYLER.

The annexed letter, read at a celebration of the president's particular political friends in Philadelphia on the 22d instant, appears in the Philadelphia papers. The Sentinel says that the letter, when read, met the hearty approbation of the company:

Washington, February 19, 1842.

GENTLEMEN: It would afford me the most unqualified pleasure could I avail myself of your polite invitation to be present with you on the anniversary of the birth of the most illustrious and most devoted patriot who has ever lived "in all the tide of time;" but this is denied me by the constant pressure of public duty. The memory of George Washington, rendered glorious by the devotion of his faculties, mental and physical, to the good of his country, stands in bold contrast with those whose names have found a place in history, not connected with great talents, directed to no other end than the advancement of their own petty and selfish schemes of ambition. I should like, in the company of "my friends," to recide what sort of an answer they might have to dwell upon the incidents of his useful life; to repeat the lessons of wisdom and truth embodied in his farewell address; and to take, with each of you, the pledge that the union of these states never shall be rent and inviolable, as the most acceptable mode of doing honor to the memory of the father of his country, and discharging the high debt which each and all of us owe to ourselves and posterity.

For the kind regard which you express for me, accept the tribute of my sincere thanks. Your approval of my past political course, directed as it has been to the faithful discharge of my duty, will not fail to animate me in all that remains of the future. That I entered upon the presidential office under circumstances of great embarrassment, must have been obvious to all. For the first time in our history, upon the happening of a contingency provided for in the constitution, the vice president succeeded to the presidency, and he, the successor, filled the Presidence, a new experiment upon our institutions is in the progress of trial.

A president, elected by the people, comes into office at the head of a triumphant party, and has, in fact, for the most part, the law which governs his party. Responsible, under the constitution, for the administration of public affairs, he recommends his measures and adopts those that meet with every assurance of support. Not so, however, with a vice president, who succeeds to the presidency by the demise of the president. His name has mixed but little with the canvass, and has been selected more with reference to supposed sectional or local than general influence. He has no party at his beels to sustain his measures, or to aid him in his exertions for the public good. Instead of being a leader he must be a follower of party, and he is required either to be a piece of wax, to be moulded into any shape that others may please, or denounced as a traitor and hoisted out in short fashion. Has he long cherished opinions which stand in the way of party measures, whether those measures be good or bad, wise, or the opposite, they must be surrendered. Honor, conscience, every thing esteemed among men, must be yielded or the thunders break over his head, and threaten annihilation. It is a fit occasion for the prevalence of faction, and the reliance of one thus situated can alone be on the patriotism and discernment of the people. Such, I frankly avow is my steadfast reliance, and every effort of mind and body compatible with the public institutions, shall be exerted to maintain our institutions under this new and hazardous experiment.

There are other causes of great trial and difficulty by which the administration is surrounded—private and public credit prostrated—industry, in all its departments, paralyzed—a treasury deficient in its supplies—a currency broken up and disordered—and our foreign relations perplexed and embarrassed. Credit should be restored—industry reanimated—a sound currency provided through the direct exercise of constitutional power, and the public peace preserved, if the same can be accomplished without a sacrifice of national honor. These objects will claim my undivided attention, and I will not permit myself to despair of their accomplishment.

I tender you, each of you, gentlemen, assurances of my high respect. JOHN TYLER.

To Samuel Rush, James L. Tyson, James McHenry, T. S. Smith, and others of the committee.

LETTER FROM SENATOR KERR.

COMMUNICATION ADDRESSED TO THOMAS B. W. RANDALL, ESQ. CHAIRMAN OF THE COMMITTEE OF THE HOUSE OF DELEGATES OF MARYLAND, *&c.*

Washington, Jan. 24, 1842.

SIR: Your communication of the 14th instant, directed to myself and Hon. Mr. Williams, D. Merrick, as "senators in congress," was duly received. My first impulse, from a perusal of it, prompted me to make an immediate reply, protesting, unreservedly and emphatically against the manner of authority which seemed to be assumed over me as a senator of the United States; and yet I was not unwilling, but desirous rather, to afford to the house of delegates of Maryland such light on the novel inquiry proposed by your letter, as I could impart, consistently with the grave obligations, resulting from my official station and the rules of the senate; because, for myself, I had adopted a settled rule of decision, in all times, when I lawfully can, to render a faithful account of the proceedings of that branch of the national legislature in which, through the favor and confidence of the general assembly of Maryland, I have the honor to hold a seat. But, sir, on a requisition of the house of delegates so entirely unusual, and, I may add, wholly without a precedent in the history of the intercourse of the legislatures of the states of the union with either branch of congress, I felt it was proper that I should pause, in order more deliberately to decide what sort of an answer it might be compatible with my duty to that *entire constituency* which I represent, and, at the same time with the respect I bear towards the house of delegates, by whose order you have addressed me. On this point, I soon formed a dispassionate judgment, and will endeavor now to pursue the course which that has indicated to me, pleased to be conscious that I cannot do amiss if my pen be guided by truth and the dictates of a just independence.

Before I offer to you the explanations and suggestions which have occurred to me as proper to be made, in order to satisfy, as far as lies in my power, the wishes and expectations of the house of delegates of Maryland, whose organ you are, it is necessary and proper that I should accurately recite the communication which we had the favor to receive from you, and the special inquiries proposed. You write as follows:

"*Annapolis, Jan.* 14, 1842.

GENTLEMEN: As chairman of this committee, I am instructed to call your attention to the following order, adopted by the house of delegates on the 5th of Jan. 1842. In discharge of the duty devolving upon them by this order, the committee deem it proper to address themselves first to you, and to request you to inform the house of delegates, through them, for what reason and under what circumstances, the claims of General Towson, your illustrious fellow citizen, were overlooked by the senate, when they had under consideration the vacancy caused by the death of Macomb, and confirmed the nomination of General Wool, of New York?" "With great respect, yours, &c.

"THOMAS B. W. RANDALL, *chairman.*"

You append to this letter what it doubtless intended as a literal copy of this order, under which you act, to wit:

"Ordered, that the committee already raised upon the subject of presenting a sword to captain John A. Webster, referred to by the governor in his annual message, be instructed further to inquire into the proceedings of senator Kerr and Merrick in regards the matter of General Towson's memorial to the United States senate, when a nomination to fill the vacancy occasioned by the death of gen. Alexander Macomb was before that body."

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One remark is obviously suggested upon this communication, taken as a whole; that the inquiry which you make, in behalf of your committee, from my collegue and myself, is far wide of the apparent object presented by the order under which you have proceeded, and, instead of calling upon us to aid you in gaining a knowledge of our *own* "proceedings" upon a very different matter—"general Nathan Towson's memorial to the United States senate, when a nomination to fill the vacancy occasioned by the death of general Alexander Macomb was before that body"—you apply yourselves *first* to us, "for the reasons and the circumstances under which the claims of General Towson, were considered by the senate" on the occasion of their confirmation of the nomination of Gen. Wool. For the one purpose, entirely personal to themselves, the senators of Maryland will, perhaps, have had but little hesitation in yielding to any *joint* request of the two legislative branches, which compose the general assembly of Maryland, in cases wherein constitutional obstacle interposed, as regards their own rights and independence, or forbade them to reveal the proceedings of the senate. But, for a disclosure of the reasons, opinions, or arguments, urged by senators in secret session, they could find no warrant or excuse but in a previous resolution of the body for the publication of them, without which they would incur punishment and disgrace.

This serious difficulty could not surely have occurred to the honorable house of delegates, when passing the order under which you act, and must have been no less overlooked by the committee when they instructed you to make the request which we have had the honor to receive.

By the constitution of the United States, each house of congress is invested with a power to determine the rules of its proceedings, and, adopted the rules established by the senate, and approved, is that which keeps secret its proceedings on executive nominations to office until the injunction be taken off by a formal vote, and any exposure of information or remarks touching the character or qualification of persons nominated, is expressly forbidden.

Seeing, as, therefore, under these prohibitions and restraints, the house of delegates of Maryland will, I trust, excuse me from a compliance with their request, as transmitted by you, to inform them of the reasons which governed the senate of the United States, or were urged by any members of it, when they confirmed the nomination of General Wool; and they will be disposed, I am sure, on mature reflection, to rid me, in their most generous estimate, of all suspicion, which the object presented by their order seems necessarily to imply, of a desire to conceal any proceedings on the part of Maryland Senators. "so far as the matter of General Towson's memorial," of which you speak, when I assure that honorable body that, whatever may have occurred upon any such memorial before the senate of the United States, or in any of its committees, it has been confidential, under its rules, and that if thereupon any proceedings or discussion have taken place, I am precluded at present from unfolding them. Nevertheless, sir, such is my desire to manifest my respectful consideration of the house of delegates, who, in their appropriate sphere of action, represent the people of Maryland, whom I serve, in mass, and to whom, as my lawful constituents, I will ever bow with reverence. I will not withhold my knowledge of "the circumstances," so far as I am at liberty to state them, under which the Senate confirmed the nomination of General Wool, of New York, as a brigadier general. I will relate them as succinctly as possible, lest I should trouble the house of delegates with a too tedious detail of proceedings, with which, as public men, most of them are probably familiar; for they consist in well known facts and plain constitutional provisions, to which all who desire it may readily refer. They will, I hope, humbly hope, to the members of the house of delegates, the means of an ample apology to their own immediate constituents for desisting from any further pursuit of a fruitless design to draw from the senate of the United States their *reasons* for having overlooked the pretensions of any individual, howsoever distinguished or wheresoever born, to an office under the general government, to which the president, in the exercise of his unquestionable power and discretion, has not deemed it his duty to *nominate* him. I am, sir, further induced to go through this brief process for the purpose of disabusing the public mind of the effect of intimations and doubtful queries about some supposed dereliction of duty on the part of the Maryland Senators, which, not being defined or specially charged against them, cannot be at this time more affectually dissipated.

Upon the death of our late distinguished and lamented commander-in-chief, Major General Macomb, it was very soon known that General Winfield Scott would be called to succeed him. He was accordingly nominated to the senate, and by it promptly confirmed. Upon this appointment being made, it devolved on the president to choose a brigadier for the army. General Wool being then a colonel, and an inspector general in active service, and a brigadier general by brevet, was nominated by the president and deliberately confirmed by the senate to fill the vacant post. There was, at this time, a long line of colonels in the service of the United States, entitled to promotion of brigadier. The distinguished Jesup held the rank also of a major general by *breret*. Amongst these officers of the army, General Atkinson and General Brady were senior to all in rank.

I shall not attempt to compare or treat of the relative merits or qualifications of these gallant men, who have received the full reward of honors from their grateful country. General Nathan Towson, a native of Maryland, was, I believe, as brave a soldier as any in the late war with Great Britain. He was repeatedly distinguished and honored during his service—as others of his compatriots were—with promotions by brevet, for conduct of gallant and noble daring, in the face of the enemy; and, in 1834, he was *brevetted* as a brigadier by General Jackson, then president of the United States.

At the period of the late appointment, which is the subject of your inquiry, General Towson, holding the office of paymaster general of the Washington, under the immediate eyes of the president, was doubtless among those to whom his attention was drawn, when making choice of a brigadier. Upon the principle of *seniority*, which his predecessor was accustomed to pursue, unrestrained by the pretensions of mere seniority in commission, it was as fully in his power, if he chose, to fix his choice on General Towson, as to have conferred the honor upon General Wool, or any other of the distinguished officers of the army, whether in the line or staff. General Towson was ranked at least by Atkinson and Brady; and many other officers claimed precedence of him, under their view of substituting rank in the army. It may be proper to state—that which I derive from other sources than my confidential matter in the memorial of General Towson is of opinion that there is an error or omission as to the date of his last brevet, which, if it could have been corrected by some competent authority, would, in my opinion, place him in rank before General Wool; but, if that could have been effected, the result would not have given him precedence of General Atkinson and General Brady and others. The fact, however, of General Towson's being so bore to them in rank, he was as *eligible* as they, had it been the will of the president to nominate him to the vacant place of a brigadier; and the power of that high office to make such a nomination, rested at any moment before its confirmation, would never be denied by the senate. I speak with perfect sincerity when I say, that, had the nomination fallen on that gallant son of Maryland, I would have cleeshed with satisfaction the opportunity in my hands of confirming it by my vote; and this is all I think that the occasion calls upon me to say on the subject.

The president nominated General Wool, not on account of *seniority*—for that could not be pretended—but of his own sound discretion, according to an undoubted authority to do so, under the constitution, military usage every where, and the express rules and regulations of the army. Those rules declare that original vacancies shall be supplied by *selection*, but by choice, and accidental vacancies shall be *the rank of ordered by promotion*, according to *seniority*, except in extraordinary cases; but appointments to the rank of *brigadier* or major general are to be made by *selection*, independently of the rank of seniority. The force of the reasons for such provisions is well understood even in the militia of the states.

To the president belongs, under the constitution, the power of nominating officers of the United States, civil and military, and to the senate is exclusively assigned the authority to confirm or reject his nominations. As he has, by the constitution, the entire responsibility for the wisdom and integrity of his selections rests upon him. The senate, as an independent body, has a right to examine into the fitness of the candidate nominated, and to approve or reject him; but their decision should be fairly regulated by the opinion of the character and qualifications of the individual presented. Should the senate at any time, on any principle that whenever a majority of that body happens to prefer another, they will reject every nomination until the president fall back upon their favorite, it would be a plain usurpation of the constitutional prerogative of sole nomination, and thus the whole power of appointment would be rendered nugatory. If this right of the president to nominate be conceded, and, in the case of an appointment to a military office above the rank of colonel, he is not bound to make the selection according to seniority of rank, then the senators must rest their assent or dissent to the nomination on the criterion of the character and qualifications of the individuals actually nominated. They may reject him, but neither the mere nor rank of any other person can confer on the senate a power to appoint that other to the office in question, since the president will still have the right of selection, and may again and again nominate agreeably to his preference and judgment.

If, in the case of the nomination of General Wool, the claims of his admitted seniors, Atkinson and Brady, were passed over, it is reasonably to be inferred that the nomination was confirmed upon the principle of the right of the president to make a selection of a brigadier, without regard to rank, and from the absence of well founded objections to the character and competency of the nominee.

I have thus, sir, stated to you for the satisfaction of the house of delegates, the precise circumstances, in point of fact, and the constitutional authority under which the president made and the senate confirmed the nomination of Gen. Wool, so far as I am at liberty to unfold them, and as I understand them. Now, sir, if to know the reasons or motives which guided the president of the United States in making that nomination, or the several members of the senate in confirming it, shall be still desired by the honorable house of delegates of Maryland, or the reason why the former tendered and nominate to that vacant place in the army our distinguished fellow citizen General Towson, I think I have offered most respectfully for their consideration irrefragable proof that no such desire can properly be entertained that, in my peculiar situation as a senator of the United States, I can be in any manner further instrumental in affording to them such information.

I have, sir, making to you, the authorised interpreter of the wishes of the house of delegates, any answer, and poised myself upon my own just sense of the independence of the senate of the United States of the authority of any legislature of any state may assume to exercise, of inquiring into its proceedings, I might have been deemed fastidious towards the honorable body in whose name you have proceeded, lest I should fear that by any such degree of compliance as that to which I have limited myself, I shall incur the imputation of having in the least compromitted the dignity and independence of the national government to which I have the honor to belong, and which, with its co-ordinate legislative powers, participates, also, in the high executive function of appointment to office.

I have, sir, stated with freedom, though with great deference, what I thought best adapted to this peculiar occasion and to my own fair purposes; and now I come to speak briefly of that part of your communication which alone concerns the Maryland senators personally.

If the inference which I draw from the order of the house of delegates itself be not strained by an undue sensibility on my part, be the slightest implication of a charge against me as one of the representatives of my honored native state, it may behoove me to notice it with some special attention. I have not already remarked that, in the inquiry contained in your letter, you do not ask of us to give to the house of delegates any information or report of our own "proceedings" in any case before the senate, except in so far as being consequent upon them of that body we are embraced in its general designation: It may be, sir, that, by thus calling the particular attention of the house of delegates to their order, I have made an issue not intended by them to be raised; but it was impossible for me, although at all times most anxious to obviate the necessity for self-defence, "to think so hard as to not to have seen in the fair intendment of that order that there was implied some dissatisfaction with the conduct of the Maryland senators. To incur the just censure of any portion of the people of Maryland, or of their representatives, would give me infinite pain, and I am therefore ever feelingly alive to the semblance of an accusation that might lead to such a consequence. The frankness with which, in my character proposes me on all occasions, when I may with propriety do so, to meet openly and firmly, and to remove if I can, either misapprehensions or misrepresentations of my conduct in the minds of any considerably or justice of the honorable house of delegates of Maryland, if a serious charge of any sort were really intended to be alleged against me, that a full and certain specification of it would have been made and furnished me, so that I might, if I pleased, plead to the jurisdiction, or confess or deny the impeachment. But if it be the sure though undesigned effect of their order to "just hint a fault—" and the grave proceeding have instantly become a prolific topic for ambiguous interpretations and malig-

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nant surmises, shall the intended victims of popular displeasure evade or rest quietly without notice of them, when a breath of them may dispel the cloud? A plain, blunt man, as I am, and not accustomed to rest quietly under the injurious operation of such a state of things, I will not now forbear to avail myself of the fair opportunity which is presented for repelling unfounded and unjust insinuations; nor do I think that any ground of self respect forbids me in such a case, to speak out. I confidently trust, therefore, that in taking part in the irregular proceeding, which has called from me a few lines, with the satisfaction of the honorable house of delegates, I shall be pardoned if I further use the occasion to give immediate circulation of what I deem a necessary and proper contradiction to the insinuations, for my own sake.

When I first saw the order of the house of delegates, a copy of which has since been transmitted by you, in my solicitude to ascertain its object so far as it might be interesting to myself, as one mentioned therein defined, I used some endeavor to obtain information of what it really meant. The result of my enquiry was, that, although no allegation of any improper official act on the part of my colleague or myself had been stated before the house of delegates, yet that, in the political circles of Annapolis it had been suggested as probable that some of the Maryland senators, on the occasion of confirming the appointment of General Wool, had purposely *absented themselves from their seats, so that the nomination might not be rejected.* This is the simple form in which I can state that cross imputation, which I learn that rumor has trumpeted to and fro, until it has become rife in the state.

I remember well, sir, that, during the "civil dudgeon" in the party canvass of October, a friend of mine, with the best intentions, sent to me a newspaper printed in the city of Baltimore, in which this malignant surmise was embodied in a direct charge, in language which my self-respect will not allow me to repeat. It was then the object of my ineffable contempt, and I let silence speak my scorn. I thought it had fallen stillborn from the press. But if it be now the object of any one to resuscitate the despicable offspring of personal malignity and party rancor, and he shall avow such a charge, I cannot apprehend that one individual of the gentlemen in the house of delegates of Maryland, there to foster so base, so low, so unjust an imputation; or that any honorable man, whether political friend or adversary, who we heard of my humble name and character will hesitate to stand forth in my vindication, upon the bare ground of my reputation, against unjust falsehood. None but those who are conscious of their own destitution of every feeling of virtue and independence could invent the slander; and he who would propagate it, without proof or even plausible pretext, deserves no better title than the foul disgrace of society.

I have not deemed it too serious to utter these expressions of indignant self-respect, for the purpose I have declared, since I know well how easily the purest intentions may be blackened by malice; and false insinuations, if suffered to pass without notice, may be worked into a manufacture of public opinion, producing excitements and ill-blood, difficult to be allayed.

I beg you, sir, to assure the house of delegates of Maryland of my high consideration: and I remain, respectfully, your obedient servant,

JOHN LEEDS KERR.

To Thomas B. W. Randall, esq. chairman of a committee of the house of delegates of Maryland, &c.

LETTER FROM SENATOR MERRICK.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF DELEGATES OF MARYLAND.

Senate of the United States, January 26, 1842.

SIR: Prompted by a perfect respect for the honorable body over which you preside, and entertaining a sincere desire on all occasions to conform as far as possible to their just expectations and wishes, I most respectfully beg leave through you, to invite the attention of the honorable the house of delegates, to the following copy of a communication made to me by the Hon. Thomas B. W. Randall, as chairman of one of its committees, and to a very brief statement of the considerations, which seem to prescribe to me, my duties in regard to that communication.

Copy of a communication directed to the honorable John L. Kerr and William D. Merrick.

Annapolis, January 14, 1842.

"GENTLEMEN: As chairman of the committee, I am instructed to call your attention to the following order adopted by the house of delegates, on the 24th January, 1842. In the discharge of the duty devolving upon them by this order, the committee deem it proper to address themselves first to you, and to request you to inform the house of delegates, through them, for what reasons and under what circumstances the claims of General Towson, your illustrious fellow-citizen, were overlooked by the senate, when they had under consideration the vacancy caused by the death of Macomb, and confirmed the nomination of General Wool of New York. With great respect, yours, &c.

T. B. W. RANDALL, *chairman.*

"*Ordered*, That the committee already raised on the subject of presenting a sword to Capt. J. A. Webster, referred to by the governor in his annual message, be instructed further to inquire into the proceedings of Senators Kerr and Merrick, as to the matter of General Nathan Towson's memorial to the United States senate, when the nomination to fill the vacancy occasioned by the death of Gen. Alexander Macomb was before that body."

By the letter of the honorable chairman, I am required "to inform the house of delegates, through them [the committee] for what *reasons*, and under what circumstances, the claims of General Towson, your [my] illustrious fellow citizen, were overlooked by the senate, when they had under consideration the vacancy caused by the death of *Macomb*, and confirmed the nomination of Gen. Wool, of New York."

I am unwilling to suppose that the honorable delegates of Maryland either expected or designed to authorize this call. Had that honorable body desired to know the *reasons* of any action of the senate of the United States, they would have authorized them to call for those reasons, they would, in view of their own high dignity, and the character of the body whose *reasons* they wished to investigate, have addressed themselves to the senate, and not to one of its humblest members. They have usually, I believe, heretofore made their own senators the organs through whom they have, on occasion of such a nature, addressed themselves to the senate, on opinions to the senate; and though there is no precedent for requiring of the senate their *reasons* for any act they may have performed, I still must suppose that, had the house of delegates entertained the dignity both of the house of delegates of Maryland and of the senate of the United States, than by the unusual, unprecedented, and, I add, unjust reasons which may have governed the senate in its action, otherwise than from a declaration of those reasons by the senate itself. The reasons which may have governed individual senators, I might, even to some extent, by inquiring of them individually, but the reasons of the senate can be known only from the senate itself, and I am yet without authority to ask for a formal declaration of the senate.

As to the subject matter of the inquiries in the honorable chairman's letter, I beg permission simply to remark, that I have yet to learn that the name of General Towson was ever before the senate, in connexion with "the vacancy caused by the death of Macomb," and now filled by the distinguished General Winfield Scott, or in connexion with the office now held by General Wool of New York; and if any should desire to know the *reason* of this, I must respectfully refer them to the president of the United States, with whom resides exclusively the nominating power.

Permit me now a word in reference to the order which the honorable chairman informs me was passed by the house of delegates on the 5th of the present month. This order directs an inquiry by a committee of the house of delegates "into the proceedings of senators Kerr and Merrick, as regards the matter of general Nathan Towson's memorial to the United States senate, &c. &c." Now, with all possible deference for the honorable the house of delegates, I must be permitted to remark, that I am utterly unable to discover whence they derive the power to subject a member of the senate of the United States to the jurisdiction of one of their committees, particularly for proceedings in senate, or what authority they can give to a committee to investigate any proceedings had in the senate of the United States, when sitting with *closed doors*, as a coordinate part of the executive government of this union. The members of the senate, like members of all other considerative assemblies, are subject for all their acts and doings in senate to the jurisdiction of the senate, itself; and no member, however humble as an individual, can consistently, with a becoming respect for the body, recognise or voluntarily submit to any other, short of the sovereign people.

The honorable house will hence perceive the painful necessity they have placed me under of declining to have any connexion with the proceedings their committee may see fit to institute under this order, anxious though I certainly am in all things to be scrupulously respectful to them, and much as explanations, which under other circumstances I might be enabled to make, would tend to disabuse some of them and others of my valued fellow citizens, of unjust and erroneous impressions.

With the highest consideration, I am, sir, most respectfully, your obedient servant,

WM. D. MERRICK.

HOME LEAGUE.

COMMUNICATED FOR THE NATIONAL INTELLIGENCER.

The difficulties prevailing among the productive classes in the United States since 1836, and the still greater difficulties apprehended after the final reduction of duties in 1842 have excited a general feeling of anxiety throughout the country as to the future. At a meeting of the friends of domestic interests, held in New York last October, it was resolved that a *Home League* should be formed for the purpose of promoting home interests, aloof from party and sectional bias, and the undersigned were appointed a committee to set forth their views in an address to the public. In compliance with the direction of the convention they submit the following

ADDRESS.

On the first of July next a new era commences in the history of the United States. Unless some modification shall be made at the next session of congress, on that day the import system of the United States will be placed upon a basis as yet untried in this, and, as we believe, in any other civilized country. From that time all discriminating duties are to be abolished—the protection hitherto extended to the manufacturer of articles essential to the independence of the country is to be laid aside—the legislation of other nations adverse to our national interests is to be disregarded; and under a fixed and permanent duty of 20 per cent. the navigation, manufactures, and agriculture of the United States, so far as they are affected by foreign trade, are to be committed to the caprice and hostility of foreign legislation, and to be neglected, prohibited or encouraged, as the interests of other governments shall prescribe. How far such a departure from the established national policy of the United States is justified by a reference to our past history, by sound maxims of government, is well worthy of consideration.

The American people are fully aware of the grasping and monopolizing character of the policy adopted by the nations of Europe for the government of this continent. That knowledge grows out of their public history. It is identified with their recollection of the contests and achievements of the revolution, which was in itself an effort to emancipate this continent from the shackles of the colonial and commercial system of Europe. So far as related to the territory of the United States, that attempt was successful.

The establishment of our independence put an end to all direct control and interference, on the part of England, with the industry and commerce of the U. States.

The indirect control of the colonial policy was as great as ever. So far as related to our commerce with the territories and islands adjacent to the United States, we were still in a state of vassalage. It is true that we could trade with Europe, and we had an equal voice in the regulation of the trade between the United States and the colonial possessions of European powers; but their jealousy forbade all intercourse which was not exclusively regulated by them for the interests of the mother countries, and in this manner the United States was isolated and debarred from intercourse with all neighboring colonial possessions.

The southern part of this continent was in possession of Spain, and her jealousy excluded all trade with those colonies. On the north, England exercised a similar control, and with the same hostility to American commerce. The wast and fertile valley of the Ohio was denied all access to the ocean, because the mouth of the Missisippi was owned by Spain; and the equally extensive and fertile shores of the great lakes were subjected to the same inconvenience, because the St. Lawrence flowed past one of those military outposts with which the commercial policy and grasping ambition of England have encircled the globe.

Even when under the pressure of war any European power opened her colonial ports to our commerce, it has been deemed an infringement of the principles of the colonial system, and our vessels have been subject to capture and condemnation for participating in a trade which was stigmatized as a

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violation of the European law of nations. The resources and commerce of this hemisphere were deemed the property of Europe, and all intercourse and trade among its inhabitants were to be wholly prohibited, or so regulated by her paternal legislation as solely to promote European interests.

Such a prohibition was an arbitrary exercise of power, injurious to the interests and rights not only of the colonies, but of the United States. It was in contravention of the natural rights of the inhabitants of this hemisphere, and would justify them in resuming those rights by force whenever their interests would permit a recourse to the dernier resort of nations.

The sagacious statesmen of the revolution felt that the contest was not yet at an end. The victory was only partially achieved. The bonds of colonial vassalage had only been shaken off, but the fragments and shackle-bolts still lay scattered around, encumbering the ground, and obstructing our path to prosperity and greatness. A system of policy was to be adopted which should secure to the country the substantial fruits of independence. Among the first objects which attracted the attention of the federal government was the shipping interest; and a law was enacted which, by a discriminating tonnage duty, compensated American vessels for the burdens imposed upon them by the British navigation acts, and enabled them to compete upon equal footing for the carrying trade between the two countries.

Measures were also adopted to open the Mississippi to the trade of the rich territory beyond the Alleghanies, and to enable the produce of the west to pass the ocean by the way of New Orleans. At the same time, steps were taken to obtain a fair share in the commerce between the United States and the West Indies; or, at all events, to put an end to the monopoly of that business which the British government sought to secure to its own shipping. This was effected after a long and protracted contest, by the passage of laws that prohibited all trade with British colonies in which American vessels were not permitted to participate.

Among the chief inconveniences to which the new republic was subjected was one growing out of the import systems adopted by the great European powers. It found on all sides an interdiction, which prevented it from selling in their markets such productions as it found itself best able to raise.

With the view of encouraging their own manufactures and industry, or to raise the means of maintaining the vast expenditure of their governments, they had imposed duties so high upon importations as to almost exclude us from their markets. Against the productions of this country, so lately in the hands of colonial thraldom, and still obnoxious to the European prejudice that America was an inferior portion of the globe, created and cultivated solely for their use, these import systems have with peculiar force. The statesmen of the old world could not forget that until the continental congress of 1776 had broken the thraldom, not a hobnail nor a yard of cloth could be made in America without the consent of European legislation; and England, especially, remembered that her laws prohibited any manufacturing in the colonies which could interfere with her staples, or disturb a policy that doomed the colonists to the cultivation of the soil, with the view of providing a market for her manufactures.

It was in the face of this system—this general enmity—that the commercial and manufacturing interests of the United States were to be built up, and the policy adopted was that of reciprocity. We proclaimed to the world that we sought free trade, but to those that refused it we would extend retaliation. Our statesmen seemed to have been governed by the feeling that dictated the stern and stirring motto of old Massachusetts:

Ense petit placidam sub libertate quietem.

Discriminating duties were imposed upon importations, having a due regard to the ability of the country to manufacture for itself. Under this system the great interests of the country have advanced with unexampled rapidity. The navigation of the Mississippi was obtained by a vigorous negotiation, which more than intimated energetic action. The flag that had so lately appeared among those of independent powers swarmed in every sea, and within the first half century of our national existence we stand second only to Great Britain in the amount of our commercial marine. Yielding to the necessity of providing for her West India islands supplies that could only be drawn from the United States, England was obliged to permit our vessels to trade with the colonies upon terms approaching to equality.

The exports of the country, which in 1791 only amounted to $19,000,000, had increased in 1830 to $74,000,000, and in 1840 to $132,000,000. After the modifications of the tariff, more particularly in reference to the promotion of manufactures, and the fabrics began to make their appearance among our exports; and the United States, which, at the formation of the union, exported scarcely any thing except agricultural produce, and was dependent upon Europe for nearly all manufactured articles, had so far advanced in that branch of industry as to export in 1823 $3,352,000 of domestic manufactures, and in 1840 $10,614,000.

Of these, the cotton manufactures, which were not enumerated among our exports until 1826, amounted to $3,550,000, and those of iron to $1,101,000.

These indications of increased skill, which now appeared in the exports, were but faint evidences of the great benefits which had accrued to the by the establishment of manufactures at home. The supply of the domestic consumption vastly exceeded in importance the amount contributed to its foreign competition. Manufactures, in fact, had called into produce gave a new impulse to the settlement and improvement of the country. The rural districts were enriched and enlivened by the establishment of single factories on the streams that had, till then, flowed in solitude to the sea; while the manufacturing towns, in other districts, sprung up with a vigor and strength that, in fifteen years, have made them worthy rivals of the great manufacturing towns of the old world. It seemed, however, that the prosperity of those portions of the union which dcroted themselves to commerce and navigation, begat jealous and discontent dissatisfaction and jealousy among the planting interests. An opinion began to prevail that, by obtaining our supplies from domestic industry, the American ports are rendered less frequented, and that there would be a less demand for their peculiar productions abroad. Influenced by this sectional feeling, an opposition was set on foot against the established policy of the country, and after a vehement contest, in which other considerations, which it is unnecessary here to recapitulate, besides those of public policy, were mingled, the opposition so far prevailed as to cripple the system of commercial system adopted at the formation of the union.

The effort to regulate the trade between the United States and the British West Indies was compelled on the part of this government, and is now carried on under the sole regulation of British legislation.

How far this has promoted the navigating interest, of this country, may be inferred from the fact that, while both governments exercised a joint control over the trade, nine-tenths of the commerce was carried on in American vessels; and that since the acts of concurrent legislation, which terminated, prohibited, in 1830, by the proclamation of the president, the British navigator has so far gained upon the American as to divide the trade equally with him.* In fact, the intercourse between those possessions of England and the United States is regulated solely with the view of furnishing employment to British tonnage; and the convenience and interests of these great portions of the western hemisphere, which would be so much promoted by unrestrained commerce, are set aside and disregarded, in order to augment the maritime power of Great Britain. The trade with the West Indies is coerced, by burdening the direct trade with heavy duties, into an indirect trade through New Brunswick and Nova Scotia, in which the long voyage of the northern those provinces and the islands, is exclusively confined to British vessels.

In like manner, the grain trade between the western states and England is monopolized by British navigation. The wheat that in the ordinary course of business would come down the Erie canal, giving employment to American millers, forwarders, merchants and mariners, is forced, by heavy discriminating duties imposed upon the direct importation, into the route of the St. Lawrence, to build up Kingston, Montreal and Quebec, and to increase the overgrown marine of the mistress of the ocean.

The commerce on the lakes has been increased from almost nothing to a tonnage of half a million annually, entering the ports of the United States from Canada, but the whole transportation across the Atlantic is monopolized by British vessels.

The same opposition was made to the policy of fostering domestic manufactures by discriminating duties, and with like success. After a contest, in which the opposition was carried to a point inconsistent with their obligations to the union, its opponents succeeded in obtaining from congress an act providing for a gradual reduction of duties until 1842, when they are to be brought down to 20 per cent. on all articles, without reference to any of those views and principles which have influenced statesmen in imposing discriminating duties. From the gradual reduction that has hitherto taken place, our mechanics and manufacturers have been so prevented from feeling the full effects of unrestrained competition with European labor. The great barrier has not yet been thrown down; still our merchants and mechanics have already felt the evil consequences of government's withdrawing its parental care. The reduction of duties has encouraged excessive importations of foreign manufactures; and increased the disorders of our currency. Extravagance in the consumption of foreign luxuries has been encouraged in the same degree that domestic manufactures have been repressed. Importations have been increased, and the country has grown poorer. The whole exports of bread-stuffs from the United States in 1839 scarcely paid for one-third of the silks imported; while the exports of wheat alone, and all the produce of the labor of our hardy mariners who are engaged in the whale fisheries, did not pay for the cigars which were imported into the United States the same year.* A policy which encourages such extravagance can only tend in general distress and national bankruptcy.

Our importers and shipping merchants also complain of the disregard of their interests. The vessels of foreign powers are supplanting our in the trade between this and the South American states, and four-fifths of the importations of foreign goods in this city have fallen into the hands of French and British agents.

Had this occurred in a competition where both parties stood upon the same footing, the same cause of complaint would not have existed. But such is not the case. The terms of the contest are unequal. On one side there is freedom, on the other restriction. Our ports and markets are open to other nations, while their ports are hermetically sealed to all articles which may come into competition with any branch of native industry. This state of things ought not to be tolerated by any independent government, least of all by one that has established a system of successful opposition to the same system of commercial monopoly. Our interests as well as our honor require that our intercourse with foreign nations should be placed on terms of equality and reciprocity; that it should not be regulated and controlled solely by foreign legislation. This was the commercial freedom aimed at by our revolutionary ancestors, and we, their children, ought not to be satisfied with less.

In applying a remedy, practical statesmen will look at the actual state of trade between this country and foreign nations. For instance, in our intercourse with England, a power enjoying one-half of our whole foreign commerce, it meets with two impediments, equally cruel and unjustly from the commercial legislation of that government. The first is its colonial policy, by which the carrying trade between the United States and the colonies is practically confined to British vessels. The other pretension this country should offer a constant resistance. All the territories and islands owning a common head, or controlled by one government, other nations can only regard as one country or empire. Such is the character of the various states and territories represented by the federal government at Washington; and such, too, we ought to consider the various islands, peninsulas and continents controlled by the imperial government at London. While we admit the right of all nations to designate the ports which foreign vessels are permitted to enter, we must also regard as unfriendly the exercise of that right in manner plainly intended to secure the greater part of the carrying trade to that party.

The mode of retaliation, and the time when it is to be enforced, may depend upon many other considerations; but setting those aside, and no one can doubt, who is jealous of his country's rights, that the grasping and monopolizing character of the laws of England, regulating our intercourse with her colonies, would justify us in confining the admission of her vessels to the ports of the Chesapeake, or any other part of the union, which should have the effect of diminishing her share of the carrying trade.

The second, and indeed chief inconvenience, to which American commerce is subjected by her laws,

Imports.		Exports.	
*1839—Silks	$23,088,000	Bread stuffs	$8,545,006
Cigars	1,027,000	Rice	2,460,000
		Whale oil, bone	
		and spermaceti candles	858,000

* Tonnage employed in the trade between the United States and the British colonies:

	American tonnage.		
	British W. Indies.	British colonies.	
1825	102,000 tons.	60,000	
1826	97,000	75,000	
1839	42,000	284,000	Of this 2 were on lakes Erie and Ontario.
1840	55,000	273,000	
	Foreign tonnage.		
1825	7,500 tons.	6,000	
1826	8,000	9,000	
1839	34,000	222,000	
1840	29,000	288,000	

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grows out of the general principle pervading her commercial system, by which she seeks to secure the supply of her own consumption to her own subjects. Her revenue laws all aim to secure her home market to herself. The importation of every thing that can be advantageously produced by British capital, or British industry, is either prohibited or subjected to heavy duties, which operate as a bounty to the British producer.

Practically, these laws exclude the agricultural productions of the whole northern and western states from the British market, and they act in every sense, in mission under the guise of colonial produce, and with the view of fostering the growth of her commercial marine.

This policy of excluding bread-stuffs from the British market is the more objectionable, as it was adopted at a time which would warrant the conclusion that it was specially intended to operate against the United States. Before their separation from England, the duty on wheat imported into that island was merely nominal. But, directly after the formation of the federal government, a new policy was adopted towards this country. The first step was to exclude American vessels from the colonial trade. The second, to impose a high duty on the importation of bread-stuffs. This was done in 1791; and it may be safely concluded that the object of England, which form so great an obstacle to free trade between the two nations, have originated as much out of jealousy of this country as out of a regard for her landed interests. Their direct operation to prevent those states which depend chiefly upon agriculture from paying for their importations in the productions which they can most readily raise; and to compel them either to devote their industry to other employments less suitable to their condition, or so to reduce the price of their produce as to force an admission into the foreign market, with the duty. The operation is injurious to the grain-growing states; and any injury to so great and important a portion of the union cannot be too carefully looked into, nor too speedily redressed.

The practical remedy adopted at an early period of our history was, by discriminating duties, to encourage all manufactures essential to our national independence, and to compensate for the loss of a market abroad by promoting a variety of employments in the country, and thus creating a market at home.

The results of this policy are manifest to all. Indeed, it would be difficult to find a more fair illustration of the advantages of this policy than is afforded by the contrast between those states whose citizens have adopted a variety of employments and those who have devoted their industry to agricultural pursuits during the late convulsions of the commercial world. While the planting and agricultural states have been (and are still) in the greatest distress from the low price of their staples, which they are obliged to sacrifice to pay for their foreign importations, the manufacturing states, more independent of supplies from abroad, experienced but little difficulty, and no actual distress.

The question now to be decided by the American people is, whether this policy shall be given up, and the commerce and manufactures of this country abandoned by a government which was established chiefly for their protection, to the care and guardianship of foreign legislation.

The argument used in favor of the abandonment of this policy is, that it is inconsistent with the principles of free trade. If these advocates of free trade could show that those powers with whom we had commercial relations practised upon that theory in their intercourse with the United States, there might be some ground for urging upon this country an adherence to its maxims. But such is not the fact. The great maritime powers of the world have surrounded themselves with a commercial quarantine.

England takes nothing from the United States that she can produce at home, and France is equally careful to protect her own subjects from American competition. Our trade now chiefly consists in purchasing from them freely all that we require; and then the productions of our industry are forced off in all markets to which they are admitted, in order to provide the means of discharging the balances of those countries. In such a state of commercial intercourse, our conformity to the theory of free trade is but exposing our interests, without defence, to the systematic assault of open enemies. It is relying upon the pacific principle of non-resistance as a sure protection against a world in arms. Under such a policy our citizens are influenced or controlled in the direction of their industry, not by the force of natural causes, but by legislation, alien in its character and hostile in its views. So far as the hope of a foreign market is to influence them in the choice of employments, they are compelled to devote themselves to the production of such articles as can find admission in that market.

So far as these laws now operate upon the United States, they confine their citizens to the cultivation of the soil, and even such productions are received only in a raw or unmanufactured state. Nor is this the worst view of the question. The grain-growing states, whose agricultural productions amount to nearly twice as much as those of the planting states, are interdicted from sending any portion of the results of their industry to pay for their consumption of foreign goods. The consequence is, a forced and unnatural course of trade, deeply injurious to more than three-fifths of the union, in point of numbers, and a much greater proportion, when wealth and resources are taken into consideration.

To compensate them for the loss of a foreign market, the revenue laws have co-operated with the laws of political economy, in creating a domestic market.

Our fellow citizens have been induced, by discriminating duties, to adopt other employments; and those who are thus drawn from the cultivation of the soil become consumers of the productions of those who remain.

For the greater portion of the time since the adoption of this policy, a large portion of the community have become manufacturers and mechanics, and agricultural produce, which before that event was low in comparison with the farmer, has found a market at home at good prices.

Nor has this advantage been counterbalanced by a corresponding advance in the imported articles, to the manufacture of which our countrymen have been induced to apply themselves. Whether it has been owing to domestic competition, as asserted by the friends of domestic industry, or to other causes, it has been maintained by the opponents of this, is certainly true that the chief articles, whose production in this country has been encouraged by discriminating or protecting duties, have been lower in the United States since the adoption of the protective tariff. For instance, cotton and woollen cloths, bituminous coal, have all fallen considerably in price since 1824; and the last article has fallen in the face of an advance in England. Indeed, it does not require much sagacity to foresee that the production of an article here must operate against the manufacturer; nor is it to be inferred that if the United States had imported from Europe all the articles that the protective system has induced us to produce at home, they would have been compelled to buy them at greatly enhanced prices, and that our exchanges abroad and commercial distress would have been much increased. In fact, it may be advanced as an axiom in political economy, that no great and populous country can be independent of others, and that for either of the great articles of national consumption—food, clothing, or fuel. They may import a portion of any, or all of them; but a reliance on foreign industry for the greater part of these absolute necessities for man, imposes a restraint on the growth of the country, which must for ever prevent it from taking rank in the first class of nations. Since the United States have approximated to that rank, their ability to supply themselves with those articles has greatly increased under the encouragement and protection of our national policy, and they have thus enabled to sustain themselves in their onward career.

For instance, the domestic trade in anthracite coal commenced in 1825, and it has now grown to the enormous extent of 1,000,000 tons of tonnage; sufficient to employ double the tonnage employed in the trade between this country and Great Britain in transporting it to the United States; and it is scarcely necessary to observe, that such a demand must have made a serious impression on the coal market in England. Our dependence on foreign manufactories for woollen and cotton cloths, has also been diminished. In 1830, just before adequate protection was given to the woollen manufacture, Great Britain exported 101,294 pieces of woollen cloths to the United States, and in 1840 this exportation had fallen off to 46 945 pieces.

In the article of cottons, the triumph of the American manufacturer is still more complete. In 1825, the year when a similar degree of protection was given to the cotton manufacture, the whole of the domestic consumption was supplied from abroad that the importation of white cottons amounted to $3,326,000, and the printed cottons to $7,710,000. Since then there has been a gradual reduction, and last year the importation of white cottons amounted to but 917,000 dollars, and those printed to $3,894,000. We have, too, become competitors in this article for the foreign market. Our exportations of cotton cloths of American manufacture, which did not then appear in our list of exportations, now almost equals the importation, amounting last year to $3,550,000.

Are we to pause in this career? Are we to recede from this position? Is the policy which has produced such results, filled our land with manufacturing villages and towns, and brought about a state of prosperity and happiness rarely equalled among nations, to be totally abandoned?

An abandonment of the policy would bring the labor of Europe into direct competition with our own, and expose us to all the fluctuation and occasional distress to which the manufacturing population of the Old World is subjected. The first result would be, to compel the American operatives to work for the same wages with the underfed and overworked laborer of Europe, remunerated for his unremitting toil at a rate hardly sufficient for a scanty support, and sustained in adverse seasons by a pauper allowance from the parish. Such is the natural and inevitable effect of unrestrained competition. This he must do or abandon his business. But to what employment would he resort? The same competition and the same fate would attend him in the shop of the mechanic; and the mechanics, as well as the manufacturers, must expect to be brought down to the same wages as those of Europe, or to adopt some pursuit where they will not be exposed to European competition. If they devote themselves to agriculture, it is possible that the fertility of the soil and the low price of land might enable them to compete with the European cultivator; but such an increase of agricultural produce in our market must inevitably reduce the price at home, until they shall be driven back to the workshop with depressed spirits, and such a rate of wages as will enable the American manufacturers to compete with the European.

It is no answer to this to say that our agricultural produce would find a ready foreign market. This cannot take place until its price is so low that it becomes profitable to sell it abroad in the face of an onerous duty, intended to be prohibitory. That is, until the American farmer is willing to pay three or four dollars per barrel on flour towards the support of a foreign government, in order to have the privilege of selling it at the current price.

The policy of free trade, as advocated by these new teachers, aims at the reduction of wages in the United States; or, in other words, to place the American and the European laborer upon the footing of free competition. Such is the proposition, and no reasoning can avoid the conclusion that an abandonment of the protective tariff would produce a general reduction of wages in the United States.

It is unimportant whether this results from immediate abandonment of branches of manufactures that continue to be carried on, or from a relinquishment of many now prosecuted, and the devotion of the labor and capital thus released to the prosecution of those which would be still kept up, seeing that the latter mode would cause greater confusion and distress. It is undeniable that such a result must follow an abandonment of our long established national policy, and the immediate consequence of any great prostration of our mechanical pursuits, resulting from such a change, would be to render the country dependent on other nations for essential supplies, without any diminution of price, except for the short period required for the overthrow of our own manufactures. By this implicit adherence to the theory of free trade on our part, without requiring it from others, it is not pretended that any reduction in prices is to be effected except by a reduction of wages. A reduction in wages is the ultimate end to be accomplished. This is the prominent object, the achievement of which our factories are to be prostrated and our workshops shut up.

Are the people of the United States desirous of such a result? Upon the existing rate of wages in this country depends much of the present structure of society. It is owing to the higher compensation of labor that the mass of our laboring population are enabled to educate themselves, and to maintain their families in a state of comfort and happiness unknown to the operatives of other nations. This makes them a free and independent nation—not merely independent of foreign control, but in their individual feelings and habits of thinking and acting. To this they owe that state of contentment and tranquillity which has preserved the country from domestic commotion, rebellion and civil wars—that conservative spirit and respect for the law which has proved a more efficient guardian of the public peace than standing armies or legions of military police. To this they owe the enlightened spirit which, in spite of occasional outbreaks of party feeling, has predominated in our public councils, and guided us to a position among the powers of the earth that makes us alike an object of jealousy and dread to despotic governments, and a beacon of hope to the friends of liberal institutions. Labor here is honorable; and the chief men in our republic are all indebted for their rank, and

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the respect paid them by their countrymen, to the unremitting industry by which their fortunes have been built up.

The higher rate of compensation given in the U. States to labor, is the chief cause of attraction to the enterprising and industrious of other nations; and it has made this country the asylum not merely of those oppressed by political or religious intolerance, but of that more numerous class, who, by adverse circumstances and the iron grasp of poverty, are prevented from obtaining an honest maintenance in their native land. In truth, it is to this very cause that we owe nearly all that distinguishes us from other countries, and far, far distant be the day when diminishing the compensation of labor, so as to reduce the free American laborer to the same dependent and wretched condition in which aristocratic institutions and unjust laws have placed the operatives of Europe.

All that is paid by the property of the country for the protection of domestic industry and the reward of American labor is not a useless expenditure. It is a contribution for the maintenance of our republican institutions; an expense incurred to increase the mechanical and manufacturing skill of the country; a tax paid for the support and education of that class, which, like a broad foundation, sustains the superstructure of the state; and he cannot be regarded as a friend of the republic who advocates a policy that will retard the wages of the free American laborer, and bring him down to a level with the overworked and degraded operative of the old world.

On this point we take issue with our opponents, and we call upon all Americans who are zealous for the independence and prosperity of their country to aid us in our efforts; to collect and circulate information upon those important subjects, until public opinion shall rallied itself in a fixed resolve to protect and cherish American interests. Let the popular will show itself determined to promote those views, which were deliberately adopted at the formation of our government by Washington, Jefferson, Hamilton, Madison, and the other patriots, who then met in this city to put in operation the free institutions which their wisdom had contrived and their valor had established. To the people, and them firstly and lastly, we appeal to carry out this policy, and by their enlightened and deliberate determination to vindicate, through their chosen agents, their commercial independence and the rights of American industry against the insidious and hostile legislation of foreign governments. To promote domestic interests, the home league was established, without reference to those party distinctions; and to impress upon our public representatives the propriety of guarding and promoting those interests our efforts will be directed. The occasion is propitious and the necessity urgent, and we call upon all who love their own country above all others, who prefer domestic to foreign interests, to unite their exertions to ours, until the concentrated efforts of the advocates and friends of American interests shall be crowned with complete success, and a policy truly American and national be found to prevail in every department of our government.

JOSEPH BLUNT,
C. C. HAVEN,
JOHN TRAVERS,
WM. B. KINNEY,
New York, 1842. JAMES TALLMADGE.

CURRENCY REPORT.

SENATE COMMITTEE REPORT.

MONDAY, FEBRUARY 21, 1842.

MR. TALLMADGE, from the select committee on the report from the treasury and so much of the president's message as relates to a fiscal agent, delivered in the following report, which he read at the clerk's table:

The select committee, to whom was referred the "report from the secretary of the treasury communicating a plan of a fiscal agent of the government," respectfully report:

That they have given the subject that consideration which its importance demands, and now present to the senate some of the views which have brought them to the conclusion to which they have arrived.

The committee do not intend to go into an elaborate argument in favor of such a measure. The late period at which this subject was referred to them, and the anxiety of the public to see speedy action on it, has left them but little time, amidst their other pressing engagements, to prepare an extended report. They, therefore, content themselves with reporting a bill to establish a fiscal agent of the government, accompanied by such remarks upon its leading features and principles as seem to be called for by the occasion.

Since the adoption of the constitution of government under which we live, the country has experienced much financial and commercial embarrassment. But at no period has it been so suddenly precipitated from an apparently high state of prosperity to the lowest point of depression, as at the present time. The committee will not attempt an enumeration of the causes which have led to this disastrous result. But they take leave to say, that amongst them an inflated and deranged condition of the currency is the most prominent. There may be a difference of opinion as to *how* this inflation and disarrangement have been produced. All, however, will agree, that the excess in trade and business consequent upon such a state of things is, in some sort, incident to our system of credit, upon which is a characteristic feature of our free institutions. In an attempt to correct these excesses, the committee would wish to preserve and regulate, but not destroy the system itself. The efforts which have heretofore been made to correct them, have ways encountered one grand obstacle in the difference of opinion which has prevailed in the community as to the kind of corrective, and the manner in which it should be applied. This has led, in some instances, to a reorganization, and a hostile array of political parties; and the great question of regulating the currency of the country has formed the issue upon which, for some years past, the most violent political battles have been fought. Experience has shown that in such contests the business of the country has been the sufferer. And the greater the sincerity with which the war is waged, on the one side and the other, the fiercer will be the conflict, and the more disastrous the consequences, as long as the cause of difference remains unsettled. There can be no peace, no prosperity, until it be settled. Other questions upon which political parties divide are comparatively unimportant. No matter how they decide, the business of the country is not affected by it. Amidst the excitement of the public mind, the country pursues its onward march to prosperity and greatness.—But the question of the regulation of currency becomes the issue, it is felt, like an electric shock, from one extremity of the union to the other.

It behooves, then, every good and patriotic citizen to lend his aid in the settlement of this question.—His inquiry should be, not what ought to be done, but what can be done? He should be prepared to surrender his individual opinions, if necessary, in order to secure unity of action, and that which will promote stability and permanency in relation to this all-absorbing subject. The distresses of the country are beyond much further endurance. The people throughout the union are anxious for the enactment of a remedy. Thousands and thousands of our fellow citizens have been prostrated by the calamities of the times which have overtaken them. They have been suddenly reduced from affluence to want. Their property, which, under ordinary circumstances, would have been ample to meet all engagements and leave a competence, has, therefore, and families, has been most cruelly sacrificed. Others, who have survived the fearful wreck of the hopes of thousands, are still suffering by a disordered currency, and the unregulated exchanges between states and states. The case also looks to the settlement of this question as a means of once more engaging in a successful business; the other looks to it as a means of profitably carrying on the business in which they are already engaged. All look to congress for that relief which congress alone has the power to grant.

By relief, it is not meant that congress can furnish means to cancel the indebtedness into which the community has been plunged, but, by aiding the currency and exchanges of the country, it may enable the people, not already in hopeless dependency, to liquidate their own debts. This, if it can be effected, the industry of the country will, in due time, wipe out every trace of distress that was left by the desolating fury of the storm which has swept over the land; and our great object should now be, to adopt such measures as will protect us from its ravages in future.

The ruinous rates of exchange result essentially from a depreciated paper circulation. If the currency can be made sound and uniform, it will, of itself, go very far, and with the facilities which the general government can give, will effectually regulate the exchanges.

The great evil under which the country now labors is the want of a uniform currency and an equalization of the exchanges.

Can the general government remedy this evil—This government must have some mode to collect, keep and disburse its revenue. This involves both the question of currency and exchange: 1. A sound currency to receive in payment of public dues. 2.—Exchange to transmit to distant points the revenues of the government in payment of the public creditor.

The committee propose, then, to adopt a system, on the part of this government, for the collection, safe keeping and disbursement of the public revenue, and thereby, incidentally, aid in furnishing a uniform currency, and equalizing the exchanges.

This is deemed the right and duty of the government; and the only question which remains is, how shall it be done?

Different modes have been proposed and tried.—They are, first, a bank of the United States: secondly, the state bank deposite system: and, thirdly, the sub-treasury.

The first, a bank of the United States, is at this time utterly out of the question. The history of the past year shows that a charter for such an institution cannot be obtained, however desirable it may be deemed by many; and the state of the country demonstrates that, if obtained, its stock could not be taken up, so as to put it in successful operation.

The second, the state bank deposite system, was discarded and put down by its most prominent friends—those who were foremost in establishing it—before it had received a fair trial, as others of its advocates believe. All, however, concur in saying that it cannot be re-established.

The third, the sub-treasury, as the committee believe, was signally condemned by the people; and congress, in accordance with the popular will, took the earliest opportunity to repeal it.

The committee, cannot, therefore, anticipate any state of things in which either of these discarded systems can for a long time, if ever, be revived. Years may elapse before those who have the strongest predilections for any one of the three, are gratified; and no one that time will never arrive. Be that as it may, they are each of them, at present, far enough beyond our reach. Why, then, shall we vainly attempt to clutch what we know, and have constantly eludes our grasp—Shall we permit the country to suffer under its present embarrassments because we cannot bring to its aid our favorite mode of relief? And more especially shall we permit it to wait when that mode cannot be attained? The committee think not; and this brings them to the consideration of the plan of a fiscal agent recommended by the president, and reported on by the secretary of the treasury, and referred to them by order of the senate.

The prominent objections to this plan, as indicated by the opinions expressed in the senate on the motion for referring it, are: 1. The patronage and power which it gives to the executive; 2. The *purchase* of bills of exchange; 3. The issue of treasury notes on the *credit* of the government. Can these objections be obviated or removed? And, if not, shall the system be efficient for the purposes for which it is intended? The committee unhesitatingly answer both these questions in the affirmative, and proceed briefly to consider the objections.

1. *As to executive patronage and power.*

The patronage under this system consists in appointment to office and the power in the removal from offices. These objections will lie, to greater or less extent, to any system which can be adopted. But the committee think, under the modifications proposed, they will be substantially obviated.—The president, with the advice and consent of the senate, appoints three commissioners, who form the board of exchequer. These commissioners are removable only with the concurrence of the senate and for physical inability, incompetency, or neglect or violation of duty. They are, therefore, independent of any improper executive influence, if any should be attempted to be exercised over them. The number of agencies is to be determined by the board of exchequer; but to be limited to as few as the exigencies of the service will admit, and in no case to exceed two in any state or territory. The probability is, that, with the exception of one or two states, there would be no necessity for more than one agency in each, and in many instances even that might be dispensed with; and these agencies may be the sound specie paying banks of the states, where it would not be desirable for the agency to receive deposites, or to accept or sell bills or drafts on account of the board of exchequer, which banks, acting as agents, are prohibited to do. In all these cases there would be no officers to be appointed, and the selection of the specie paying banks, as agents, would be made by the board of exchequer, who, it has been already shown, are independent of executive influence. The only officers, then, to be appointed, would be at the agencies established, at some of the most important commercial points. These are to be appointed by the secretary of the treasury, on the *recommendation* of the board of exchequer, and the secretary of the treasury appoints, on like recommendation, such inferior officers of the board as in the judgment of the board the transaction of its business may require.

Any of the officers of the agencies may be removed by the secretary of the treasury, on the recom-

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mendation of the board, for physical inability, or incompetency, or neglect, or violation of duty; but he must state his reasons, for the removal of any principal officer of any agency, in his general annual report of the transactions of the exchequer.

The whole extent of presidential patronage, under the plan of the committee, is in truth thus reduced to the simple *nomination* of three commissioners of the exchequer, subject to the advice and consent of the senate; the appointment and removal of all the other officers of the exchequer, either at the seat of government or the agencies, being virtually vested in the board, itself made effectually independent of the power of the president by the tenure of office now proposed.

From this brief view of the appointing and removing power, it will be seen that the executive patronage, by reason of the appointment to office, is very little, and the executive power, by reason of the removal from office, is still less.

2. *As to the purchase of bills of exchange.*

To this feature of the plan of the secretary of the treasury the committee object: 1. That it would be exchanging the credit of the government for the responsibility of individuals, and consequently exposes the government to great hazard and eventual loss: 2. That it might be used for political purposes, and for party favoritism: 3. That it would lead to fictitious dealings in exchange, without any real business basis.

The evils which would flow from all these sources need not be enlarged upon. They will at once strike the mind of every reflecting man.

But, aside from these objections, there are others which would induce the committee to reject this power to purchase exchange. To conduct this faithfully and safely, three things are necessary, namely, individual interest, individual sagacity, and individual vigilance; interest, to secure proper attention; sagacity, to distinguish real from fictitious operations; vigilance, to watch over the transactions from inception to maturity and payment. These qualities, from the nature of things, cannot be combined to the desired extent in a public officer, however faithful and honest he may be. He may intend, conscientiously, to discharge his duty; but in business operations of this description he cannot discharge it as an individual would transact it. It would be, it would, therefore, be dangerous to give this power, without incorporating the interests of individuals into the system which is not proposed to be done.

The committee, however, propose that provision be made to confer substantially the same benefits without any of the risks. This can be accomplished by authorising the exchequer and its agencies to sell and collect bills of exchange. In this there is no possible hazard.

1. As to selling. This may be done, either by one agency drawing a bill on another, on payment of the amount and premium in specie, or by accepting the bill payable at the agency where drawn, as will best comport with the state of accounts between them, and best promote the interests of all parties. This will answer all the purposes of buying or discounting bills of exchange. Buying or discounting bills on time is, in other words, a mode of anticipating funds. The legitimate object of a bill of exchange is not to anticipate, but to remit funds. These funds may be remitted, without the hazard, on the part of the government, of the purchase of the bill, and at the same time accommodate equally well the parties to whom they belong. For example, if a merchant in New York has funds in Cincinnati, for which he is entitled to draw at sixty days, he may direct his correspondent there, at the end of that time, to deposite the amount in the agency at that place, and send him a bill at sight on the agency at New York, where he can receive the amount on presentation of the bill. In the meantime, if he wishes to anticipate his funds, he can get his note done at one of the local banks, whose business it is to discount, and rely upon the bill of his correspondent at Cincinnati to meet it at maturity.

2. As to collecting, the committee propose to authorise the board of exchequer and its agencies, under regulations to be prescribed by the board, to receive and collect such drafts and bills of exchange as may be deposited with them for that purpose, drawn on any place where an office of the exchequer may be established; but that no advance or payment shall be made on such draft or bill until it shall have been actually collected, advice received of such collection, when the proceeds shall be paid over to the person entitled to receive them, after deducting reasonable charges and commission.

The facilities afforded by this system for selling and collecting exchange will promote the interests of the whole country equally well with the power to purchase and at the same time save the government from the possibility of loss or hazard.

3. *As to the issue of treasury notes on the credit of the government.*

From the view taken of this subject by the committee, it is unnecessary to discuss the question as to how far the issue of treasury notes, on the *credit* of the government, is exceptionable as currency, is obnoxious to the constitutional objections to *bills of credit*.

The committee are of opinion that no paper should issue on the *credit* of the government to circulate as currency.

There can be but two motives for the issue of such paper. 1. To anticipate the revenue to meet the engagements of the government. 2. To aid the currency of the country by this addition to the circulating medium.

As to the first, the committee hold it wrong in principle for the government to anticipate its revenues by this means. Its tendency would be to excessive issues, and to a reluctance on the part of the government to levy adequate duties for revenue. Either result would be in the highest degree derogatory to our national character. The revenues of the country should always be adequate to the economical wants of the government, and the government should never have occasion to anticipate its revenues. But, if an emergency should happen when its means are not sufficient to meet its engagements, it may get the authority of congress, as has often been done before, to issue treasury notes, not as a currency, but as a means of borrowing; treasury notes, bearing an interest, to be taken as an investment by capitalists, and not as a circulating medium for the people.

As to the second, the committee do not perceive how a currency issued on the *credit* of the government can make any permanent addition to the circulating medium beyond the business wants of the country. Such a currency, if it could be put in circulation beyond those wants, would displace and send into retirement an equal amount of the local currency. So that the aggregate circulating medium would be the same as before. Any benefit to be derived by this better currency of the government, if purchase a currency issued on its *credit* should eventually be better, would not compensate for the violation of what the committee deem a great and fundamental principle, namely, that no paper should issue on the *credit* of the government to circulate as currency.

The secretary of the treasury proposes to issue $15,000,000 of treasury notes, founded on a specie basis of $5,000,000. In other words, to issue a paper currency convertible into specie in the rates of three dollars of paper, to one of specie. In ordinary banking operations this is deemed a perfectly safe ratio. In truth, the circulation of most banks is not regulated by the specie in their vaults. Their issues are considered in proportion to capital, and sometimes graduated by discounts. The ratio, however, of three to one has always been deemed safe in banking operations. But would it be a safe principle for the government to adopt in regard to any paper it may issue to circulate as currency? The committee think not. The officers of the government cannot provide for contingencies and emergencies in individuals, or as banks controlled by individuals, can do. However faithful and honest they may be, and however conscientiously they may intend to discharge their duties, they have not the interest nor the means to provide for such occasions.

Individuals interested in, and concerned in, the managements of banks, are always looking out and providing in advance for any sudden demand upon them for specie. And with all the foresight, sagacity, and vigilance, they are not always able to provide against a suspension of specie payments. Will the officers of government be able and able to provide against it? There might be a sudden and unexpected demand which would drain an agency at once of its specie. There might be a systematic operation and combination, from political or other motives, to accumulate the notes of an agency, and to present them suddenly and unexpectedly for redemption, and for the express purpose of compelling it to suspend specie payments. The effect would be not only to destroy the credit of the government, but to disgrace it in the eyes of the world. The government should not be so exposed. Its credit should always be beyond any possible contingency.

The committee, therefore, propose that no paper shall be issued on the *credit* of the government to circulate as currency; but that a paper may be issued for that purpose, issued upon *specie* on hand, *dollar for dollar*, and that the amount of such paper in circulation shall not in any case, nor under any circumstances, exceed the amount of specie holden for its redemption.

The paper thus issued is called *specie notes*, as being a currency based on *specie*, and contradistinguished from treasury notes, which are issued on the *credit* of the government, not for currency, but as a means of borrowing.

These specie notes can, in no sense whatever, be obnoxious to an objection as *bills of credit*. They are not issued on the credit of the government, but are issued on specie in deposite of an equal amount for their redemption. They pass by delivery, from hand to hand, as a currency, and the possessor of such a note holds it as evidence of ownership of the amount of specie which it represents, and to the possession of which he is entitled at any moment, on presentation of the note at the agency where issued. Until that time the specie remains in the depository of the government, is guarded by its authority, and the holder of the note has the responsibility of the government for its safe custody.

These specie notes, issued upon the public revenue to the public creditor in the disbursements of the government, and upon the deposites of individuals, would form a currency of the most perfect character—a currency combining all the convenances of paper with the value of coin. They would everywhere be preferred to coin. They would be preferred by the public creditor, as well as by the whole community, because every one would know that the specie was resting in the government depository for their redemption, and, with it, the guaranty of the government for its safe-keeping.

The issue of such a paper, equal only in amount to the specie held for its redemption, will neither increase nor diminish the currency. Consequently, there will be no power on the part of the government to regulate the currency—no power which the committee think should never be possessed or exercised by the government. So far, therefore, as its action is concerned, it cannot cause a scarcity or abundance of money, and of course cannot injuriously affect the business of the country. There will be no inflation of the currency, or any rise or fall in the prices of commodities, through its instrumentality. The receipts and disbursements of the government are so nearly equal that any expansion or contraction will be regulated by the business from which revenue is derived, and will only be a healthy action of the currency.

Neither would the specie notes of a low denomination, be liable to the objection which is sometimes made to the small note circulation of the banks, namely, that it drives out the specie out of circulation. On the contrary, the specie would remain under the safe custody of the government for their redemption; and whilst these notes would form a more active and convenient circulating medium for the people than the specie they represent, the specie would remain at rest, and not be exposed to the casualties of circulation, by which it is often irreversably lost to the world. In the view of the matter, the committee see no objection to an issue of specie notes of a denomination corresponding to the small note circulation of the banks. Being free from all possible risk, and in no way obnoxious to the objections which are made to those notes, they would be peculiarly acceptable and beneficial to that most useful and respectable class, as well as small dealers and day-laborers throughout the country. They would feel that whilst government is providing a currency of undoubted credit and safety for the larger business interests of the community, it is not neglectful of those of small means and of more humble occupation.

Under the proposed system, there is to be no power of discount, in any shape whatever. That must be left to the banks, to whom it belongs, and appropriately belongs. Those institutions would feel the salutary influence of the operations of the exchequer, in the frequent settlement of balances, and the consequent restraint upon banks of excessive circulation. Its tendency would be to confine their discounts to business instead of accommodation paper—the only safe paper for the banking operations. Under such a rule, there would be no danger to the community from their contractions and expansions.

They would be regulated and controlled by the business of the country, and operate in concert with it. Their circulation would be increased at that season of the year when the products of industry are going forward to market, and would furnish the means of getting it there; and it would contract again when those operations have been performed, and the business has been consummated. This would be a sound and healthy action of the banking system, and would be much promoted by the practical operations of the exchequer.

Would this system furnish a *uniform* currency? If by a *uniform* currency it is meant that the general government shall undertake to furnish an *amount* of currency adequate to the wants of the whole coun-

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try, the committee answer, no. It neither has the power nor the ability to do so. No measure which congress can adopt, whether it be in the shape of a national bank or otherwise, can supply an hundred millions or more of currency to meet the existing or increasing wants of the community—wants increasing by the rapid increase of population and the consequent augmentation of the products of domestic industry. From the adoption of the constitution to the present time, the states have furnished by far the greater portion of this currency, and they will continue to furnish it. Their right to do so cannot be superseded by any action on the part of this government. All that congress can do, is to infuse into the great mass of the circulating medium of the country a currency issued under its authority, and of such undoubted credit, that, with the local currency of the states, when restored to a sound condition, shall together form a uniform currency throughout the country.

The currency of the local specie-paying banks in sound condition is as good for all practical purposes, within the sphere of its circulation, as the currency which this government can issue. But such a circulation cannot extend beyond that sphere, and maintain itself alongside of such a currency as is proposed to be issued on the part of the government. The experience and observation of every one demonstrate that a local currency, however sound, cannot have that universal credit which would attach to a currency of the general government, founded on a specie basis, and carrying with it the responsibility of the government for the safe custody of the specie, which it represents. Neither would a local currency, though founded on a similar basis, possess that universal credit. And perhaps the most concise reason which can be given is, that one is local and the other general. To the general government the people of the whole country look—to the state government the people of the state look. The credit of the one, so far as currency is concerned, is universal; the credit of the other is local.

The currency of the New York banks, and the currency of the Kentucky banks, when paying specie, is as good for all practical purposes, within their respective spheres of circulation, as a government currency. The same may be said of any other distant points. All that is wanting, then, to make a uniform currency over the whole union, is one of such undoubted credit, and so universally known, that it will be as good in New York as in Kentucky, and as good in Maine as in Arkansas: a currency which, for travel and remittance, will enable one to go or send from one of these spheres of local circulation to another. This the proposed government currency would do; and it would require but a moderate amount, compared with the whole population of the country. This amount would be furnished: 1. By the disbursement of the public revenues, in specie notes in payment to the public creditor, and which would be preferred by him to coin: 2. By the issue of such notes, on the deposites of specie by individuals, for the purpose of entering into general circulation. The greater amount of these specie notes would be issued from the agencies at the great commercial emporiums of the country, and would have a universal credit throughout the union. The receipt and disbursement of twenty-five millions of public revenue, annually, would keep up an active circulation of an amount adequate to the disbursement of so large a sum; and which amount, with that which would be issued on private deposits, and in connexion with the selling and collecting of exchange, would be fully adequate, with a sound local circulation, to furnish a uniform currency throughout the country.

There would be no difficulty in keeping a sufficient amount in circulation to answer all the purposes for which they are intended. Although two-thirds or three-fifths of the revenue from customs is collected in the city of New York, still there is but a comparatively small portion of it disbursed there. The large disbursements of the government are made in the west, for Indian treaties, internal improvements, for the army, for military roads, fortifications and forts, for the improvement of lakes, harbors, and the channels of rivers, for the great variety of expenses for public buildings, internal improvements, and the civil administration of the territories, with thousands of other disbursements which cannot be enumerated. All these would undoubtedly be paid in the specie notes of the exchequer, which, although they are receivable for public dues, and the natural tendency would be to follow the course of trade to the Atlantic cities, still there would be counteracting causes to retain them there.

A large amount would be retained for land-office money; and the smaller denominations, having entered into circulation amongst the people, would be retained in circulation by the reason of its convenience and undoubted credit; and even the amount which should find its way to the Atlantic cities in payment of public dues, would at once be thrown back upon the west, in payment of the public creditors. The west would also receive a very large amount of this circulation from the emigrants of New England, New York, Virginia, and other Atlantic states, as well as from the vast influx of foreigners from the continent of Europe. All would deposite their specie in the Atlantic agencies, and take, in lieu of it, the specie notes of the exchequer. On their arrival in the west, they would pay them into the land offices, instead of being subjected to the expense and risk of carrying specie, or any local currency on which they might be compelled to pay a large discount to procure specie. They would also use these specie notes in all their disbursements for the purchase of stock and for the improvement of their farms. Again, the eastern merchants would send these specie notes to pay their purchases of the products of the west. It seems to the committee that the west would have an abundant share of this government currency, and, in connexion with the benefits which it would derive from exchanges, that its interests would be peculiarly promoted by the establishment of this system.

This paper circulation, based upon specie, dollar for dollar, will not *add* to the circulating medium of the country. The committee have heretofore shown that it would not add to it. But it has many advantages over specie: amongst those advantages are the following:

1. It will be the means of drawing forth from its hiding places specie that has been hoarded, to the estimated amount of several millions; and which, in its present condition, is of no use to its possessor nor to the country. The lack of confidence in individual and local banks is said to have caused this retirement of specie, will yield at once to the unbounded confidence inspired by the exchequer, where specie notes issued on the deposite of specie, and the safe custody of the deposite is guaranteed by the government for the redemption of the notes.

2. In the ratio of the increased velocity and economy of which paper always operates, and by which may be added the high credit of this paper, it will impart a great activity, and consequently effectiveness to the circulating medium.

3. The local banks will be induced, to a great extent, to substitute this paper for their own.

4. It will prevent the depreciation of specie, by abrasion, whilst in circulation.

5. It will prevent the great loss to the country and to the world by shipwreck and other casualties.

6. It will afford the most convenient, safe and valuable currency for travel.

7. It will be the best and safest remittance by mail, from one end of the union to the other, for the payment of newspapers and periodicals, and other things requiring small sums, without the possibility of loss by depreciation to those who receive it.

8. It will tend to regulate the banks, and, by a frequent settling of balances, to bring them up to a sound circulation.

9. It will do much towards regulating exchanges, by means of its favorable action on the local currency.

In the view which the committee have thus far taken of the plan of a fiscal agent submitted by the secretary of the treasury, they have suggested certain important modifications; and in order to give the senate a more concise and connected view of the system, as they propose to modify it, they submit the following

PLAN.

I. A board to be established in the treasury department at the seat of government, to be called the exchequer of the United States. The board to be composed of three commissioners, to be appointed by the president, with the advice and consent of the senate, and to be removed from office only with the like concurrence of the senate, and for physical inability, incompetency, neglect of duty, or violation of duty—The president to communicate to the senate the particular reasons of the proposed removal.—For like causes the president may suspend a commissioner and appoint a temporary substitute, and within the first week of the senate lay before that body the reasons of such suspension, and, if the senate concur, the commissioner to be removed, if not, to be restored.

II. The board of exchequer to establish agencies, as it may deem necessary and expedient for the public service, limiting the number to as few as the exigencies of the service will admit, and in no case to exceed two in any state or territory.

III. The secretary of the treasury to appoint the inferior officers of the board, and also the officers of the agencies, on the recommendation of the board, and to remove them for physical inability, incompetency, neglect or violation of duty, on like recommendation.

IV. The exchequer and its officers to be the general agents of the government for receiving, safe-keeping and disbursing the public moneys.—The public money to be from all sources received to be paid into the exchequer and its agencies.

V. The exchequer and agencies to receive on deposite gold or silver coin, or bullion, and to issue specie notes for the same, to be redeemed at the agency where issued. Said notes to be prepared by the secretary of the treasury, signed by the treasurer, and countersigned by the president of the board of exchequer, and made payable to the order of the principal agent, and endorsed by him when issued at such agency.

VI. The exchequer and agencies, on the deposite of gold or silver coin, or bullion, to draw and accept bills of exchange, and to receive a premium not exceeding two per centum. Also, to collect drafts or bills, but to make no advance or payment till advised of the collection, and to charge a reasonable commission for collection and exchange.

VII. All specie notes issued, either in payment of the public creditor, or on the deposites of individuals, never to exceed the actual amount of specie on hand for their redemption, *dollar for dollar.*

VIII. Dues to the United States to be paid in gold or silver coin, in specie notes, or in the notes of banks immediately convertible into specie at the place where received. The exchequer and agencies to settle weekly, or oftener, the balances with the banks.

IX. The exchequer and agencies to keep separate and distinct set of books; the exchequer and agencies in one set all transactions respecting the collection, keeping, and disbursing of the public revenue, and transmitting the public money from place to place, for the service of the government; and in another, all transactions and accounts arising from the operations in exchange and other transactions on government account.

X. The exchequer may appoint as agent any specie paying bank; but such bank is not authorised to receive private deposites, or to accept or sell bills or drafts on account of the exchequer.

XI. The exchequer and agencies to act as commissioners of loans and pension agents, and generally to render all facilities in transferring and disbursing the public funds. Full and exact accounts of the board and agencies to be furnished to the secretary of the treasury, and he to report to congress. Necessary rooms and vaults to be provided. Securities to be taken, penalties prescribed, and strict examinations made.

The details of the above plan are fully carried out in the bill which accompanies this report.

The committee, then, propose a system free from all risk, and of perfect safety; a system in which there is not the possibility of hazard to the community, and to the government except in the *keeping* of the public money. This is a risk which must always be incurred on the part of the government. It is inseparable from any system which can be proposed or matured. It is supposed, as it has been by many, that the public money would be safer in a bank of the United States, or under the state bank deposite system, the committee have already shown that both those modes of keeping it are utterly out of the question. They therefore adopt, at the principal agencies, the only one left, namely, the custody of individuals appointed for the express purpose by the government, with as ample sureties and under such penalties as the law is capable of providing.

This system is designed for the collection, safe-keeping and disbursement of the public revenues, and, through its operations, to furnish a uniform currency and to equalize exchanges.

The committee have already shown in what way it would furnish a uniform currency, and they have no doubt that the specie notes which would be put in circulation by it, would in amount exceed the circulation of the late bank of the United States. The average circulation of that institution during the existence of its charter was about $10,000,000, and its average amount of specie on hand short of 6,000,000 dollars. In some years its specie *equalled*, in others, *exceeded* its circulation. And but for its expansions, commencing in 1829, and continued to the expiration of its charter, its average circulation would not have much exceeded its average specie on hand. It cannot be doubted, then, that the circulation of the exchequer will equal, if not exceed, that of the Bank of the United States. And if the Bank of the United States furnished a uniform currency, then the exchequer will be capable of doing the same; and that, too,

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without any risk to the community, or hazard to the credit of the government.

This, when accomplished, will do much towards equalizing exchanges. The ruinous rates of exchanges between remote sections of the country result, essentially, from the depreciation of the local currency.

If the paper circulation of New York and New Orleans were both of the value of specie, and the balance of trade between the two places, by reason of the interchange of commodities, were merely nominal, exchange between those distant points would be at par. But if the balance of trade is in favor of New York, then a bill drawn at New Orleans on N. York would command a premium equal to freight, insurance, interest and other necessary charges for remitting specie. But whilst the paper circulation of New York, by reason of its convertibility, is of the value of specie, and that of New Orleans is depreciated because of the suspension of its banks, a bill drawn at the latter place on the former, and paid for in depreciated paper, would command a premium equal to the cost and charges of remitting specie, added to the amount of the depreciation of the local paper below the value of specie. The reverse would the case, under these circumstances, with a bill drawn in New York on New Orleans—No regular business, of great consequence, can long retain itself under such a ruinous rate of exchange—The uniform currency which will be furnished by the operations of the exchequer will do much towards curing this great evil.

But there is another feature in this system by which the exchanges will be perfectly accommodated; which is, the power to sell and collect exchange. The committee have heretofore devoted but little time on this whole subject, have consulted some of the ablest, most practical, and experienced men; and their own views are fully confirmed by the information derived from such high sources. They believe, in any way, so well illustrate this branch of it, and its beneficial effects on the sound local banks, together with other advantages, as by briefly embodying the following views which have been communicated to them.

A bill drawn by one agency on another, in any remote part of the United States, will be as good as specie within the commercial sphere of the emporium where the agency is located at which payment is to be made, and may generally be negotiated above par by any holder within that sphere, and at a rate in some measure proportioned to his advantage in the commercial centre. If, for instance, a merchant in Cincinnati wishes to remit money to a manufacturer in Connecticut, a bill drawn by the agency in Cincinnati, where the deposits is made, on the agency in New York, would be worth a half per cent. more than specie to the payee.

Exchanges through the agencies will meet all the exigencies of the markets. It not unfrequently happens that New Orleans is indebted to Ohio for agricultural products; Ohio to New York for manufactured goods, domestic or imported; and New York to New Orleans for cotton. Every well-formed merchant in those several sections will be advised of the state of the markets. A New Orleans merchant wishes to remit to Ohio. He deposits his specie in the agency at New Orleans, and gets the same office to accept his own bill of exchange for $1,000, payable to the order of his Ohio correspondent, and transmits it accordingly. This will be taken by the Ohio market, because it is a good remittance for New York, where bills on New Orleans command a premium. It is bought by an Ohio merchant, who remits it to New York in payment for goods, and from New York it is sent to New Orleans to pay for cotton. Upon its arrival it is presented to the agency where it was accepted, and the specie is ready for its redemption. The holder, however, not willing to be burdened with the specie, will generally prefer the specie notes of the agency. Thus this $1,000 in specie, after paying a small premium at the agency, will have paid more than its amount in two remote markets; sent a safe and convenient currency of $1,000 into the channels of commerce, and is still at rest sustaining this amount of currency.

The use of bills of exchange will not be superceded by the specie notes of the exchequer. The former have always been preferred, and were extensively used under the two national banks, at the agency, in paying, in sound credit, had every advantage which this will possess of being made such a substitute. This proof from experience is conclusive. One ground of preference which has always been appreciated here and in Europe, is, that bills of exchange are more safe than bank notes, as they offer no temptation to robbery or embezzlement; and as several may be sent of the same tenor and date by different conveyances, (in which case no loss will be sustained if any one arrives in safety), the risk may easily be reduced almost to an impossibility. The perfect character of these bills of exchange, from their undoubted credit, will generally give them a preference over others. They will never be protested for the want of funds at any office where they are payable. No embarrassment can result from the necessity of transmitting specie from office to office. The occasions are very rare (and if this system were in operation they would be still more rare) in which specie needs to be remitted, as, for almost every purpose, paper is preferred. The paper of the office would generally be as good as specie in most others. If a deposite were made in New York to meet a draft on the office in New Orleans, the drafts would be drawn by the New York paper to coin in the common state of exchanges. When the system has been some time in operation, specie will have found its proper places of repose, and movements of it would seldom be required. Should an apprehension be entertained that the retirement of specie into the agencies would embarrass the banks, it will be dissipated by a little reflection upon the operations already described. Those officers are bound to deliver, at the time of deposite, an amount in paper equal to the amount received in specie. That paper will take the place of the specie which it represents, and the same portion of it will be deposited by merchants and others who keep their accounts in banking institutions as of the specie for which it is a substitute. It will, in a light and convenient circulation, it will mingle more with the paper of banks of sound credit in commercial operations, and consequently be more frequently used in payment than the paper of banks, and other indebtedness to moneyed institutions, than specie now is. When possessed by a bank, it has all the value of specie. If means are wanted for a deposite in an agency, it can be used as readily as a bank for that purpose as readily as specie. Should gold and silver be wanted for exportation, or any other extraordinary demand, the bank which possesses this paper has the exchanges at its disposal, and it is pleasure into the article required. Every bill of exchange payable at these offices will, at its maturity, restore its circulation, either in specie or this sound paper, the amount deposited for its presentation. Indeed, it is difficult to foster a doubt that, in regard to the means of redeeming their own emissions, the banks will possess with an advantage over the present. It is true that the channels of commerce will be partially filled with a medium of sound and imperishable credit, which will stand the shock of every possible vicissitude to the operations of the government. But this will promote the strength of the banking institutions no less than the stability of the currency. From the establishment of a national corporation with a large capital, the banks were apprehensive of sustaining injury by the great and sudden withdrawment of the precious metals from their possession. But the agencies can produce no such embarrassment. The operations will be too gradual to cause any convulsion, and the immediate restoration to the market of a medium of equal soundness and value with that which it withdraws will enable those institutions at any time to command the specie which they require. As a just price is to be paid for exchanges, it is believed that all the expenses of conducting the business of the agency and its agencies will be defrayed from that source, and probably a much larger sum may be realized. The losses of the currency by fire, shipwreck and other calamities, will be borne by the institutions, which would not be an inconsiderable item of gain. A small premium, say a half or quarter of one per cent. might reasonably be exacted of depositors, if hereafter deemed necessary, upon such bills of exchange for specie. While this system will furnish the desired means for the collection, safe-keeping, and disbursement of the public revenue, and all the requisite facilities for exchanges between different sections of the country, as well as create a sound and convenient currency, it is exempt from the objectionable features of other modes of effecting, in part or in whole, the same objects heretofore presented for consideration. It authorises no banks or other corporations, no discounts, no lending on credit in any form whatever, no issuing of the currency by public drafts or otherwise, no paper money resting on the credit of the government and depending on accruing revenues for redemption. It confers no extent of executive patronage or influence. No officers are either appointed or removed by the president without the concurrence of the senate, and only for certain specified causes. It confers no discretionary powers by which partialities may be indulged in behalf of a personal or political favorite. Whoever presents his specie notes or bills of exchange at maturity is entitled to his specie, and whoever presents his specie is entitled to the paper which he selects. The rights of every applicant are defined by law, and his transactions at the agency are of the simplest character. The laws of trade, and not any superintending board or public agent, decide the amount of deposites, bills of exchange, and paper currency. The wants and means of individuals composing the community will best regulate the proportions of paper and specie, in the absence of all artificial restraint and supervision of the government. Another important consideration which the committee would add to these views is, that whilst the operations of the exchequer would tend to the prosperity and interests of the sound banks, it would, at the same time, tend to drive into liquidation the unsound ones. Banking capital, which has so enormously increased within a few years past, would be greatly reduced. There would, however, be enough remain to answer the commercial and other business wants of the country. The large surplus of capital which sought investment in banks for the exorbitant profits of those institutions, under a relaxed and unnatural state of the currency, would retire, and perform the more legitimate office of permanent loans, on bond and mortgage, to the agricultural interest of the country. One great evil which the country has experienced has been from the withdrawal of capital from the farming interest to invest it in banking operations. That interest, from the very nature of their business, ought not to be driven to bank accommodations. They should be able to command permanent instead of temporary loans. Any system, therefore, which should fill the retirement of the surplus banking capital would greatly benefit the substantial producing classes of the country.

From what has been said, it will be seen that the exchequer will furnish a uniform currency and effectually equalize exchanges. It has no discounting power, like that of the late Bank of the United States; a power which was the principal source of the embarrassments of the subsequent disasters of that institution. In order to make dividends, it was necessary to employ its enormous capital in the shape of discounts. The great portion of those discounts were not based on legitimate business paper. They were long loans, stock loans, accommodation loans, permanent loans. And one reason for this was, that, within the sphere of the operations of the bank, there was not sufficient legitimate business paper to employ its capital. There was, therefore, a kind of necessity of employing it otherwise; and that apparent necessity, in the otherwise disastrous state of the times, has led to its final overthrow.

The exchequer will possess all the benefits of a Bank of the United States without its attendant evils. It will be powerful in good, but powerless to do harm. The immediate effect of the adoption of the measure will be, once more to restore the confidence of the country. That confidence is everything in business, in the transactions of individuals, if impaired in banks; it is impaired in our state governments, and even shaken in the general government. The people require some action on the part of the government, which shall restore it. This can be done by the adoption of a system like the one proposed: a system which, in its leading features, is perfectly unassailable. It will lay the foundation of public confidence so broad and so deep that it cannot be shaken. That confidence, once restored, will extend itself throughout the country, and peace and plenty will follow in its train.

But, if any suppose this system will not accomplish all that its friends anticipate, it will certainly accomplish much; and inasmuch as we can do no thing else, and we know there is no alternative before us in it, why should we hesitate to try it? We shall at all events have established one great and fundamental principle—a principle which lies at the bottom of this currency question, namely, that it is the right and duty of this government, in the collection, safe-keeping, and disbursement of the public revenue, to aid in furnishing a uniform currency and equalizing the exchanges of the country; and if, in the judgment of any, the measure does not go far enough, we shall have a stock on which we can engraft hereafter such further provisions as shall come within the constitutional power of congress—within the great principles which have been laid down—and such as shall be deemed expedient and justified by public sentiment.

The system can be tried without risk, and during a period when there can be no hope of adopting another favorite measure. If, on trial, it shall be found to answer the purposes for which it is intended, then the necessity of a national bank will be superseded, and its friends will have no reason nor desire to urge it. If it should not answer those purposes, then even the opponents of a national bank may become satisfied that such an institution is the only remedy for the evils of a deranged and disordered currency. But until some such system be adopted, it may well be doubted whether, in the present aspect and past experience of our banking institutions, the people can be brought into the support of a national bank.

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Shall we, then, fold our arms, and deliberately receive to' do nothing? Shall the friends of a national bank, as well as the friends of the sub-treasury, justify themselves to their constituents or the country in such a course? These are questions for grave consideration. Both these systems, one in shape and another, have been discredited; and with no present prospect of either of them being re-established. What then remains to be done? The people expect and require action at our hands. The committee present the exchequer plan, free from the objections which were urged against it on its original introduction—a plan which, in their judgment, unites the benefits without the evils of the others, and ask for it that consideration which it is so justly entitled to receive.

In proposing the bill, which the committee now submit to the senate, an attempt has been made, as far as possible, to consult the views and avoid the objections of all parties, as disclosed in the history and discussions of the several plans heretofore suggested for accomplishing the same objects, and it is submitted in the hope that the attempt will prove successful.

The following is a copy of the bill which accompanied the above report:

A BILL AMENDATORY OF THE SEVERAL ACTS ESTABLISHING THE TREASURY DEPARTMENT.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That there shall be, and hereby is, created and established in the treasury department, at the seat of the government of the U. States, a board to be called the exchequer of the United States, to be composed of three commissioners, to be appointed by the president, with the advice and consent of the senate, and who shall be removed from office only with the like concurrence of the senate, and for some one or more of the following causes, to wit: physical inability, incompetency, or neglect, or violation of duty; and, in every such case, it shall be the duty of the president to communicate to the senate the particular reason of the proposed removal; but, during the recess of the senate, the president may, for any of the aforesaid causes, suspend any of the said commissioners, and appoint a temporary substitute, and within the first week of the succeeding session of the senate, he shall lay before that body the reasons of such suspension, and if the senate concur with him, the commissioner so suspended shall be removed, but if it do not concur with him, the said commissioner shall be restored. And on the first organization of the board, one of the three commissioners shall, by the members thereof, be elected president, who shall hold his office for two years, when a new election shall be made; and in like manner a new election shall take place afterwards, at the end of each successive period of two years. And the secretary of the treasury shall have authority to appoint, on the recommendation of the board, all such inferior officers as, in the judgment of the board, the transaction of its business may require, the amount of their respective compensations, till fixed by law, to be determined by the board, who may take bonds for the faithful discharge of their duty for such sums, and in such manner, as the secretary of the treasury shall direct; and each of said commissioners shall receive an annual salary of dollars.

Sec. 2. *And be it further enacted,* That the said board of exchequer shall have power to establish agencies or offices in such of the cities or towns of the United States as it may judge necessary and expedient for the public service, and also wherever congress may by law require the same to be established, limiting the number to as few as the exigencies of the service will admit, and in no case exceeding two in any state or territory; and such officers and agents as may by the board of exchequer be thought necessary for the management of such agencies, and the transaction of their business, shall be appointed by the secretary of the treasury, on the recommendation of the board of exchequer; and the said board shall have power to fix the amount of the respective compensations of such officers till the same shall be determined by law, and to provide regulations for the government of such agencies, the transaction of their business, and the rendering accounts of all their proceedings. And in such regulations they shall so assign and arrange the duties of the officers of the said agencies, as that one of those officers shall be a check and control upon the other, and for that purpose they shall require that the accounts and proceedings of each shall be entered in proper books. And any of the officers of the said agencies may be removed by the secretary of the treasury, on the recommendation of said board, for physical inability, or incompetency, or neglect, or violation of duty; but it shall be his duty to state every removal of any principal officer of any agency, with his reasons therefor, in his general annual report of the transactions of the exchequer.

Sec. 3. *And be it further enacted,* That the said exchequer and its officers shall be the general agents of the government of the United States, for receiving, safe-keeping and disbursing the public moneys, and transferring and transmitting the same, under the direction of the secretary of the treasury; and all public moneys received, from whatever sources, shall, under the same directions, be paid into the said exchequer, or its agencies, and the principal officers employed in such agencies shall give bond to the United States, for such amount and in such form as the secretary of the treasury shall prescribe, for the faithful performance of their duties. And the said board of exchequer and its several agencies shall issue warrants, drafts, or orders, made thereon by the treasurer of the United States, and by all disbursing officers and agents of the government having authority to make such drafts or orders. And every such person shall be made at the option of the person entitled to receive it, in gold and silver coin, or in specie notes, to be issued in such form as is hereinafter prescribed. But such notes shall never exceed the actual amount of specie holden for their redemption.

Sec. 4. *And be further enacted,* That the said exchequer and its officers shall perform the duties of subscription of bonds, receiving and disbursing, transferring stock, and paying dividends and interest thereon, under the directions of the secretary of the treasury; and shall perform all the duties of the United States all necessary facilities for transferring and disbursing the public funds as shall be required by him; and shall perform all the duties of pension agents under the regulations prescribed by the secretary of war, and shall render and perform all other duties and services in relation to the collecting, keeping, and disbursing of the public funds, as shall be prescribed by law or by the secretary of the treasury.

Sec. 5. *And be it further enacted,* That it shall be lawful for the exchequer at the seat of government, and for the several agencies, to receive on deposit gold or silver coin or bullion, the property of individuals, to be held as in other cases of deposite made by individuals for convenience and security, and to issue specie notes in lieu thereof, and the said board shall prescribe, which notes shall always be redeemed on presentation at the agency where issued; and no such notes shall ever exceed in the whole fifteen million of dollars, to be distributed by the board among its several agencies according to the extent of their business, respectively; and the said board shall require a higher premium shall be demanded than shall be sufficient to indemnify against the hazard of loss, and remunerate for the safe keeping the deposite, and in no instance to exceed the one-half of one per cent. But specie notes issued by the board and its several agencies shall be redeemable only at the place where issued, unless the board shall see cause to order otherwise.

Sec. 6. *And be it further enacted,* That the secretary of the treasury is hereby authorised and directed to cause to be prepared specie notes, of denomination not less than five dollars nor exceeding one hundred dollars, which notes shall be signed by the treasurer of the United States, and countersigned by the president of the board of exchequer, and made payable to the order of the principal agent of such agency, and shall be by him endorsed when issued at such agency, and which notes shall be redeemable, and shall be redeemed, in gold and silver, on demand, at the agency where issued; and such notes intended to be issued by the board of exchequer at the seat of government shall be in like form, and shall be payable to the order of the commissioners, and shall be endorsed by some one of them when issued, and shall be redeemable and redeemed at said board, on demand, in gold and silver; and exact and perfect lists of all notes so signed shall be kept at the treasury. And all specie notes issued under the authority of this act may, when redeemed, be reissued by the board and its agencies respectively.

Sec. 7. *And be it further enacted,* That it shall be lawful for the exchequer at the seat of government, and its several agencies, on the deposite of gold or silver coin or bullion as a payment therefor, to draw bills of exchange made payable at said exchequer, or at agencies, where funds are provided on which to draw, and also to accept bills of exchange: the amount of which bills and acceptances shall in no case exceed the sum so deposited. And such bills of exchange and acceptances shall be signed and countersigned in such manner as the said board shall prescribe.

Sec. 8. *And be it further enacted,* That on each bill of exchange or acceptance, the exchequer or agency at which such bill or acceptance is made shall be entitled to receive a just and reasonable premium, not exceeding the fair cost of remitting specie to the place of payment, and in no case to exceed two per centum on the amount of such bill or acceptance.

Sec. 9. *And be it further enacted,* That it shall be lawful for the said board of exchequer, and each of its agencies, under regulations to be prescribed by the board, to receive and take charge of, for collection, such drafts or bills of exchange as may be deposited with them for that purpose, drawn on any place where an office of the exchequer may be established; but in no case shall any advance or payment be made on account of such draft or bill, until it shall have been actually collected, and advice received of such collection; whereupon the proceeds shall be paid over to the person entitled to receive them, at the office where the said draft or bill was originally deposited for transmission and collection, deducting therefrom such reasonable charges, and commission as may have been agreed upon, which shall in no case exceed —— per centum on the amount collected.

Sec. 10. *And be it further enacted,* That it shall be the duty of the said board of exchequer, within three months after its first organization, to establish such by-laws and rules of proceedings as it may judge expedient and proper for the regulation of its concerns and the government of its agencies; and copies of all existing by-laws and regulations shall be laid before congress at every year, at its annual session.

Sec. 11. *And be it further enacted,* That the secretary of the treasury is authorised from time to time, on the application of the board of exchequer, to furnish for the use of the said board of its several agencies, a suitable amount of specie notes, to be used in the transaction of its business; but the amount of such notes issued either in payment to the public creditor or on the deposited individuals, shall never exceed the actual amount of specie on hand for their redemption. And all dues to the United States, or any officer or department thereof, authorised to receive public dues, may be paid in gold or silver coin, in specie notes issued under this act, or in the notes of banks which shall be immediately convertible into specie at the place where received.

Sec. 12. *And be it further enacted,* That the board of exchequer at the seat of government, and each of its agencies, shall settle weekly, or oftener, with all banks in their respective, whose paper they may have received, and pay or collect, as the case may be, all balances between it and said banks; and no individual shall be allowed, at any time, to stand as debtor to the exchequer or any of its agencies in account. And it shall be the duty of the said board of exchequer, and each of its several agencies, at all times so to limit its issues that its gold and silver on hand shall be equal, dollar for dollar, to the amount of such issues outstanding.

Sec. 13. *And be it further enacted,* That the board of exchequer and its several agencies shall keep separate and distinct sets of books, for the purpose of entering and recording, in one set, all transactions respecting the collection, keeping and disbursing of the public revenue, and transmitting the public moneys from place to place, for the service of government; and in another, all transactions and accounts arising from the operations in exchange hereinbefore authorised, and other transactions on government account. And all profits accruing from such operations in exchange on individual account, and from private deposites, shall be applied, in the first place, to pay all their current compensations, and ordinary expenses incurred under the authority of this act, and the residue thereof shall be placed semi-annually to the credit of the treasurer of the United States.

Sec. 14. *And be it further enacted,* That the necessary rooms and vaults for the safe keeping of the public moneys, and for the transaction of the business of the board of exchequer and its agencies, shall be provided by the treasury department at the city of Washington, and in the custom houses, mint, branch mints, and other public buildings belonging to the U. States, so far as the same can be furnished without detriment to the public service; and where the same cannot be so furnished, the said board may provide others.

Sec. 15. *And be it further enacted,* That it shall be lawful for the said board of exchequer to appoint as agent for the board any specie paying bank in any state, in cases where it may not be deemed expedient to establish an office or agency for the said board as hereinbefore provided; but such bank shall not be authorised in any event to receive deposites, or to accept or sell bills or drafts on account of the board of exchequer.

Sec. 16. *And be it further enacted,* That full and exact accounts of the proceedings of the board and its several agencies shall be furnished to the secretary of the treasury as often as he may prescribe; and it shall be the duty of the said secretary to lay ab

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stracts of the same before congress at the commencement of each annual session, and to furnish full and particular accounts and statements of the transactions of the board and its agencies when required by congress; and the amount of specie notes outstanding at the end of every quarter shall, as soon thereafter as the same may be ascertained, be published by the secretary of the treasury.

Sec. 17. *And be it further enacted*, That if any member of the exchequer board, or any officer or clerk employed in its business or any of its agencies, shall convert to his own use, in any way, any money or security deposited with or belonging to the said board or any of its agencies, or belonging to the U. States, or any other person or persons dealing or depositing with the said board or any agency, he shall be deemed guilty of felony, and on conviction thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term not less than —— nor more than —— years, and to a fine equal to twice the sum or value of the property embezzled.

Sec. 18. *And be it further enacted*, That if any officer or member of the board of exchequer, or any of its agencies established under the provisions of this act, shall issue any specie notes, or make, accept, or deliver any draft or bill of exchange without having received the full value thereof in specie, and caused the receipts of the same to be duly entered in the books of the said agency, or shall be guilty of any other malpractice by which any responsibility of the said board or any of its agencies, or of the United States, shall be improperly created or increased, he shall be deemed guilty of felony, and on conviction thereof in any court of the United States of competent jurisdiction, shall be sentenced to a term of imprisonment not less than one year, nor more than seven years, and to a fine equal to the amount of the specie note so issued, or of the bill or draft so made, accepted, or delivered, or to the amount of the responsibility so created or increased.

Sec. 19. *And be it further enacted*, That the secretary of the treasury shall have power, at his direction, by himself or by an agent duly appointed by him, to examine the officers and clerks of the exchequer and its agencies, on oath or affirmation, touching all matters relating to the exchequer or its agencies, or either of them; which said oath the said secretary, or said agent, is hereby authorised to administer. And if any person so examined shall wilfully make any false statement, or wilfully refuse to disclose or declare the whole truth, such person shall be deemed guilty of wilful and corrupt perjury, and shall suffer the pains and penalties thereof, on conviction before any court competent to try the same. And the said exchequer and agencies shall, at all times, be open to examination by any committee appointed by congress, or either house thereof.

Sec. 20. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

FEBRUARY 24. The death of the hon. *Lewis Williams* having been announced the senate adjourned.

FEBRUARY 25. The senators attended the funeral of the hon. *Lewis Williams*, late representative from North Carolina.

FEBRUARY 28. The *president* announced the following as the committee on impeachment, he added to the standing committees of the senate: Mr. *Morehead*, chairman, Mr. *Graham*, Mr. *Fulton*, Mr. *Miller*, Mr. *Sprague*.

Also, communicated a resolution from the legislative council of Iowa, in relation to the preservation of the present northern boundary line, as established between the half-breed Sac and Fox Indians.

The following letter, transmitted by the hon. *Franklin Pierce* to the president of the senate, was then read:

Washington, February 28, 1842.

SIR: Having informed the governor of N. Hampshire that on this day my seat in the senate of the United States would become vacant by resignation, I have thought proper to communicate the fact to you and the senate.

In severing the relations that have so long subsisted between the gentlemen with whom I have been associated, my feelings of pain and regret will readily be appreciated by those who know that, in all my intercourse during the time I have been a member of the body, no unpleasant occurrence has ever taken place to disturb for a moment my agreeable relations with any individual senator.

With a desire for the peace and happiness of you all, for which now, in the fullness of my heart, I find no forms of expression, I have the honor to be, with the highest consideration, your obedient servant,

FRANKLIN PIERCE.

Hon. *Samuel L. Southard*, president of the senate.

On motion of Mr. *King*, the letter was ordered to be entered on the journal.

The resolution heretofore offered by Mr. *Pierce*, in relation to the custom house investigation was taken up and amended on motion of Mr. *Mangum*, as follows:

"And particularly any order, letter, or other communication indicating what period in the custom house service was to be investigated; whether including both the late and present administrations of that branch of the public service, and all the orders on the subject; whether any order or communication, or other intimation, countermanding a thorough investigation of the present administration of that branch of the service, or in any way giving or indicating a disposition to the investigation proposed, has been given to the commissioners or any of them; and, if so, to furnish the senate with such orders, correspondence, and the report, and also all letters or communications from said commissioners, or any one or more of them, to the president, or secretary of the treasury, and the replies and orders consequent thereupon to the said commissioners, or either of them, touching or in regard to said investigation, or the scope of it."

The resolution was then adopted.

The senate then took up the special order of the day being the resolution of Mr. *Clay*, in relation to restricting and limiting the veto power; when

Mr. *Calhoun* arose and gave his reasons for wishing to continue the veto power where it was. The senator commenced with some arguments drawn from the character of the government and its peculiar organization, in which he considered the senate the most favored of the constitution. The mere power of the senate was considered small, and contrasted with the power of the states, and all for the purpose of showing the conservative character of the veto power. The power to amend the constitution was not a peculiar one, it was considered. There were but two ways in which amendments could be brought about: the first, when the proposition originated in this or the other branch of congress; and the second, when the proposed amendment originated with two-thirds of the states. The numerical majority had no force with the veto power.—It was only based on the principle of the veto, but more than twice the power, and it was right that it was so. Ours was a union, not a nation—a union of states, an aggregate of nations. The majority did not constitute this union, but represented states and not the people. In the house of representatives numbers alone prevailed. It was a mischievous error to say that the naked will of the majority was the controlling power. Mr. C. discussed the question at length, for the purpose of showing the effects of changing the powers upon the states of the union. If the mere numerical power was to prevail, if the sense of the people as a mere presidential question was to prevail, the effects would be most disastrous. He would not have the popular branch of congress the sole power, because it would be despotic and tyrannical; nor would he have the senate the supreme power, because that would be tyrannical also. There should be a division of power between the community and the people. There should be, as there was, an organic arrangement, and this was much more a people's government, much more a democratic government, but it would otherwise be. If it were otherwise, it would be more a government of the few than the many. Less than one-half of the people would govern the rest. As it was, all were represented in this branch of the government. And if the power stopped here, or if the executive had no power, there would be a deadly power between the two branches of congress. The election of a president was very nearly the beau ideal of an absolute majority, though less than a numerical majority could elect a president. If the president exercised the veto power it broadened the basis of the union, and the power of the states. Beyond all this was the judiciary power, which decided upon the constitutionality of laws, and thus exercised an absolute veto upon the laws of congress. This Mr. C. regarded as the true and the proper analysis of the government. No part should exercise its powers at the expense of another part, and no one branch of the government should lord it over another branch. The salvation of the government, and the only way of preventing it from going the way of all flesh, was in the process of taking the will of the people by the states. This was a distinctive feature in our government over all governments, and upon it must be based the hope of its permanency. Mr. C. then proceeded to answer some of the arguments of senators in defence of the proposed amendment of the constitution. Admitting the executive power to be as great as had been alleged, he would ask if the resolutions before the senate presented the proper remedy for those grievances. If the power of the executive was as great as was alleged, he would ask who made it so great? Was it not congress, who passed the laws, that originated the powers that placed the power in the hands of the president? Who increased the army and the navy? but congress. The patronage, too, created by congress, and placed in the hands of the executive, was in consequence of the action of congress; and thus the power of the executive had been increased.

Mr. *Clay*, (Mr. *Calhoun* having closed), understanding that other senators wished to address the senate upon this subject, moved that the subject under consideration be postponed to Friday next.

And on motion of Mr. *Sevier*,

The senate then adjourned.

MARCH 1. The senate proceeded to the order of the day being the resolutions submitted by Mr. *Clay* on the 15th ult. and Mr. *Clay* arose and spoke in their defence for about two hours and a half, and having closed.

Mr. *Linn* made some few remarks in reply to the senator from Kentucky, in reference to the expenditures of the government.

Mr. *Clay* replied in a few words; when—

Mr. *Wright* moved to amend the resolutions by repealing the act to distribute the proceeds of the public lands to the states, territories and District of Columbia, on the ground that this revenue could not be taken without a resort to taxation to that amount; and further to amend by abridging the duration of the long sessions; also by defining the mileage, and diminishing the contingent expenses, and especially those incurred for stationery, printing, for the employment of clerks to committees, and for folding printed matter to be transmitted through the mails. And that congress also called upon to make retrenchment in the judiciary department and in the diplomatic, by diminishing appropriations for charges de affairs at Naples, Bogota, Carracas, St. Jago and Lima: to reduce the compensation of the ministers Prussia and Brazil to that of resident ministers, and those of Austria and Mexico to that of charges des affairs. Also, reducing the franking privilege of members to letters and other communications in writing, and those not to exceed the weight of ——; to further limit the franking privilege by deputy postmasters, and to the same and regulate the agents, the charges to be made on books, pamphlets and other printed packages transmitted by the mails.

Mr. W. moved that the amendments be printed. Which was agreed to.

And, on motion of Mr. *Wright*, the senate adjourned.

MARCH 2. The resolution submitted by Mr. *Walker* on the 8th ult. in relation to information from the board of commissioners for settling the claims of American citizens with Mexico, was adopted.

The senate proceeded to the order of the day being the resolutions submitted by Mr. *Clay* on the 15th ult. and the amendment submitted yesterday by Mr. *Wright*.

Mr. *Wright* entered into a comparison of the expenditures of the late administration with those of the present. He thought it impossible to form as yet any correct opinion as to the sufficiency or not of 20 per cent. for the demands of the treasury. With the land proceeds, estimated at $3,000,000, he thought it would be a sufficient tax.

Mr. *Benton*. The lands will bring five millions per annum.

Mr. *Wright* said he did not wish it to be more than $3,000,000, and he had rather it would be less than more. This would give us if the imports were to be $80,000,000, between twenty-one and twenty-two millions, which he thought quite adequate to the expenditures of the government. He would prefer that the standard should be $30,000,000.

The fourth resolution (relating to a readjustment of the tariff) of the senator from Kentucky was passed over to comment more particularly upon the fifth resolution, which the senator from New York considered the important one of the series. This resolution related to the provision in the act of the extra session for the distribution of the proceeds of the public lands, requiring that act to be suspended in the contingency of the necessity of raising a higher duty than 20 per cent.

The importance of this resolution was apparent upon its face. It required an imposition of taxes upon the people in order to distribute the lands among the states. The distribution policy could not be sustained in any constitutional sense.

Mr. W. concluded his remarks in an argument against the constitutionality and policy of the distribution act, and on motion

The senate adjourned.

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HOUSE OF REPRESENTATIVES.

TUESDAY, FEB. 24. The death of the hon. *Lewis Williams*, of North Carolina, was announced to the house by Mr. *Rayner*, and after an appropriate eulogy from himself and Mr. *Adams*,

The house adjourned.

FRIDAY, FEB. 25. The members of the house attended the funeral of the hon. L. Williams, of N. Carolina.

SATURDAY, FEB. 26. The house proceeded to the consideration of the order of the day, being the report on retrenchment, and the previous question being called on the amendment offered by Mr. *Gentry*, to continue the two clerks which the resolution had cut off. Mr. G. modified it so as to reduce their salaries from $1,500 to $1,200, and by yeas 20 noes 144, the amendment was rejected. The resolution in the report was then adopted by 147 yeas to 16 noes.

Mr. *Tillinghast*, on leave given, presented resolutions of the legislature of Rhode Island on the subject of the tariff, which, on his motion, were referred to the committee on manufactures and ordered to be printed.

Also, resolutions of the same legislature, in relation to the choice of electors for president and vice president, recommending the passage of a law making the time therefor uniform throughout the United States. Referred, on motion of Mr. T. to the committee on the judiciary, and ordered to be printed.

The following message was received from the president of the United States, by John Tyler, jr. esq. his private secretary.

Washington, February 26, 1842.

To the house of representatives:

The resolution of the house of representatives of the 21st instant requesting the president of the United States to communicate to that body, "if not incompatible with the public interest, at this time, the negotiation between the United States and the government of Great Britain, in relation to the northeastern boundary of the state of Maine; and, also, all correspondence on that subject between the two governments not hitherto communicated," has been transmitted to me. Desirous always to lay before congress and the public every thing affecting the state of the country to fulfill a trust consistent with propriety and prudence, I have to inform the house of representatives that, in my judgment, no communication could be made, at this time, on the subject of its resolution, without detriment or danger to the public interests. JOHN TYLER.

A letter from the secretary of the navy, correcting an error in his report of the 17th instant, of the cost of the war steamers Mississippi and Missouri. Referred to the committee on naval affairs.

A letter from the secretary of the navy, transmitting copies of the proceedings of the court martial for the trial of captain William Bolton, and of the proceedings of the court of inquiry upon whose report the said naval court martial was ordered. Also, copies of all despatches, letters, and other documents having connexion therewith, which letter and proceedings were laid on the table.

MONDAY, FEB. 28. Mr. *M'Lellan*, of N. York, offered a resolution of inquiry from the secretary of war as to whether Maj. Gen. Scott had received pay in addition to his regular army pay for his services in 1838, in removing the Cherokee Indians. The rules were suspended to consider the resolution.

Mr. *Campbell*, of Tenn. moved an amendment, "and also all other cases of extra allowance made to officers of the army."

The yeas and nays on the amendment were then called, and were ayes 81, noes 101. The vote upon the resolution was ayes 155, noes 23; adopted.

After some little discussion, in which it was insisted, that as Gen. Scott's case was only one of the many, this resolution was invidious, it was reconsidered, and another, calling for general information upon this point, was adopted. Petitions were then called, commencing with the territory of Iowa.

[A message in writing, was received from the president, by the hand of Mr. J. Tyler, his private secretary.]

Mr. *Howard*, of Michigan, submitted the preamble and joint resolutions of the Michigan legislature, recommending the passage of an act to "refund" to General Andrew Jackson the fine imposed on him by judge Hall at New Orleans, in March, 1815, for a contempt of court. They were on his motion laid on the table and ordered to be printed.

Mr. *Giddings*, amongst other petitions, presented one from upwards of eighty citizens of Austinburg, Ohio, (of both political parties, Mr. S. said), praying an amicable division of the union by a line running between the free and slave states.

Mr. G. moved that the petition be referred to a select committee, with instructions to report against the prayer of the said petition, and to assign to the petitioners reasons why their prayer should not be granted.

Mr. *Triplett*, remarking that the petition was disrespectful to the house, and disrespectful to the man who presented it, moved it be not received. The previous question was demanded.

Mr. *Pendleton* wished, he said, to have an expression of the opinion of the house whether it had any authority to take any step for the dissolution of the union which they were constituted and sworn to protect and defend? He hoped, therefore, the previous question would not be sustained.

The *speaker* said the remarks were not in order.

The demand for the previous question was then seconded.

And the main question, "shall the petition be received?" was taken and decided in the negative, as follows:

YEAS—Messrs. Adams, Arnold, Barnard, Brockway, Brunson, Childs, Chittenden, J. C. Clark, R. D. Davis, John G. Floyd, Gates, Giddings, Granger, James, Linn, McKean, Maynard, Morgan, Berj. Randall, Samuel Randall, Reed, Simonton, Stanton, Washington—24.

NAYS—Messrs. L. W. Andrews, Atherton, Baker, Barton, Blair, Boardman, Bowne, Brewster, Briggs, Milton Brown, Burke, Williams Cost, John A. Butler, Patrick C. Caldwell, John Campbell, Wm. B. Campbell, Thomas J. Campbell, Carruthers, Cary, Casey, Chapman, Clifford, Clifton, Cobb, Coles, J. Coop, Cowen, Cross, Cushing, Daniel, Garret Davis, Doherty, Dunn, Eaton, Eastman, John C. Edwards, Egbert, Ferris, Fillmore, Charles A. Floyd, Fornance, Gentry, Gilmer, Gorrecht, Gouge, Gordon, Graham, Green, Gustine, Habersham, Harris, John Hastings, Hays, Henry, Holmes, Hopkins, Hunter, Hunt, Hunter, Hunter, C. J. Ingersoll, Joseph R. Ingersoll, James Irvin, W. W. Irwin, Cave Johnson, John P. Kennedy, Lewis, Lowell, Mallory, McClellan, McKay, Mallory, Alfred Marshall, Thomas F. Marshall, Samson Mason, Mathiot, Matlock, Maxwell, Medill, Morris, Morse, Newland, Osborne, Owsley, Pendleton, Pickens, Plumer, Pope, Ramsey, Alexander Randall, Randolph, Rayner, Redding, Ridgway, Riggs, Rhett, Rives, Roman, James M. Russell, Saunders, Shaw, Simonton, Snyder, Steenrod, John T. Stuart, Summers, Taliaferro, Richard W. Thompson, Tomlinson, Triplett, Turney, Underwood, Ward, Weller, Washington, Westbrook, E. D. White, James W. Williams, Christopher H. Williams, Wise—118.

So the petition was not received.*

**To the editors of the National Intelligencer.*

House of representatives, March 1, 1842.

MESSRS. GALES & SEATON: I feel that justice to the signers of the petition which I had the honor of presenting to the house on yesterday, requires the reasons assigned in said petition for praying a division of the union should go to the public with a report of its presentation. I was asked, in the hall, if I had not, in the debates that arose upon it, to furnish your reporter with a copy at the time. I now send it, with a request that it may be published in your next paper. The petition was communicated to me by one of the subscribers, a man of reputation and character, in a letter, in which he says,

"If our petitions are to be treated with open contempt and malignant insult, and we ourselves held up to the world as incendiaries and fanatics—if the federal government is to go on year after year increasing its efforts to sustain the system of slavery, by the aid of the money, the world and the influence of the nation at large—then we ask, and ask sincerely too, for a division."

The short extract I read to the house, on the house being frequently called to order by a slaveholding member, I now take this method of placing it before the public. With great respect, your obedient servant,

J. R. GIDDINGS.

To the senate and house of representatives of the United States in congress assembled:

The undersigned, citizens of Austinburg, Ashtabula county, Ohio, respectfully petition that you will in the name of God, immediately to bring about an amicable division of these United States, by a line running between the slave and the free states. Because,

1st. We believe that the action of the federal government has, for the last thirty years, been so controlled by slaveholding influence in opposition to the interests of free labor, as to cause a great majority of the political evils we have suffered during the time, and are now suffering, and that the free states can never enjoy anything like permanent prosperity until slavery be abolished or the union divided.

2d. To say nothing about the evils resulting from slaveholding legislation, we do not like to bear the inexpressible disgrace, (as it appears to us), of professing to the world that we have united in a common form of government, while nearly three millions of the inhabitants are held under a system of the most abject slavery, and that system supported and sustained in a great measure by the action of the federal government.

3d. We are encouraged to this movement by the frequent manifestations made by that portion of the confederacy, (the south), from which we propose to disconnect ourselves, of a disposition on their part to do the same thing, from which we judge the measure will not be opposed by them, and from its evident advantages to the north that it will not be opposed by them.

Mr. *Kennedy*, of Maryland, offered a resolution, setting forth that all such petitions should hereafter be deemed offensive, and that the member presenting them should be liable to censure.

Objection being made, the resolution was not received.

Mr. *Pendleton* asked leave to offer the following resolution; which was read for information:

Resolved, That the constitution was "ordained and established" to form a "perfect union" of these states, and that congress not only has no authority to take any measures for the dissolution of that union which it was thus created to defend and protect, but that it is the paramount duty of every department of this government, and of all the people of these states, "indignantly to frown upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."

Objection being made—

Mr. P. moved to suspend the rules to enable him to offer the resolution.

Mr. *Winthrop* moved that the house do now adjourn; which being seconded, by yeas 75, noes 52, was agreed to. So the house adjourned.

TUESDAY, MARCH 1. The house having met, and the journal of yesterday being read, the resolution amended by Mr. *Campbell*, was corrected so as to read as follows:

Resolved, That the secretary of war be directed to report to this house all cases in which extra compensation has heretofore been allowed to other officers of the army for services which have been rendered by General Scott, for which he is said to have received extra allowance; and that the secretary of war also report to this house the names of such officers of the war department, of the army, including paymasters and governors of territories, who have received extra allowance; the time when received, the amount of the extra allowance paid to each; the service for which the extra allowance was claimed, and the authority under which it was made.

Mr. *Pendleton* moved to suspend the rules to consider a resolution of his, condemnatory of "dissolution projections:" upon this motion the yeas and nays were ordered and resulted in ayes 104, noes 65—not two-thirds.

Mr. *Summers* called for the orders of the day, but

Mr. *Fillmore* suggested, as the morning hour was nearly up, that the house go into committee of the whole upon the general appropriation bill.

Mr. *Briggs* was called to the chair. The amendment presented by Mr. *Dana*, that the secretary of state should cause the laws to be published in those papers having the largest circulation, was taken up, ruled by the chair, and appealed by the speaker, modified by Mr. *Davis*, and again ruled out of order by the speaker.

Mr. *Davis* appealed, and while the question on the appeal was still pending, Mr. *Bowne* moved that the committee rise. Carried by yeas 65, noes 45. The chairman reported progress and

The house adjourned.

WEDNESDAY, MARCH 2. Mr. *M. A. Cooper* introduced to the house the honorable Mr. *Black*, representative elect from the state of Georgia, who was qualified and took his seat.

Mr. *Fillmore* offered a resolution, that on and after Monday next the daily hour for the meeting of the house should be 11 o'clock, until otherwise ordered; this resolution was passed, ayes 123, noes 22.

Mr. *Hunter* gave notice that he should to-morrow move a reconsideration of this vote, and if he failed to obtain it, he should then move that the various committees be discharged from their duties.

The house then proceeded to the consideration of the resolutions reported by the committee on retrenchment and the following was adopted:

Resolved, That, in addition to the messenger now authorized by law to be employed by the clerk, he be authorized to employed two assistant messengers at the same compensation allowed to the other messengers in the service of the house, to be chosen by labor, in lieu of the six messengers now employed in said office.

The house then in committee of the whole, Mr. *Briggs* in the chair, took up the general appropriation bill.

The question upon Mr. *Davis*' appeal from the decision of the chair, was discussed at some length, after which the vote was taken, and the decision of the chair was reversed by 67 to 56, and the amendment of Mr. *Davis* was declared in order.

The amendment was then discussed, and in course of debate was modified and amended until, finally, the last amendment offered by Mr. *Morgan* went to repeal the law authorizing the secretary of state to publish the laws in newspapers.

The committee then rose without taking any action, and the house, after ordering the various amendments to be printed, adjourned.

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CHRONICLE.

AFRICA. The New York Commercial Advertiser has received Liberia papers to Dec. 17.

Renewed efforts were made to introduce horses at Liberia; they had been brought from Sierra Leone, and it was hoped they would not die as all those previously imported had done.

A cutter of 25 tons was to be launched at Monrovia on the 20th of November.

The mortar mallemuke has been successfully introduced at Monrovia; also the alligator pear.

It was reported that a Portuguese schooner had been taken by the natives at Berrybee, about 40 miles below Cape Palmas. Some of the crew were killed. A small sharp schooner ran into New Cess, early in October, took on board 200 slaves, and in six hours was off. The British brig Saracen was after her. A full and particular account of the capture of the noted slaver Gabriella, is given. She was taken by the British brig of war Acorn. The brig Water Witch was still actively engage; within two years she has captured sixteen slavers, and liberated 2,200 slaves. The ship Islands, from Norfolk, arrived at Monrovia on the 10th December, after a passage of fifty-three days.

CONSUL. The president of the United States has recognized Louis Kerrero, consul of the republic of Mexico for the port of New York. Sealed March 2d.

FLORIDA. The senate has passed resolutions that the legislature was never invested with authority to pledge the faith of the territory to raise money for any bank, rail road, or other corporation; and all pledges of the public faith so granted, and is now made to sustain thereby a levy of taxes on citizens not full and just debts.

Dates of Feb. 9th and 12th inform that Col. Worth was scouting the whole country.

ICE. Sales of the exports of ice from the vicinity of Boston are estimated by the Advertiser at 1,000,000 T. The experiment is to be tried of bringing cotton from Bombay in exchange for it.

ILLINOIS. The half of the legislative council of this state was adjourned by an unanimous resolution on the 11th ult. An altercation took place between two of its members a Mr. C. C. P. Arndt and J. R. Vineyard which resulted in the death of the former by a pistol shot.

INDIANA. The legislature has adjourned without adopting adequate measures to meet the liabilities of the state.

KENTUCKY. The legislature were to adjourn on the 25th Feb. by a resolution passed both houses.

"*Washington, senate chamber, Feb. 16, 1842.*

To the honorable the general assembly of Kentucky:

"When I lay had the honor of my appointment as one of the United States senators from Kentucky, I intimated, in my letter of acceptance, the possibility of my serving out the whole term at six years. In consequence of there having been two extra sessions of congress, I have already attended, since that appointment as many sessions of congress, as ordinarily happen during a senatorial term, without estimating my services at the present session.

"I have for several years desired to retire into private life, but have been hitherto prevented from executing my wish by considerations of public duty. I should have resigned my seat in the senate, at the commencement of the present session, but for several reasons one of which was that the general assembly did not meet until near a month after congress, during which time the state would not have been fully represented, or my successor would have had only the uncertain title of an executive appointment.

"The time has now arrived when, I think, that, without any just reproach, I may quit the public service, and bestow some attention on my private affairs, which have suffered much by the occupation of the largest part of my life in the public service. If the Rowan certain had title to discharge after thirty year's service, I, who have served a much longer period, may justly claim mine.

"I beg leave therefore, to tender to the general assembly, and do now hereby tender, my resignation of the office which I hold of senator, in the senate of the U. States, from the state of Kentucky, to take effect on the 21st day of March, 1842, and I request that the general assembly will appoint my successor to take his seat on that day. I have lived that day to allow me an opportunity of assisting in the completion of some measures which have been originated by me.

"I embrace this occasion to offer in the general assembly my most profound and grateful acknowledgment for the numerous and distinguished proofs, by which I have been honored, of its warm attachment, and generous confidence during a long series of years. I have the honor to be, &c.

H. CLAY."

The Louisville Journal contains a letter from Frankfort, Ky. under date of 24th ult. which states:

To-morrow is set apart by both houses for the election of United States senator. Some four or five candidates are spoken of; among them I have heard the names of Underwood, Calhoun, Ben Hardin, Crittenden, and gov. Metcalfe. It is, very certain that a strong effort is making to defeat Mr. Crittenden, who is looked upon as being the most prominent candidate.

LOTTERIES. We learn from Annapolis, that the court of appeals of Maryland, decided yesterday, in the case of Lucas and others, against McPlatt and Cook (the state lottery commissioners) and others that the act of assembly 1839, chapter 31, confirmed by that of 1840, chapter 261, *totally abolishes the state lottery system, and prohibits the drawing of schemes or dealing in tickets in the state lotteries or in any foreign lotteries whatever.* The effect of the constitutional prohibition being in the opinion of the court to repeal, with reference to such lotteries, the act of 1831, chapter 79, under which alone *contracts* for state lotteries or licenses to vend foreign lottery tickets could have been made. In this decision, the court are said to have been unanimous.

In the case of the same appellants vs. the state commissioners, involving the question whether the (now) half lottery, the court (chief justice Buchanan and judge Archer dissenting) decided that the grant for these lotteries was also in an end, and it was pressed upon the ground that it was to be considered as executed altogether. No opinion has as yet been filed.

The lotteries drawn under the name of consolidated lotteries (which are private grants) are not affected by these decisions, and will therefore continue to be drawn under the authority of the state commissioners. When these private grants are exhausted, the drawing of lotteries, or the sale of lottery tickets in Maryland will cease to be lawful. *[Patriot & Sun.*

It is decided that all bank stock in the hands of stockholders, is liable to taxation; and that the foreign or nonresident stockholder is to be taxed in the same manner. The levying a tax, upon the stock, however, exempts all bank property. This decision is applicable to all banks included in the act of 1821, and those subsequently chartered.

The Susquehanna rail road, it is decided, by its charter, enjoys its stock and property both exempt from taxation.

The property of the Baltimore, Wilmington and Philadelphia rail road, within the state of Maryland, it is decided is liable to taxation, but the stock is exempt.

The property of all literary and charitable institutions, it is decided is exempt from taxation. *[Sun.*

MARYLAND SLAVERY. A bill modified upon the basis of the propositions of the late slaveholders convention has passed the house of delegates. It was taken the action of the senate. A resolution was offered by one of the nine members of the Methodist Episcopal church of Baltimore, March 2, by T. F. Bond, jr. G. C. M. Roberts and R. Lomax, calling upon a strong memorial from Centreville has been laid before the public, hostile to its provisions. On March 2d, a meeting of citizens of the state assembled in the city of Baltimore, Dr. Dennis, presiding, and entered into resolutions protesting against its enactment.

Resolutions submitted by Mr. Dennis, on the 19th of February, 1842, and passed by both houses:

Resolved by the general assembly of Maryland, That in the opinion of the general assembly of the state of the U. States is the right term of our national defence, and that the utmost vigilance of our national government ought to be exercised in the preservation of its integrity.

Resolved, That it is the sense of this general assembly, that congress should at its present session make a liberal provision for a more rapid increase of our naval force.

Resolved, That the exposed condition of the Chesapeake bay, ought to invite the earnest and immediate attention of congress to an energetic system of measures for its complete defence; as imperiously required for the preservation of the peace of the state, the safety of the whole union, particularly as involving the safety of the national capital, with its costly public buildings, its invaluable archives, and more than all, the honor and dignity of the nation.

Resolved, That the governor be, and he is hereby requested, to forward a copy of the foregoing resolutions to be sent to each of the senators and representatives of this state in the congress of the United States, to be laid before the two houses thereof.

NAVY. *A novel general court martial* assembled at Baltimore on March 1st, composed of the following officers, viz: commodore J. B. Nicholson, *president;* captain W. C. *Bolton,* lieut. J. T. H. Gregory, J. McKeever, E. A. F. Lavallette, S. K. Stringham, *members;* Ch. H. Wurdes, esq. of Baltimore, *judge advocate.* Rear-admiral William Bolton, *general midshipman,* and Charles Wager, *midshipman.* APPOINTMENTS. Robert D. Becker, *master's mate,* Robert Wintaker, *boatswain.*

Army & N. Chron.

United States ship Yorktown, Capt. Aulick, arrived at Mazatlan Dec. 15, from Monterey.

NEW HAMPSHIRE. There are four candidates for governor, viz: the whigs Hon. Henry Hubbard; the democrats Hon. Henry Hubbard; and the conservative Van Buren states another Richard H. White.

OHIO. The whig convention at Columbus on the 22nd Gov. Vance premising nominated Thomas Corwin for governor of the state.

PENNSYLVANIA. A proposition is before the legislature of this state to adjourn on the 22d inst. and assemble again in extra session on the 15th of June. This is rendered necessary by the delay of congress in passing a bill fixing the ratio of representation in the house of representatives. The legislature will have to meet, or the state go unrepresented in congress.

A legislative committee are investigating into the conformity of the enormous expenditures for the Girard college, to the will of the testator.

U. S. bank. Mr. Dunlap late president of this bank, has, as was Mr. Jaudon, also been released from responsibility under the criminal process, for which he had been held to bail.

RESUMPTION. Indiana resumption said to be merely nominal, takes effect on June 15th next; Tennessee Jan. 1st 1842, Louisiana on Sep. 30th next; Ohio (yesterday) 4th March. In Pennsylvania the two houses having failed in adopting any joint measures have referred the subject for the present to a committee of conference. Maryland has not yet fixed a day. Virginia awaits the action of her neighbors.

JAMES RILEY minister from Texas passed through Maysville Ky. for Washington Feb. 23th.

SUPREME COURT—*Maryland vs. Pennsylvania.* The case which grew out of the arrest of Mr. Nathan Evans, of Cecil county, Maryland, who seized in defence of the local laws of Pennsylvania, a certain runaway slave in that state, who was then demanded by the governor of Pennsylvania from the governor of Maryland, (Veasy), was decided on March 1st. The demand of the governor of Pennsylvania was accompanied by the governor of Maryland, so far as the entry of a recognizance went—and *pro forma* proceedings were instituted for the purpose of bringing the case before the supreme court of the United States. The name of Mr. Prigg was introduced as one of the sureties of Bemis.

Edward Prigg, plaintiff in error, vs. The commonwealth of Pennsylvania. In error to the supreme court of the state of Pennsylvania. Mr. Justice Story delivered the opinion of this court, declaring that the act of the commonwealth of Pennsylvania, upon which the indictment in the case is founded, is repugnant to the constitution and laws of the United States and void; that the judgment of the said supreme court ought to have been that Edward Prigg was not guilty, directing that judgment be reversed and that said Prigg is not guilty in manner and form as is charged against him in the indictment, and that he go thence quit without day, and remit unto the said supreme court, that such proceedings may be had therein as to law and justice shall appertain.

A marginal note to the bar has furnished the Intelligencer the following more particular statement.

"The points decided by a majority of the court were—

1st. That the provision in the constitution of the United States relative to fugitive slaves executes itself so far as to authorise the owner or his agent to seize the fugitive in any state of the union, and that no state law or state law is constitutional which interferes with such right.

2d. That this provision also contemplates legislation by congress, to secure the delivery of fugitive slave more effectual against all state or other interference.

3d. That congress having legislated, such legislation is the supreme law of the land, and that all state legislation upon the same subject; and with which legislation by congress, no state can pass any law to qualify, impede, or counteract the rights given by the act of congress.

4th. The power of legislation by congress is exclusive; and no state can pass any law to carry into effect the constitutional provision for delivering up slaves, even though congress had not legislated upon the subject.

5th. That the points thus decided are in no manner intended to interfere with the power of the states to take up runaway slaves, and guard against their misconduct or depredations.

The opinions were delivered by Mr. Justice *Story.*

The *chief justice* and Mr. Justice *Daniel* concurred in the opinion that the Pennsylvania law was unconstitutional and void, and that no state could pass any law to impair or impede the right of the owners of fugitive slaves, as conferred by the constitution and secured by the act of congress. The law of 1793 was in force and competent to legislate with a view to effectuate the remedy given by the act of congress.

Mr. Justice *Baldwin* concurred as to the unconstitutionality of the act of the Pennsylvania legislature. He was of the opinion that congress, in this particular case, had a right under the power of which state officers were clothed by the act of 1793, and held that the states were competent to punish infractions of that act by the owners of fugitive slaves; as when, for example, the slave was seized and carried away without proceeding the certificate of the judges or justices of the peace which it requires.

Mr. Justice *Baldwin* was of opinion that the constitutional provision required no legislation, but executed itself; and that the state law was void, as gave and the Pennsylvania law were both unconstitutional.

Mr. Justice *Wayne* concurred with the majority, and recapitulating the grounds on which the court maintained of filing his opinion at length.

The case was brought up in the supreme court of the United States under the 25th section of the judiciary act of 1789, and the provision of a special act of the Pennsylvania legislature, being the result of a negotiation between Maryland and the state, conducted by *J. Meredith,* esq. as commissioner of Maryland.

The case was argued by Messrs. *Meredith* and *Nelson* for the state of Maryland, and Mr. *Hopkins* and the attorney general of Pennsylvania for that state.

THE HON. MARTIN VAN BUREN ex-president of the U. S. arrived at Charleston, S. C. on Feb. 27.

U. S. SENATOR. Hon. Leonard Wilcox, of Oxford, N. H. has been appointed by Gov. Page a senator in the U. States senate, to occupy the seat vacated by the resignation of the hon. Franklin Pierce.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

GREAT BRITAIN.

The ship Tarolinta, Smith, from Liverpool, has arrived, having sailed on the 24th January, but br ngs no papers.

Cotton had declined 1-8d. and the market closed with a downward tendency.

The money market was in a very unsettled state, and consols had been on the decline.

Corn had declined considerably.

The young Prince of Wales was to be christened on the 25th, and great preparations were making therefor. Five of the most splendid steamboats in England had been sent to the continent to bring over the kings of Prussia and Belgium to attend the christening. They arrived in England on the 24th ult.

It was not expected that the tories would retain power over six months.

Heavy gales were experienced by the Tarolinta on the 25th and 27th of January.

Liverpool cotton market, January 15. The transactions this week in cotton have been rather limited, and the market generally has assumed a less active appearance, which, together with a more eager disposition on the part of sellers to sell, prices are scarcely supported, especially for the better qualities of new Uplands and Orleans, which in several instances have been sold at 1-8 per lb. decline.

January 20. Our cotton market is very dull, and prices are 1-8d. per pound lower this week. There is a little more doing in Sea Islands, and prices are nominally without alteration, at ½d. to 1d. per pound advance on the last public sale of 24th December. Brazils and Egyptians remain dull, but in prices no change to notice.

LATER.

The ship Eutaw, Captain Rockett, arrived at New York on Sunday night from Liverpool, whence she sailed January 25th. She confirms all that the captain of the Tarolinta said about the repairing and refitting of the steam ship Caledonia, and that she was ready for sea on the 25th of January, and was advised to leave on that day.

It was the current report in Liverpool, that Lord Ashburton would leave England in the Caledonia.—Cotton had declined, and was expected to go lower every day.

The Eutaw brings 139 steerage passengers; and 3 passengers died on the passage, from some malignant disease, as it is supposed.

When Captain Rockett died, there were over 30 of the passengers lying dangerously sick below; and those on deck looked more like dying than living persons. The disease that has attacked them, appears to be a very singular one; the mate says that some of them died in a few minutes after they were taken; they dropped down on the deck and died directly, without any premonitory symptoms.

[*N. Y. Herald.*

FRANCE.

The French corvette La Brilliante arrived at Pensacola from Vera Cruz on the 19th ult. The customary civilities were interchanged between the officers of the corvette, the U. S. naval officers on the station and the civil authorities.

Arrival of the Amistad Africans at Sierra Leone. Accounts have been received at Salem, that the barque Gentleman, arrived at Sierra Leone in January, having on board the Amistad Africans.

SOUTH AMERICA.

H. B. M. schooner Hornet, at Jamaica from Chagres, brings accounts of a great battle between the Bolivians under General Bolivian, and the Peruvians under General Gamarra, which was won by the former.

The battle, it is said, lasted only 30 minutes, yet there were killed, wounded or taken prisoners, of the Peruvians, about 3,000 men, out of an army of 4,000; while the loss of the Bolivians, in killed and wounded, was only 150. The Bolivian force amounted to 7,000 men. During the action, the president of Peru, Gen. Gamarra, was shot.

Gen. Gamarra, our readers may remember, had proceeded to Bolivia to suppress a movement there in favor of Gen. Santa Cruz.

[*New York Amer. of March* 10.

The French brig Marabout, which was detained by the British corvette Rose, on suspicion of being about to engage in the slave trade was declared by the royal tribunal of Cayenne an unlawful prize, and the captors mulcted in damages to the amount of 250,000 francs.

Advices from Valparaiso to the 20th November, state that gen. Gamarra, president of Peru, had penetrated into the republic of Bolivia, in order to suppress a movement there in favor of ex-president Santa Cruz. Gen. Bolivian, the acting president of Bolivia, therefore defeated and killed him, and, according to the last accounts, Gamarra would be compelled to retire.

[*N. Y. American.*

CARTHAGENA. H. M. B. Pilot, com. Ramsey, it will be seen by our shipping list, arrived here on Friday last, from Jamaica and Barbadoes. She brought some highly interesting news from Carthagena—no less than the capture and destruction of the Carthaginian fleet by H. M. Brig Charybdis, lieut. M. DeCourcy, commander. We learn and that the Fr. lot has brought a single newspaper giving the particulars of the action; we therefore are compelled to resort to oral information, though we have no doubt of its correctness. The particulars, so far as we can ascertain, are, that a colonel Gregg, and some other British subjects, either for some real or imaginary offence, were incarcerated by the Carthaginian government. The colonel has appealed to the British consul resident there, for protection, that functionary interested himself on his behalf but his intercession proving unsuccessful, he communicated the particulars to lieut. DeCourcy, of H. M. B. Charybdis, then in the neighborhood: Lt. DeC. despatched an officer with a letter to the commodore of the squadron, at anchor in the port demanding the release of Gregg and the other British subjects. This letter, because it was not written in Spanish, was treated with contempt, and the bearer with much hauteur. On the officer's return to the Charybdis, and reporting these circumstances to his commander, lieut. DeC. immediately entered the port, and when proceeding to an anchorage, he was fired into by the commodore's vessel—a corvette—and the formidable The Charybdis shot away. Lt. DeCourcy then took up a position, and however desperate such a proceeding may have appeared on his part, in so small vessel, against so apparently overwhelming a force, he did not overrate the bravery of his little band, for after a short fight the corvette surrendered—the commodore and twenty-five of his men having been killed. A brig and three schooners, that came to the assistance of the corvette, were attacked in turn by the Charybdis; in five minutes after the C. brought her guns to bear on the brig, she was sunk, and the schooners soon after surrendered!

The Charybdis, carries but 3 guns, one long one amidships, and two carronades, and her full complement of officers and men is but fifty-five.

Whatever offence the Carthaginian government had received from colonel Gregg, (who it appears was shot immediately after lieut. Courcy's application for his release was made) and the other British subjects whom they had imprisoned, and however informed the consul's proceedings may prove to have been, nothing could justify the contempt offered to lieut. DeCourcy's application, by the commodore, who, poor man, paid dearly for his temerity. We are told that lieut. DeCourcy intends to remain at Carthagena, with his prizes till he hears from the admiral on the subject of their capture, &c.

We trust that R. DeC. will meet that reward to which his bravery, in this instance, so well entitles him.

The cause of the fight alluded to above, was that the brig Jane & Sarah, whilst lying at Sapote, in company with the sloop Little Willian, was, on the 6th ultimo, boarded by gen. Carmona's squadron, both vessels plundered to a large amount of goods and specie, crew impressed and sent off. Gregg and three other passengers of the Jane and Sarah shot.

[*Bermuda Royal Gazette.*

ON THE STEAM NAVIGATION OF GREAT BRITAIN.

England is increasing in an extraordinary manner the means of communication with every part of the world. On March 20, 1840, a contract was entered into between the government and Royal Mail Steam-Navigation company, by which the latter engaged to organize a line of steam packets between England and the Gulf of Mexico. In less than 30 months from the signing of the contract the running of these vessels has commenced.

The conditions imposed on the company were that they should have 14 large steamers, each of 400 horse power, and capable of carrying the heavy artillery now in use. All these vessels were to be completely found in every respect. From the time the company should be prepared to commence the running of these vessels, they were to despatch, at equal intervals, twice in a month, a steamer which should first carry the mail to the island of Barbadoes, and from thence into the Gulf of Mexico, and the company were bound to take measures for the landing and receiving mails at all the different points at which they were to touch, in an interval of not exceeding 22 days (except in case of accident) from their arrival at Barbadoes to their departure from Samana, in the island of Hayti, on their return to Europe.

The government, on its part, engaged to pay to the company an annuity of £240,000, payable, in equal proportions, every quarter.

Not twenty months have elapsed since this contract was signed and already eight of those stupendous vessels, ready for sea, have assembled at Southampton, which is to be their point of departure. These vessels are said to be magnificent; and in the trial to which they have been submitted have shown their amazing powers, none of them performing less than twelve knots an hour, and one of them, the Clyde, 15. The remaining six vessels will be at Southampton by the 15th January. One of these fine vessels started last week for her voyage, and will be the first vessel that has made the run between Europe and the Gulf of Mexico by steam power alone. Others will follow in regular succession.

This activity does honor to the directors of the company; but it is not only to the continent of America that the English direct their attention. In the other hemisphere they evince no less strenuous efforts to unite India with Indian possessions with England by means of rapid and regular communications. The port of Bombay has become one of the most important points of the globe for steam navigation. Her steamers regularly ply to the mouths of the Indus, the Persian Gulf, the Red Sea, and Suez, where they every month transport the correspondence from India, China and the Indian Archipelago, carrying back in exchange the correspondence of Europe with Asia. The last courier which came by that route was the bearer of no less than 50,000 letters for Europe.—This is not all. The presidencies of Calcutta and Madras would also have their communication with the mother country, without being compelled to make use of the Bombay line; and have, therefore, established a separate line of steamers, which, from January, will run to Suez, touching at Ceylon, Madras and Calcutta to take and carry passengers from and to those different ports. Four steamers, of 500 horse power each are already ready for this service. In the meantime every exertion is making at Bengal for the extension of steam navigation on the magnificent river Ganges; in a short time the voyage from Calcutta to Benares, which cost the unfortunate Jacquemont so much labor and time, will be performed as easily as the voyage from Paris to Havre.

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Steam navigation will shortly establish regular communication between the different points of the magnificent empire which the genius of England has founded in the South sea. A steamer has already commenced running between Sydney, Port Phillip and Van Diemen's Land. It is announced that other vessels will soon arrive to form a rapid communication with all those points by which England has attached the great continent of New Holland, Van Diemen's Land, Norfolk Islands, and the island of New Zealand. It is talked of, and it is an idea which will be eventually realized, of establishing a regular line of steam packets between Sydney and Ceylon, or Calcutta—that is to say, to place New Holland at a distance of from 70 to 80 days' run from Europe, while it lengthens the voyage from the coast of Boston to that antipodean continent has seldom been less than from five to six months.

When we witness such marvellous results as these of the genius of England, we cannot avoid making painful reflections as to our own country. Where are our transatlantic steam vessels? When will they be ready to commence their voyages? Are the great sacrifices offered by the government in promotion of this affair to be for ever without result? It is scarcely credible, that the gratuitous gift of steamers, and the formal promise of an allowance of more than a million of francs annually, has not yet induced the people of Havre, our first port, and within fifty leagues of the capital to form a company for the service of the line to New York. [*Journal des Debates.*

MISCELLANEOUS

APPOINTMENTS BY THE PRESIDENT.

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Joseph G. Cogswell, of New York, secretary to the legation of the United States at Madrid.

Archibald Randall, judge of the United States for the eastern district of Pennsylvania.

Alexander Hunter, marshal of the United States for the District of Columbia, (re-appointed.)

George J. S. Walker, attorney of the United States for the southern district of Alabama, in the place of George W. Gayle, whose commission has expired.

ANOTHER McLEOD CASE.

Considerable excitement prevailed among our citizens yesterday, in consequence of the arrest of J. Sheridan Hogan, one of her majesty's Canadian subjects, on suspicion of having been one of the party who were engaged in the destruction of the Caroline. Hogan passed through this place, on Friday, on his way to Rochester, and on his return last Monday, information having been received that he was engaged in the Schlosser outrage, he was arrested, at a late hour in the night, and committed to jail for examination. Yesterday afternoon he was brought up before Justice Leonard, with Lot Clark and H. Gardner, esqs. for complaint, district attorney Wood acting for the people—the court room being crowded almost to suffocation with anxious spectators. A motion to discharge the prisoner, on the ground of informality in the warrant of arrest, was ably urged, but it was decided, after a long and laborious examination, that there was sufficient evidence, as we are informed on the best of authority, to have detained him for trial, had it not been for the defect in the warrant.

[*Niagara Lockport*) *Courier of 3d inst.*

TARIFF.

The Savannah Georgian holds this language—*Protection.* A state of feeling is growing up in the south upon this subject, very different from that existing ten years ago. It is natural that it should be so, when it is but too evident that our interests lead us to such a change. Free trade with all its beauties has brought with it few or no benefits, but rather a train of calamities, and we find the whole south labouring under a complete prostration of prosperity. We do not hesitate now to say that the cause may be found in the fact that we do not live sufficiently within ourselves. We do not *encourage home manufactures*, and therefore task all our energies, and them in vain, to pay for those things of which the main part could be produced amongst ourselves.

Labor is misapplied, we produce more of our staple than is wanted, and we have not yet learned to distribute our force upon those objects which would prove most profitable. To enable us to do this, it is necessary to erect some barrier to keep foreign competition from interfering with us and rendering our efforts fruitless by driving us from our own markets. *This must be by protection..* We shall then produce, and manufacture and consume our own products, and not be thrown entirely into idleness by the great glut of any one article, as is now the case. Cotton is a drug, and at a low price, and till we can turn our hands to something else, we must continue to languish. Even this article requires protection, and our assertion last summer, that with the reduction of the duty by the compromise act to 20 per cent. the East Indies would meet us in our own market, is nearer being realized every day.

The following extract from the Washington correspondent of the Charleston Courier, is the proof, and must wake up the south to her peculiar position. "We learn that large parcels have been sent from Boston and Salem to the *East Indies for cotton*, during the last month! The increasing products of cotton in the British East Indies will soon attract the attention of our southern producers, and a tariff of protection must be resorted to by them."

We suspect there may be some doubts as to those parcels while cotton is so low at home, but the first advance to our prices, or rise certain would bring large imports from abroad, if in July next the compromise act goes into operation and reduces the duty to 20 per cent., instead of three cents per pound.

SHEEP—THEIR VALUE.

We copy the following article from the Western Shepherd, a paper published in Connecticut, George Flower, esq. a native of England, but who has resided in the west for the last 20 years. He is one of the most intelligent citizens now living in the great west. When he came to this country many years ago he brought letters to President Jefferson and resided with him for some time, and from that time to this, has associated with the most intellectual men in the politics. What he has to say, of the raising of wool, to the people of Illinois, of which state he is an inhabitant. The same remarks apply to the whole of our western states and territories.

[*Phil. Sentinel.*

"Wool has enriched every people that have grown it; and the nations that have established and protected the manufacture, have increased in wealth and power, beyond all others. In 1831 the art of weaving woollen cloth was brought from Flanders into England, by John Kemp, to whom the king (Edward) granted the protection of the same time invited over fullers and dyers. The great and brilliant victories, so conspicuous in the reign of the third Edward, achieved by an enormous sacrifice of human life, and purchased at immense treasure, and applauded by shouts of glory, were productive of trifling results compared with those which followed the introduction of the woollen manufactory by a small number of Dutch and Flemings. This slight art, wisely fostered by the government, has carried Great Britain to the highest pitch of wealth and power.—The woollen fabrics are the great staples of her commerce, which she exchanges, to such great advantage, for the raw material of other countries. By the perfection and extent of this art, alone, she has created the immense wealth, which her manufacture! The peculiar wealth of Illinois is found in her prairie lands—full fifteen millions of acres, is already cleared of timber and covered with rich and succulent grass. Every acre of land would if timbered, cost at least ten dollars to clear it. This grand expanse which, in timbered states, must be purchased at the cost of one hundred and fifty millions of dollars worth of labor, is, with its nature, prepared for tillage, and clothed with grass, inviting flocks and herds. A great portion of these prairies are dry and undulating; well suited for sheep.

MEETING IN MR. ADAMS' DISTRICT.

A very large meeting of the people of Mr. Adams' district was held at the Town Hall in Plymouth.—The house was filled to overflowing. The meeting was called to order by Col. *John B. Thomas*, of Plymouth.

Hon. *Isaac L. Hedges*, of Plymouth, hon. *Gershom B. Weston*, of Duxbury, and Mr. *Eleazar Sherman*, of Carver, were appointed a committee to report a list of officers for the meeting. The committee reported as follows:

For president—Hon. *Seth Sprague*, of Duxbury.

Vice presidents—Dr. *James Thatcher*, of Plymouth; Col. *John Thomas*, of Kingston; Dr. *Amariah Preston*, of Plymouth.

Secretaries—Col. *Wm. Davis*, of Plymouth; *Joseph Pratt*, esq. of Carver.

It was then voted that a committee of five be appointed by the chair to report resolutions for the consideration of the meeting; and hon. G. W. Weston of Duxbury, Col. William Davis. of Plymouth, William James, esq. of Scituate, Dr. Winslow Warren, of Plymouth, and Joseph Hudson, esq. of Plymouth, were appointed. The committee subsequently reported, by Col. Davis, the following:

Whereas, the right of petitioning government for a redress of grievances is expressly guaranteed in the constitution of the United States, and is one which should ever be held sacred and inviolate by a free people;

And whereas, it is declared in the Declaration of Independence that, whenever any form of government becomes destructive of the great ends for which it was instituted, "it is the right of the people to alter or abolish it, and institute a new government;

And whereas, it is provided in the constitution of the United States that congress shall have the power of proposing amendments to the constitution:

Resolved, therefore, That the people have a right to ask congress to dissolve the union of these states, and that our venerable representative, *John Quincy Adams*, in presenting to congress a petition for this purpose from Haverhill, in this state, has proved his unyielding devotion to one of the fundamental principles of our government—the right of the people to be heard by their representatives, and that he bold, and triumphant defence of that right, and insult, abuse, and obloquy, has given him new claims to the gratitude and support of his constituents.

Resolved, That we deprecate denunciations of Mr. *Adams* for presenting the petition from Haverhill, come with all grace from those who have repeatedly and habitually threatened the dissolution of the union; and that there is no reason why it should be treated in the north, and not at the south, "to calculate its value."

Resolved, That the successive rules adopted by congress, denying the right of petition, commonly called gag-laws, are palpable violations of the constitution, and most dangerous in their tendency; and that the thanks of the people are due to Mr. *Adams* for the powerful speeches in which he has uniformly protested against these outrages upon their inalienable rights.

Resolved, That we are ardently and devotedly attached to the union of these states, and, in our deliberate opinion, the unwise course pursued by the south in denying the right of petition, suppressing the liberty of speech and the press, violating the privileges of the post office, and publicly stigmatizing unpromising northern citizens, and in other aggressions of a similar nature, has done more to alienate the different sections of the country, to strengthen the ranks of abolitionists, and to excite the fears of the north as to the influences of their peculiar institutions, than all other causes combined.

Resolved, That we have no disposition to interfere with southern institutions, but seek only to be protected in the enjoyment of the privileges of the union and of our rights under the constitution; and that experience fully shows that the security of every citizen in these rights and privileges is the only course that can preserve the quiet and harmony of the country.

Resolved, That the north has nothing to hope from continued concessions to the demands of the south; that we heartily approve the stand taken in congress by Mr. *Adams* in defence of northern interests and rights; and that, in all contingencies, under which he may make to protect those rights and interests, we pledge him here, on the Rock of Plymouth, our sympathy and support.

An animated and interesting debate upon the resolutions ensued, in which many participated. At one o'clock the convention adjourned, to meet again at two P. M. in the first church, where the debate was resumed. It was then voted that the question upon the adoption of the resolutions be taken separately on each resolution, and they were *unanimously adopted.*

Voted, That these proceedings be transmitted to Mr. *Adams* and the other members of the Massachusetts delegation in Congress, and be offered for publication in the papers of this district.

SETH SPRAGUE, *President.*
JAMES THATCHER, } *Vice-Presidents.*
JOHN THOMAS, }
A. PRESTON, }
WILLIAM DAVIS, } *Secretaries.*
JOSEPH PRATT, }

[NOTE.]

The venerable appearance of the president and vice presidents added much to the interest of the occasion. The president, whose head is silvered with the frosts of more than eighty winters, is a veteran public servant, whose voice is ever heard with

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respect. Of the vice presidents, Dr. Thatcher has been completed his 88th year, and both he and Dr. Preston were in active service in the revolutionary war. Col. Thomas, of Kingston, is a son of the Gen. Thomas who figured so largely in the fortification of Dorchester heights; and in the early part of our revolution Gen. T. died in Canada. The selection of these veterans was peculiarly appropriate on the occasion of sustaining their venerable representative.—*Old Colony Memorial.*

TRADE OF PITTSBURG WITH MEXICO.

Our readers are perhaps not generally aware of the extent and character of the commercial transactions which are carried on between the manufacturers of our own city and the Mexican traders, and more particularly those of Santa Fe. Within a few days, Messrs. Otero, Armejo and Perea, Santa Fe traders, have been in Pittsburg receiving and paying for articles which they had ordered some time previous. We saw at the saddle and harness manufactory of Mr. R. H. Hartly, on Wood street, forty packages containing sets of harness for one hundred and seventy-two mules, all belonging to these Mexican gentlemen, and Messrs. Cyrus Townsend & Co. of St. Clair street, have furnished and delivered to them twenty-six large wagons, suitable for the trade in which they are engaged. The whole of these goods were paid for in gold upon delivery. So the sum of specie thus thrown into circulation among us, must amount to upwards of $5,000,—no inconsiderable item in these hard times. These articles are shipped from this port by steamboats to Fort Independence, where the mules and other property belonging to these traders are at present stationed;—there, all things are put into travelling trim, and then the for the desert. A journey of from 50 to 70 days, according to the weather and the state of the roads, brings them to Santa Fe, where the articles of trade transported by their caravans, are disposed of, also at a portion of their wagons. From

If such be the state of our direct trade, we have not much to console us in the comparative increase of British tonnage and our own, in the whole of the colonial and provincial trade. The British tonnage cleared from our ports for the colonies and provinces in 1824, 1825, and 1826, was 51,800 tons; the American tonnage was 477,100 tons. In 1837, 1838, and 1839, the clearance of British tonnage, as above, was 1,235,500 tons, and of American but 1,126,000 tons; the increase of British tonnage in our ports, during this whole period, being about ten times greater than that of our own.

In addition to our own vicious legislation, our competitors have other advantages over us. The expense of building vessels in the provinces is less, by about one-third, than that of building ours; and they are like wise manned and equipped more cheaply. It is true, that from their manifest inferiority, they do not command the same rates of freights as our own, but their influence is powerful for evil against us.

As the source whence the navy, our right arm in foreign contest—must draw its whole strength, it has ever been our avowed policy to encourage our navigation, its importance may well entitle it not merely to a fair field, but to especial favor. Even a fair field is now denied to us. Many and great advantages are, by this arrangement, given to our most active competitors; and the annexed table, prepared from official returns, shows to want a fearful extent they have availed themselves of them.

Table of American and British tonnage cleared from the several ports of the United States, for foreign ports, from 1824 to 1839, inclusive.

Year.	American tonnage.	British tonnage.
1824	919,300	69,300
1825	960,000	61,900
1826	953,000	65,700
1827	980,500	94,800
1828	897,400	105,600
1829	944,800	87,800
1830	971,800	89,800
1831	972,500	211,300
1832	974,900	284,900
1833	1,142,900	377,200
1834	1,134,000	458,200
1835	1,400,500	523,400
1836	1,315,500	536,900
1837	1,266,600	536,400
1838	1,408,800	586,900
1839	1,477,000	491,500

The sudden and great increase of British tonnage subsequently to 1830, when the arrangement went into operation, cannot fail to be remarked. In six years, from 1824 to 1830, its increase was less than twenty per cent; in the succeeding six years, from 1830 to 1836, it was six hundred per cent. The whole increase of American tonnage engaged in foreign trade from 1824 to 1839 has been but fifty-two per cent. whilst that of British tonnage, in our own ports, has been more than four hundred and forty-seven per cent. in the same period.

Your committee deemed an estimate of the amount of the freights of American vessels in the foreign trade, now so jeoparded, not irrelevant to the purpose for which they were appointed, they accordingly submit such a one, from which it appears that the amount of these freights, earned by 667,200 tons of shipping thus engaged, is more than thirty-eight millions of dollars annually; and, moreover, that there are 1,148,000 tons of American shipping engaged in in the coastwise trade, whose earnings must very much exceed that amount.

W. J. LORING,
WILLIAM WARD,
PHILO S. SHELTON,
NATHAN RICE, *committee.*

Boston, February 9, 1841.

At a special meeting of the "Boston Chamber of Commerce," February 9, 1841, the above report was submitted; and thereupon it was voted that it be accepted, and forwarded to the hon. John Huggles, with a request that he would lay it before the senate of the United States.

A true copy from the records.

Attest: G. M. THACHER,
secretary, B. C. C.

Estimate of amount of freight earned by American vessels.

The cotton freights are assumed as the basis of calculation. From New Orleans, Mobile, and their vicinity, 1,500 pounds per registered ton is a low average of the quantity which freighting vessels will carry. From South Carolina and Georgia, the quantity is considerably less; but the amount exported thence is much smaller. The average of the whole foreign cotton freights from southern ports may be safely stated at 1,400 pounds per registered ton. The average rate of freight may be stated at three farthings, or one and a half cent, per pound. The American tonnage which cleared for foreign countries in 1839, was 1,478,000 tons. On the above basis, their outward freights would have been, with primage, a fraction over $22 per registered ton, or $33,255,000

The freights of tobacco, rice and other exports from the south, are gradualed by that of cotton. Southern exports produce a large part of our freights; and in so far as they are thus dependent, the above estimate is but little liable to error. But this rate is too high for our foreign freights from the northern and middle states. It may be remarked, however, that, as it is calculated on the registered tonnage, and as our vessels usually carry fifty per cent. more than that, it is, in fact, less than fifteen dollars per ton of goods actually carried. But this, also, is too high an estimate for the average of these freights, including, as they do, those to the provinces and to the West Indies. The large deduction of *one-third of the whole above estimated amount of outward freight from the United States* would probably reduce the estimate for the whole of the foreign freights from the northern and middle states to less than eight dollars per ton, and would seem to preclude the possibility of an over-estimate. Deduct, then, one-third 11,085,000

Add homeward freights, estimated at six dollars per ton of carrying capacity $22,170,000 13,302,000

In this are included the freights from Europe, South America, and the East Indies, ranging from ten dollars to twenty-five dollars per ton, and forming a large part of the whole. 35,472,000

Add the freights earned by American vessels not included in the above estimate, such as those from Cuba, the West Indies, South America, and the East Indies, to Europe, and from Europe to those places; from port to port in Europe, and from port to port in the East Indies and elsewhere. The rates for these are generally double of that we have assumed, and the amount consequently is very great. A small part of this may be considered as included in the above estimate for the whole outward clearance, as vessels from Cuba and the East Indies do not usually carry full cargoes; but, allowing for this, the amount to be added from this source cannot be over estimated at 2,600,000

Making the amount of freight earned by American vessels in *the foreign trade* only, per annum, $38,072,000

The tonnage providing this vast amount is denominated "registered tonnage;" in 1839, it amounted to 834,000 tons. Of this whole amount, however, a large part is engaged in the coasting trade; a very large number of American vessels are permanently thus engaged in the regular lines to and from the southern ports. Perhaps nearly as many more are transiently employed in freighting in the same manner. It would not, probably, be too high an estimate to state the average amount of registered tonnage, thus engaged at one-fifth of the whole amount or 166,800 tons, leaving the amount of tonnage engaged in the foreign trade at 667,200 tons. The enrolled and licensed tonnage is 1,262,000 tons; adding to this the 166,800 tons above mentioned, we have 1,428,800 tons engaged in the coasting trade. We have estimated the annual earnings of 667,200 tons engaged in the foreign trade at more than thirty-eight millions of dollars. It cannot be doubted that the earnings of more than double of that amount of tonnage engaged in the coasting trade must much exceed that sum.

CULTIVATION OF COTTON IN INDIA.

From the Manchester (England) Guardian.

Since the publication of the letter on this subject, addressed by the Bombay Chamber of Commerce to the Indian government, we have learnt, through the medium of letters received by the last overland mail that the efforts of the American planters who went to the westerly side of India have so far entirely failed. Indeed, so far as we can learn, there has been very great neglect and mismanagement on almost every point connected with their operations. It would seem as if the directors of the East India Company had thought it was quite enough to send them to India, and that all further cares about them was quite unnecessary; for, on their arrival in that country, they found that no direction respecting them had been given; and they were absolutely losing their time for want of instructions, until instructions could be received from the government. Then instead of letting them survey the country, and choose the situation and soil which appeared best adapted to the culture of cotton, no such directions were received, they were taken at once to Broach, and there placed under the direction of a gentleman who felt no interest in the matter, but who took upon him to choose soil and situation for them. He allotted them what was considered very good cotton land—that is, land of a strong and tenacious quality, exceedingly well adapted for the growth of the native cotton, but which former experiments had shown to be very unfavorable to the American plant, which has a large tap root, and thrives as badly in the stiff black soil in which the native cotton is grown, as carrots would thrive in a stiff clay in this country. As a matter of course, their crop of upland cotton has failed, with the exception of a very small patch which they had planted on a piece of light sandy soil, which the tap roots of the cotton were able to penetrate, and on which the plants were exceedingly luxuriant, and covered with large pods of cotton. From the strong black soil, it was not supposed that they would be able to pick a pound per acre of good cotton. So far, therefore, the cultivation of American cotton in Upper India has made no progress; nor do we imagine that it is very likely to do so hereafter. From all we have read upon the subject of Indian cotton cultivation, it seems to us that the best chance of success is to be found in a careful and discriminating growth of native varieties, and careful gathering and cleansing of the produce. This was one of the objects towards which the attention of the American planters was to be directed, but, little, we find very little has been done. At the date of the latest advices from Broach (the 24th of November), they were putting up a gin-house for ginning native cotton; but, owing to the great number of obstacles necessarily experienced in such a country as India, they made very slow progress with their work; and it was feared that the growing crop would be entirely over before their gins were ready for use. In the date mentioned, no satisfactory experiment had been made as to the capability of the native cotton to stand ginning. Some trials were about to be made with a hand-gin, which, one would think, would ought to have been the first steps taken, before incurring a large expense in erecting machinery, which may prove useless. On the whole, we fear the prospect of receiving any large supply of superior cotton from India is not at present very flattering. In order to overcome the difficulties presented by the habits of the people, and by other causes, great energy and perseverance on the part of the agents of the Indian government, entrusted with the control of the experiments is absolutely necessary; and those qualities cannot be expected from parties who do not feel a strong interest in the matter.—Hitherto, we believe, the government agents have lent but a cold and indifferent aid to the experiments; and it is, therefore, to be feared, that, unless the matter should be put into other hands, there does not seem to be much chance of any good result from experiments from which so much was expected.

REPORT OF THE LOSS OF THE U. S. SHIP PEACOCK.

OFFICIAL.

U. S. ship Vincennes, bay of San Francisco. Upper California, October 31, 1841.

To the honorable secretary of the navy:

SIR: I have now to report, what I have expected from the time I received the news of the dangerous nature of the service committed to the squadron under my command, the loss of the U. States ship Peacock on the 18th of July, on the bar of the Columbia river. Attempting to enter it, agreeably to my orders to Captain Hudson, in pursuance of instructions from the department.

The Peacock, as I had the honor to inform you in my letter dated November 10, 1840, was ordered to leave Oahu on the 2d December last, and after an arduous and dangerous cruise of 228 days (of which only 22 were passed in port) to the Phœnix, Samoar, Ellice, and Kingsmill groups of islands, as far to the westward as the Pincadores, thence northerly through a range of shoals and islands (heretofore said to exist) to the Sandwich islands, where, after taking on board a supply of water and provisions, she proceeded for Columbia river, off which she arrived on the 17th of July, the day previous to the accident.

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Captain Hudson was furnished by me with directions for entering the Columbia, which I obtained of Captain of the ship ——, of Cuba, who had just arrived there from the Columbia, and I was assured they could be depended on. A recent chart also accompanied the directions, which was considered correct.

I was gratified in being able to obtain the information, and furnished copies to each of the vessels of the squadron, placing much confidence in them, having been unable to obtain any information which could be relied on, to enable us to encounter the difficulties and well known dangers which exist there. These directions were apparently drawn up with care, and though there existed in my mind some doubt, from their giving only *magnetic bearings*, generally of little value, and particularly so in this case, as my experience, from a recent survey of the bar, has since proved.

To these, must be imputed the loss of the Peacock, which Captain Hudson implicitly followed and held in his hand at the time he made the attempt to cross the bar, as appears by his report hereafter; though, as well satisfied that such was the case, from the fact of Captain Varney, master of the American brig Thomas Perkins, having run ashore the same part of the sands in following the same directions, copies of which he obtained from me at Oahu; but drawing only 9 feet of water, he entered without accident.

The following is a copy of Captain Hudson's report to me of the loss of the ship:

"On the morning of the 17th of July, we obtained soundings in 190 fathoms off the Columbia river, after which we had light and baffling winds from S. by E. to S. W. made Cape Disappointment sans afternoon, and through the night had light airs and calms, accompanied with a dense fog. On the morning of the 18th, between 7 and 8, the fog cleared off, and we had a light breeze from the southward and eastward with pleasant weather. Cape Disappointment in sight ahead, distance 9 miles. Until meridian we had light southerly breezes. At 9, got a cast of the lead and found 40 fathoms water; at 10, 15 obtained soundings in 14 fathoms, and wore ship off shore. At 11 we were again and shore. At meridian the wind came out moderately from the southward and eastward; and weather a little cloudy. Soon after meridian, being off the entrance through the reef, called all hands to wear ship; I was forward with the lieutenant looking out on the foretopsail yard, and myself on the forecastle, and occasionally in the fore-rigging—stood in, according to my directions, through the channel or passage, and then brought Cape Disappointment to bear N. E. 1-4 E. by compass, and was leading up to it to bring Chenook point to bear E. N. E. when we discovered the sea breaking ahead of us. Believing we were too far to the southward, wore ship, and run a short distance until clear of the breakers, and where the passage appeared smooth and clear of break, both from below and aloft, when we again stood in, and in less than 5 minutes the ship touched. The helm was immediately put a lee, and every effort made to bring her by the wind, and hauled off, but the current drove, and the heave of the sea, forced her on end, and rendered her unmanageable; every sail was immediately furled. Stream-cable and anchor got ready for running out; 1st cutter hoisted out, boats ready, and Lieut. Emmons sent to sound in various directions about the ship in one of the waist-boats. The wind had now got to the N. and W. and was gradually increasing, accompanied with haze and fog, and the ebb tide meeting the ocean swell, producing, in a few moments, a dangerous combing sea, which stove the 1st cutter, (with 2 careful hands in her, and moored within the ship, to prevent her from alt parts of the ship) and rendered her perfectly useless. It was with great difficulty and hazard Lieut. Emmons got alongside after sounding, and his boat taken on board.

"The ship was now lifting and striking heavily, and the sea had been too furious to venture the launch over the side to meet a like fate with the cutter; indeed, she could have lived about three hours. I had the pumps rigged, sent the royal and top gallant yards, masts and rigging on deck, and every thing of weight out of the tops, to save our lower masts from switching over the side. Finding that the ship was now making water fast, divided the watches in gangs at the pumps, and kept them going from that time until the boats left the ship. Had the guns buoyed for heaving overboard; got a pendant tackle on the foreyard arm, and swung the larboard bower clear of her bottom, as she was now quartering to the sea, her after body lifting with every surge, coming down heavily, and the ship with all forging on end.

I was in hopes, by this process, to bring her head to sea, and have her strike fore and aft on her keel; our iron tiller now broke off some six or eight inches from the rudder head; rudder-brasses and pintals gone, and the rudder thrashing about violently with every sea, unable to escape through the rudder-port, and acting, when its blade was brought upon the bottom, as a lever or pry upon the transom and stern frame, until it finally ground its way out; commenced heaving out shot over the stern, starting the water in the hold, &c. As I anticipated, she was brown her stern around, and the force of her striking was sensibly diminished.

"At low water we had but nine feet of water under the main chains, and the larboard bower nearly ahead of the ship, with 45 fathoms of chain out. We had the stoppers and lanyards several times carried away by the heave of the sea. At 8, 45 P. M. parted the chain, when the ship swung round nearly broadside to the sea, and striking very heavily: the starboard anchor was now let go, and the chain checked gradually, while the sea was heaving her aft lady round; in this process she made some very heavy thumps, and when she had got a head to the sea, we had twenty-five fathoms of chain out ahead, and the ship again striking fore and aft on her keel which sensibly lessened the force of the shocks to which she was exposed.

"At 11. 30 P. M. it was high water; sea somewhat abated, ship still striking, and occasionally with a very heavy thump. As the ebb tide set, we got the stream anchor from the stern to keep her from being thrown broadside to the sea, anticipating, as the tide runs out with great force, we should again be subject to the heavy combing sea. At 12, the sea was rapidly increasing, and at 2, ship striking very heavily, the seas occasionally combing in over the larboard bulwarks and flooded the spar-deck. The water was now knee deep on the gun-deck, although the pumps had been kept incessantly going, and the water was gaining so fast on us as to be over the shot lockers in the hold; knocked off the lower ceiling boards of the spar-deck, built a house for the deck of water, and tarpaulined the hatchways. The ship at this time striking so heavily that I had little hopes of her holding together till daylight, and should be cut away the masts to ease her; but that would have left us without the means of getting out our boats should the occasion offer. At 7, A. M., of the 19th, the first opportunity presented when a boat could be venture over the side or reach the shore, Lieut. Perry was despatched with the charts, papers, and every thing connected with the surveys of the present cruise, and pursser Speiden with his accounts and accounts. Had the launch and three boats hoisted out, some trifling provisions put in the former, and all the boats of the ship successively filled with the crew, officers and scientific gentlemen, the men pulling and bailing their arms and accoutrements, and no one allowed to take any clothing but what they stood in, to prevent the lumbering and swamping of the boats. Three or four of the boats succeeded in making a second trip after which it became impossible from the violence of the sea and the force of the current for a boat to get off or live any where near the ship.

"The crews and officers in charge of the boats deserve all praise for their perseverance in again endeavoring to rescue us at the hazard of their own lives, for we were mind witnesses at the time of one of the boats being swamped and capsized in the attempt,) and they only gave up the effort and returned to the shore, when we run our ensign union upon the stump of the mizen mast.

"After the boats left us in the morning we had been compelled, from the dreadful rolling and thumping of the ship, the water having reached about eighteen inches above the main deck, to cut away the masts, hoping she would hold together long enough to save those of us who remained on board, although such hope was any thing but flattering.

"The boats again came off between 4 and 5 in the afternoon, but could not venture near the ship until just before sunset, when the remaining men, the boatswain, captain, pursser's steward, and lieutenant Walker, were released from peril, and soon after dark, after a pull of about four miles, reached the encampment of our companions in misfortune at Baker's bay, where we found brush huts erected, fires burning, and the gentlemen of the methodist mission, Messrs. Frost and Kone, and Mr. Birnie, agent of the hon. Hudson Bay Co., from Fort George, with provisions and clothing, and had have been saved from the ship are the charts made during the cruise, the work of the surveys, some few journals of the scientific gentlemen and officers, with the purser's books and accounts, the chronometers, and all the boats, with the exception of the first cutter.

"I feel thankful to a merciful Providence that all hands have been saved, although they have lost every thing but what they stood in.

"Through the night on which we landed, it was still and calm, and I had hoped the ship might hold together until morning and we should yet obtain something from her. All the boats were despatched soon after daylight for that purpose, but the spar-deck and most of her upper works were strewn to the winds and the waves, and all that was to be seen of the poor Peacock, that had carried us safely through so many hazards for the last three years, was the cap of her bowsprit, and very soon after, that disappeared.

"I cannot sufficiently express my approbation of the conduct of the officers and men, on this painful occasion. They have continued to the last strictly to perform their duties and carry out orders, and I feel great pleasure in recommending them, through you as commander of the expedition, to the honorable the secretary of the navy."

W. L. HUDSON."

On learning the loss of the Peacock, I called for reports relative to the same from all the ward-room officers, which concur in the above statement of facts, and bear testimony of the coolness, presence of mind, unremitted exertion and noble example evinced by the commander, to whose efforts are to be attributed the safety of all his officers and crew, and of the order and promptitude with which every thing was executed, and the discipline that prevailed throughout the whole event; so much so, that in the language of one, it appeared as if the ordinary duties were being carried on, and that few were aware of their perilous situation.

Captain Hudson was the last person to leave the wreck, and on landing at Baker's bay, he was received with three hearty cheers from his officers and crew.

Although the expedition has met with the loss of the ship, yet I am happy to say that all the charts, notes of survey, and journals of her late arduous and interesting cruise have been preserved; and I feel well satisfied that, although the ship had been wrecked, if any exertions could have succeeded in saving her, theirs would have done so; and that the conduct of her commander, officers and crew on this occasion must redound to the credit of the service in which they were engaged.

I have the honor to be, sir, most respectfully your obedient servant,

CHARLES WILKES, *Com. U. S. Exploring Exp.*

CURRENCY REPORT.

REPORT OF MR. DAVIS OF KENTUCKY.

REPORT OF THE HOUSE OF REPRESENTATIVES, MR. DAVIS, OF KENTUCKY, ONE OF THE COMMITTEE ON THE EXCHEQUER PLAN, NON-CONCURRING IN THE REPORT OF THE MAJORITY.

[*Ordered to be printed along with the majority's report.*]

The undersigned, a member of the select committee to which was referred the report of the secretary of the treasury, accompanied by the draught of a bill "amendatory of the several acts establishing the treasury department," begs leave to report: That he has given an attentive consideration to this measure, and will now proceed to state some of his reflections upon its general structure; and then, in order, upon its commercial, fiscal and political aspects and tendencies. In presenting his summary, he will regard the principles of the measure detailed and intended to endure but for the day, but what it professes to be, a system of permanent policy; and he will endeavor to trace its operations and results, not merely for the present, but for the indefinite future.

He will premise that his attention was strongly arrested by this preliminary reason of the report, urging upon congress the measure:

"The people have a right to require that what is to be done should be done without further delay, in order that they might accommodate themselves to the action of the government, whatever that policy may be," &c.

This language, from an executive department to the immediate representatives of the people, upon an important subject of legislation, struck the undersigned as being inappropriate and arrogant. He thought it was unquestionably due to the people that both the executive and congress should, in the first instance, and as a paramount duty, consult "the industry and business," the interests and the wishes, of the people, and make their official action conformable, and that the executive and its departments would be quite as well employed in the performances of their duties, as in framing for congress a hypothetical proof.

Neither was he inattentive to the fact that the report admits this measure to be an experiment, and one, too, which may probably fail in producing a most important result, for which it was in part projected. The draughtsman tells us:

"It is not intended to say that the proposed measure will of itself be able to arrest the progress of the great evil of excessive bank issues, or that government may not be obliged hereafter to adopt other measures. On the contrary, as already suggested, it

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is apprehended that these evils may yet imperatively call for other remedies."

It struck the undersigned as surpassingly strange that a majority of the members of the cabinet should have stood for years before the country, expressing their perfect confidence, in the strongest language, that there was another measure, *well known and long tried*, which would answer the country's urgent of its present exigencies, and that they should have given their concurrence to a complicated experiment, which they admit will have but partial success, and against every principle of which some of them have committed by positions as forcible as human reason can assume. What "other remedies" are intended to be brought forward by these patriot statesmen, do not out the confessed defects of this one, they have not informed us. Some time since they declared themselves emphatically against any more experiments: now, they are for an untried and unknown series of them.

The bill from the treasury proposes to create "a board to be called the exchequer of the U. States," to be composed of the secretary of state, the treasurer, and three commissioners to be appointed by the president, by and with the advice and consent of the senate; and it empowers the board of exchequer to establish agencies of officers in such of the cities or towns of the states and territories of the United States as it may judge expedient, not exceeding two in any state or territory, and also where congress may hereafter require the same to be established. Such officers and agents as may, by the board of exchequer, be thought necessary for the management of such agencies and the transaction of their business, shall be appointed by the secretary of the treasury, on the recommendation of the board of exchequer. The commissioners of the board to be removable by the president, and the officers of the agencies by the secretary, for enumerated causes. No agency established in a state is, contrary to any law which such state may enact, to receive any other deposites than those of the United States, or to buy or sell drafts, or purchase bills, other than such as shall be necessary in the collection, transfer, and disbursement of the public funds; and in any state where it may not be deemed expedient to establish an office or agency of the said board, it may select any specie-paying bank to perform the functions of an agency, except to receive deposites, or to purchase or sell bills or drafts, on account of the board of exchequer. Such is the general skeleton of the system.

In this country, where all have an equal and perfect right to take part in public affairs, and where the people always have been, and will continue to be, separated into antagonist political parties. The president, for the time, is generally the head one of them; and if, from accident or inadvertence, a man who does occupy such position should be elevated to the presidency, he will deserate his station by bestowing office and emolument with a view to build up a party for himself. In the one case, extensive appointments would be made to enlarge and secure the continuance of personal power: in the other, that of party. In both, qualifications, honesty and fidelity to the country, are subordinate considerations, which would be generally overlooked for partisan efficiency, and an unreflecting, blind obedience to the mandates of party. It is reasonably certain that, in filling the commissions, the president would choose men, for their experience and skill in the management of great fiscal and monetary concerns, not for unbending integrity, devotion to the public weal, and for peculiar fitness for the place, but would be governed by, to him, the important considerations, of personal and party adhesion, of a disposition to justify indiscriminately the course of his administration, and of ability to contribute to the augmentation of his clique and power. Adventurers, ever ready to prefer place and emolument to principle and the public weal, would be clothed with the most extensive and complicated powers ever yet created by statutory authority; and for the proper fulfilment of which, they would stand disqualified by all their previous studies, pursuits, habits, and associations. When was a professed politician ever given the immediate control and management of large and intricate money concerns, that blunders, loss or defalcation did not ensue? All the inferior officers are to be made by the creatures of the president, men who hold their official existence but by the breath of his nostrils, and of approved fealty to him. He and his confidential advisers would overlook and direct these appointments; and they would be made upon the unsafe, the mischievous principles of party tactics. The subordinate agents would affiliate well with the commissioners of the "exchequer board;" but less intelligence and greater profligacy would indicate that they were in the descending scale of trust and authority. It is true that, in this scheme, there is a show of clothing the commissioners and inferior officers with some seeming independence, by an enumeration of the causes for which they may be removed; but a slight examination will demonstrate that this promise is altogether illusory.

Many jurists maintain that the president is invested, by the constitution, with a general, unrestricted power to remove all officers whose tenure is not declared by that instrument to be during good behavior; and, if this be true, congress cannot circumscribe its exercise. But admit that the legislative authority regulates the limit this power of removal, and can do it indefinitely. If the purpose of elevating these officers, from a slavish subordination to the arbitrary will of the president, to the exercise of their own discretion and judgment, be in good faith entertained by the administration which proposes this measure, why was not the concurrence of the senate, at least, made preliminary to their election from office? But in the case of the commissioners, the power of removal is given to the president alone: and upon the secretary of the treasury is conferred the power, and imposed the duty of the agencies—each being required to communicate to the senate his reasons, in every case, for its exercise. Here is an apparent division of this power, but in truth the whole is concentrated in the secretary—he the secretary is his organ—a man holding place and exercising power merely by his sufferance. But, notwithstanding reasons for removals are to be given, yet before the removal is made, they are to be considered or not, the expulsion from office, and perhaps of the most capable and faithful men, is completed, and too, probably, by the oppressive and corrupt will of the president, or his secretary. What could restriction in this upon the abuse of power The secretary of the treasury was entrusted, by law, with a discretion to remove the public deposites from the bank of the United States for cause. But then president required the incumbent to make the removal but being of virtuous and independent man, and knowing that the law had placed him under the obligation of his own judgment and his own sense of duty, he refused obedience, because, in his opinion, there was no sufficient reason for the removal. He was ejected from his office by the president, and one more supple was selected and inducted into it, to do the deed. By this chosen agent an act of the most flagitious injustice and tyranny was perpetrated: and ye this secretary stood forth his reasons, for the act of oppression, but they were such as beseemed him and the occasion. What sort of panopy is to be thrown around the officers of this exchequer board, to protect them against the aggression of the power prescribing, president and secretary? They are to be removable only "for physical inability, incompetency, or neglect or violation of duty." What is incompetency? What neglect or violation of duty? Vague, though, and all to be made specific by the *will* of the president. Just such terms were used, at the time, to justify the removal of the deposites from the United States bank. The best and patriotic as to expose the malversations of his associates in the promotion of party purposes, would assuredly be incompetency; not to prostitute official influence to the same end, would be a neglect of duty; and its grossest violation would be, any act, or exe expression, against the wickedness and tyranny of party rule. Yet, under the general and loose law that alone is to define the exercise discretion, many other pretexts might be assigned for the sacrifice of the most faithful and able officers, when such were the fun motives.

But, in the arrangement of this measure, one of its most important features is the establishment of agencies of the board in the states, with the power not only to transact the appropriate business of the public treasury, but also to receive deposites, to issue, to give certificates therefor, to purchase domestic bills of exchange, and to sell drafts upon the board or any of its agencies. These latter functions, which pertain peculiarly to ordinary banking, are to be an active and complete operation, under the authority of the proposed bill when it shall have been passed by congress, until any state in which an agency may have been established shall, by its law, lay an interdict upon such agency. So soon as the supervisory power of the state, thus to be put into action, and acknowledged to be paramount, is applied, those banking transactions must cease wholly; unless, indeed, they may in *part* be permitted to continue by the puissant state *legislature*. One legislature may only prohibit the issuing of certificates for private deposites, on the ground of unwillingness to tolerate this mode of making a currency. Another will forbid deposites by individuals, in order to prevent them from being mingled in the same operations with the public money. A third is largely a creditor state, and thinking the purchase of domestic bills by the exchequer would add to the facilities of her citizens in collecting their distant debts, she will permit the agencies within her limits to retain that faculty. The fourth state deems it impolitic or unconstitutional for the agency to transact any of this business, except to make sale of exchequer drafts; whilst the fifth repudiates those powers wholly. Where would be the symmetry and concord of such a system! Would this not present a state of things anomalous, dangerous and unconstitutional! A most important thing! Congress is, for years, in the continuous process of execution: then one state legislature repeals one part of it, a second a different part, and so their various and discrepant acts—sometimes, in part, in the same, sometimes repealing, repeal or modify the acts of their predecessors, and thus restore, in whole or part, the law of congress. Such a monstrous conception is the principle that would lead to such a state of things! Surely, in those cases where the concurrence of the state is expressly required by the federal constitution, the laws of the United States derive all their authority from congress; and it is absurd to say that any degree of efficacy can be imparted, any ground of controversy can be removed, or any doubts cleared up, by auxiliary state legislation, unless they be a forbearance of such legislation. If the converse were true, what an incongruous system of government we should have! A central legislature and twenty-six separate legislatures, acting concurrently, independently, and most independent and often conflicting action; and the mutual legislation of congress and of one or more of the states, creating a governmental power, and wielding it, in contravention of the legislatural power, was before *unconstitutional and void*. A most irregular and absurd mode of amending the constitution this! But, to sustain our position, we will quote an authority, not, as a statesman, as a constitutional lawyer, ability and soundness as a statesman, truth and force in the presentation of principles, and perspicuity and power of argumentation, has heretofore been generally held to have no superior. We mean the present *secretary of state*. When the bill to recharter the late bank of the United States was before congress, Mr. Webster proposed an amendment, "that no branch should be established in any state without the assent of the state; and, second, that any branch shall be liable to taxation in the state, as the state banks are, in such proportion as other property is taxed." Mr. Webster strenuously and triumphantly resisted the adoption by the senate of this amendment; and, in the course of his argument, he said and thus spoke:

"For my own part, I look upon the two parts of the amendment as substantially of the same character. Each, in my opinion, confers a power upon the states to do what, in the exercise of their legislation, in other words, entirely to defeat the operations, and destroy the capacity for usefulness of the whole bank."—"The constitution gives to congress the right to lay duties and imposts, and it gives the power of taxation of any such power by the states." "But will any man say that congress could now authorise the states to lay and collect imposts, under any conditions or limitations whatever? No one will pretend it. Then would be to make a new partition of power between this government and the state governments. Mr. Madison has very *correctly* observed that the consent of the *states cannot confer* a *new power upon congress*, except in those cases specially provided in the constitution. This is very true; and it is equally true that the *states cannot confer a new power* upon congress. Congress is the creature of the constitution shall be *paramount to any state law*. We cannot enact that it shall be law for that would be to repeal, so far, the constitution."

According to these principles, so clearly and truly stated by Mr. Webster, if congress have authority to establish the agencies, not only their existence, but every power and attribute with which they are to be clothed, are derived exclusively from that source; and we cannot empower any state legislature to repeal, suppress, or limit any of the functions of the agency, because this "would be to make a new partition of power between this government and the state governments" and would be "to repeal so far the constitution." Is it not strange that the provision under consideration should come here with such *sanctions* as it has, and yet expressly recognise the power of any state legislature to modify and partially annul a constitutional institution created by congress, so as to arrest forever some of its most important capacities whilst they are in full operation! This would be a bold and fearful innovation—the first great move to reduce the government to the old

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articles of confederation, but not the last. In the conclusion of this short but powerful speech on what was presented as a twofold amendment, but members being in substance one and identical, and involving the power of congress to establish a bank within a state, and so treated by Mr. Webster, he says:

"We seem to be making the last struggle for the authority of congress to interfere in a state, will the actual currency of the country. I shall never agree to surrender that authority; I would as soon yield up the coinage power itself; nor do I think there would be a much greater danger, nor a much greater departure from constitutional principle, in consenting to such surrender, than in acquiescing in what is now proposed."

Let congress pass the section now animadverted upon, and in form, at least, this momentous surrender will have been fully made. That it would have practical effect, practically at least, cannot be doubted. It is not a matter entitled to much consideration, but still it is a palpable fact that these capacities of the agencies of the exchequer to receive individual deposites, and to issue certificates therefor, and to sell checks and buy bills, is in direct contradiction with the doctrines of both the veto messages of the president at the last session of congress. In each of those papers he says his principles are uniformly been proclaimed to be against the exercise "of the power of congress to create a national bank to operate *per se* over the union." And now, after long and solemn deliberation, it is proposed by him, with the concurrence of his "*constitutional advisers*," to create a government bank possessing those ordinary banking powers, with the additional one of issuing a medium of circulation to be received by the principal bank and its agencies, and operating in full efficacy *per se* all over the union. A recognition of the preposterous principle that the power of a state legislature to repeal the charter of a bank, at any not, by its option, be made practically to operate on this measure, does not in any degree affect the position assumed. This power of repeal may never be exercised; it will not be attempted until the exchequer board, with its agencies, has gone into effect; and as, during the intervening period, there would be no legislation but that of congress upon the subject, and the system would nevertheless be in complete operation, it results necessarily that it must operate *per se*. The president thus yields that all the essential powers and functions which have been claimed for a national bank may be enforced by act of congress.

Although the executive has heretofore put forth the notion that a banking corporation may be chartered by congress and become operative in a state by its concurring legislation, and until then that its functions would be suspended like the coffin of Mahomet, it would probably not be just to some members of his cabinet to attribute any such opinion to them. Neither would we be altogether authorized in assuming that he and his "*constitutional advisers*" were of opinion that this fallacy might be presumed, and would thus be in potential operation in relation to this measure until the state legislatures should have passed laws repealing the act of congress. Such a presumption would violate all the probabilities of the notorious state of the case, arrayed by the president in his first veto message, to impugn, what he alleged to be, its recognition against truth in relation to another measure, that a becoming respect for consistency would force us to reject all thought that he relied upon any such aid to perfect the "lame and impotent" authority of congress.

But there is a prohibition to purchase bills of exchange, drawn and payable in the same state or territory, and also unless the places of drawing and payment should be — miles apart. This struck the undersigned as calculated to subserve no wise purpose, but as being singular and unreasonable, if not absurd. The drawer of a bill might reside in the city of New York or Philadelphia, and the payer in Buffalo or Pittsburg; and yet bills between such parties might aid commerce among the states as much as any such paper of the same amount between persons of different states, and living — miles apart. The idea of excluding the purchase of all bills, except those will contribute to the assistance of national commerce, and then to identify them, by prescribing miles and furlongs to be between the drawer and payer, though original, is certainly entitled to very little respect. What is to be this distance that shall give national character to a bill of exchange, and which shall entitle the holder to have his paper discounted in this "national monopoly of brokerage" Shall the same rule be adopted for all the States, for Delaware and Virginia, for Rhode Island and N. York? Unless it should be made so low as, taken in connexion with the whole device, to be ludicrous, it would prevent this means of exchange not only between important commercial points in the same state, but between those of contiguous states.

In this connexion may be considered the authority of the board to appoint any specie-paying bank to perform the duties appertaining to the government and the treasury, in any state in which it may be deemed inexpedient to establish an agency. The board may change these banks at pleasure. It will be recollected that the state banks have the government deposites, and there will be keen competition for them. The prostitution of their business and influence to promote the projects and interests of the faction which may happen to be in the possession of the government, will be the price which will be required, and which will be paid for these deposites.—Recent experience has taught this truth. This institution of state bank, too, for such purposes, is in part, an exercise of the power to create such an agent in the states without their consent. It would only differ in mode from the case where the agent should be incorporated by a law of congress; but both would, in its way, be a creation of an agency by federal authority, and that ought to be preferred which would allow to congress exclusive jurisdiction. But the point of view most generally interesting, in which this measure presents itself, is, the influence which it is expected to exert over matters connected with the currency and the value and stability of paper currency, subject to this modification, is essential to the permanent prosperity of any country. In the United States the increase of population is about four per cent. annually, or doubling in about twenty years, and the natural and permanent growth of all business and commerce may be assumed to be at about the same rate. There were on the 1st day of January, 1841, eighty-nine banks in existence, with $52,601,601 of capital, $28,100,000 of circulation, and $15,400,000 of specie, and our population was 17,069,453. There were in 1830, 330 banks, with a capital of $89,822,422, having a circulation of $68,000,000, and $19,000,000 of specie. The regular and proper increase of bank circulation for the intervening period, on the principle of the principle assumed, would have been $5,630,000; but it was in fact the enormous amount of $39,900,000, being an increase of above one hundred and thirty-nine per cent. Let this amount be added to the circulation to the paper medium followed immediately the expiration of the charter of the first Bank of the United States. In 1816 the second bank was chartered, and in 1820, it would probably be found that the banks had their capital to $137,110,611, their circulation had fallen back to the sum of $44,863,344, and yet their specie had been augmented $630,240. If events had been left to their natural course, the increased business of the country would have brought up the bank issues in 1820 to $37,216,000, and the restrictive and salutary influence of the United States bank co-operating with the inevitable reaction, would have reduced them to within a few millions of that amount. In 1830 the banks numbered 330, with a capital of $61,192,291, having a circulation of $61,323,889, and $22,114,917 of specie. It has been shown that the proper quantum of this circulation in 1820, in order to keep pace with the growth of business, was $37,216,000, and the circulation should have amounted up to the year 1830, would have produced the sum of $52,102,400 instead of $61,323,889, as the amount of this medium demanded by the then wants of the country. Such is the prominence of the paper system to excess in our country, where there are so many separate and independent authorities emitting this currency, that the influence of the U. States banks, for a few years, could not prevent, nor even prevent some degree of plethora in it. Yet from these facts it may be fairly deduced, that, under the auspices of a bank of the United States, the business and circulation of the country were in a sound state in the year 1811; that, in consequence of that institution being permitted to go out of existence, they became exceedingly disordered in the course of the ensuing five years; that, at the end of this period, another bank of the United States was incorporated, and brought back the currency and trade of the country to a sound and healthy state, which, under the same safe control, continued for ten years longer in as great a degree perhaps as is attainable. Then commenced the implacable and exterminating war which that extraordinary man (President Jackson) waged against this institution. It soon became apparent that his all-powerful popularity, and his obdurate spirit of hostility to the bank would triumph, and that it must fall. It was then it began to lose its potency in regulating the monetary concerns of the country, and the consequences resulting from the expiration and non-renewal of its charter in fact commenced. The state legislatures were influenced by the party then in power to incorporate more banks, and those institutions to an enormous expansion of their business. In 1837 the number of state banks had run up to one hundred and thirty-four, their capital to $200,772,091, their circulation to $149,185,890, their specie to $37,915,340, and their loans and discounts from $200,451,214 in 1830, to $525,115,702; when the natural and salutary increase of business would have required an addition to the circulation of only $20,840,960, making an aggregate of $72,943,360, or less than fifty per cent. of its actual amount. The total bank accommodations at the same time should have been but $280,631,699. It is thus shown that in the year 1837 the redundance of bank circulation amounted to $76,242,530, and of bank accumulation to $244,484,103. Is it strange that all interests, all business, all prices became bloated and unreal excitements; that a wild and unculculating spirit of speculation pervaded the whole country, and bore it with resistless force towards general ruin! This incalculable amount of mischief was all produced by the series of hostile acts of an infuriated and resistless exasperated party, called State banks, and its ultimate overthrow by him, aided by the concurrence of the legislative branch of the government; by the destructive spirit of rivalry and thirst for its business and profits by which the state banks were stimulated by the same powers; and by the deep inundation of their paper with which they were required to flood the country, as one item in the price they were to pay for their existence. It was thus the state banks were corrupted by the government, to the violation of all the principles of prudent banking, that the country might be enabled to withstand the most delusive increase of prosperity, in order to keep the people passive until the consummation of the destruction of the best moneyed institution, which ever existed upon this continent. Natural reaction and bitter experience have caused the commencement of a slow, but most painful reform. Nevertheless, on the 8th day of January, 1840, there were in circulation $106,993,000 of paper, and the bank accommodation then amounted to $162,896,523: when the regular growth of business would have required but $72,943,360 of circulation, and $280,634,099 of accommodation, leaving an excess in the first of about fifty, and the second of sixty-five per cent. Since that time, some of the banks have contracted, and others have expanded, so that the existing state of things is problematical. Such was the fact. These facts may be safely assumed to exist; that there is a large redundance in the paper medium and in bank accommodation; that the banks, in about three-fourths of the states, have suspended their specie payments; of having but small metallic basis, and but few an adequate one; that their circulation is greatly fluctuating and deeply injurious, being in some instances a diminution of fifty per cent. or more, and ranging generally between five and twenty; that all these disturbing causes have acted with disastrous effect upon the productive industry and the accommodation of the entire country; that all business is paralyzed, confidence is lost, labor is without its proper reward, and men know not what calculations to make for the future. Shall we have suspended the same evils in altogether with the government; but it might and ought to contribute largely toward it—to the reclamation of the country, without violent change, but gradually to a state of health and prosperity. Let us examine the aptitudes of the exchequer board and its agencies for this great work.

It proposes to receive upon deposite the gold and silver bullion of individuals, and to issue to the depositor a certificate, for which one-half per cent. may be charged. It is to issue treasury notes not exceeding fifteen millions of dollars, unless a greater amount should be authorized by law, which shall be redeemed on demand, in gold or silver, at the place of issue, and be receivable in payment of all governmentdues. There is also a provision that the board and each agent shall, at all times, be limited their issues to the that the gold and silver on hand shall be equal to one-third the amount of such issues outstanding; that they may draw drafts upon each other, and sell them for a premium not exceeding two per cent.; and, finally, that they may purchase at the same rate domestic bills without any limitation as to amount.

Suppose the exchequer board should go into operation, and so far succeed that the circulation which it might emit would be of par value, which is by no means conceded, what accommodation and relief

*The increase of the export and import trade may form a better criterion, and this does not exceed 3 per cent. per annum. Indeed, the increase of business generally requires but little more than increased activity of circulation.

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would it afford to the country generally? The disbursements of the government, and the receipts of the public revenue at a few of our great importing cities, would concentrate along the seaboard a large amount of these treasury notes. Boston, New York and Philadelphia being our principal marts of foreign goods, from whence every part of the country is supplied, the large balances that are perpetually accruing in favor of those cities would be, to a considerable extent discharged in this medium. These cases would enable a few points to organise the whole issues of the exchequer board, and leave the rest of the country without any benefit from them as a circulating medium. Mr. Webster presents this view with great clearness, in a speech in which he resisted the establishment of such a project, when suggested by Mr. Calhoun. Hear him:

"If his plan could prevail, he would have the duties collected either in specie or in a government paper to be issued from the treasury. He would reject all bank notes whatever. If the gentleman, sir, fears centralization, I am astonished at his fears of such centralization in all its terrors in this very proposition of his own. Pray allow me to ask, sir, where will the government paper, in the course of its issue and circulation, ordinarily settle? To what point will it tend? Certainly, most certainly, to the greatest points of collection and expenditure: to the very heart of the metropolitan city, wherever that city may be.

This is inevitable: the fall of water, in the results of attraction. If two-thirds of the duties be collected in New York, it will follow of course that two-thirds of any government paper issued for duties, will be there received; and it will be more valuable there than elsewhere."

The spirit of prophecy could not have spoken with more truth. Ever since the first mission of treasury notes, in 1837, to the present time, the tide of New York has been caused by laws as steady and resistless as those which regulate the gulf stream: and so true is this fact that, at this moment, there is hardly any delay between their issue and their return to the custom-house in that city. This circulation is so exclusively of a custom-house nature that, I have understood, a treasury note is never seen in circulation in the interior. Indeed, if the representatives of a few districts in which large sums of public money are expended, or into which heavy importations of dutiable articles are made, were to abandon their patriotic as to be guided solely by the consideration of dollars and cents for the benefit of their immediate constituents, they might give their support to this measure. But it has unanimously rejected such bearings. Its safety as a depository of the revenues, its political tendencies, its results in enlarging the scope and increasing the vigor and danger of executive influence, in centralizing the government in all its branches and the public morals, in sapping our institutions and endangering public liberty, ought to be looked to, and well looked to, before any person pledges himself to this important measure.

But there is yet another reason, of greater force, why these treasury notes, even if they should maintain par value, would give no general relief as a currency. In three-fourths of the states the circulation is considerably below par; and when two media are put in circulation together, the one of par value and the other under par, and greatly the cheaper, the latter will certainly displace the former. Mr. Webster thus puts this principle in an unanswerable point of view:

"The evil is not to be remedied by introducing a new paper circulation; there would be no such thing, he showed by a variety of illustrations, as two media in circulation, the one credited and the other discredited. The result is, that the sound coin disappears, is hoarded up, because more valuable than that of the same nominal value, which was in general circulation."

So long as the treasury notes continued to be of the greater value, the larger circulation of the state banks would inevitably exclude them. That they would be hoarded, and bought and sold as merchandise, is proved by all experience.

Another established truth in banking and currency is, that no paper medium can be kept at par value unless it be redeemable in specie, either at the option of the holder. Mr. Webster says:

"Whenever bank notes are not convertible into gold and silver at the will of the holder, they become of less value than gold and silver, and the depreciation upon this subject have come to the same result. The depreciation may not be sensibly perceived the first day or the first week it takes place. It will first be discerned in what is called the rise of specie; it will next be seen in the increased price of all commodities. The circulating medium of a commercial community must be that which is the circulating medium of other commercial communities, or must be capable of being converted into that medium without loss. It must be able not only to pass in payments and receipts among individuals of the same society and nation, but to adjust and discharge the balance of exchanges between different nations. The precious metals alone can answer these purposes. They alone, therefore, are money, and whatever else be performed the office of money, must be their representative and capable of being turned into them at will."

Let us examine whether these treasury notes will be able to contribute in the slightest degree to the being always convertible into gold and silver. That is the foundation upon which the architects of this structure profess to build; to which they are pledged by the past and the present, and without the assumption of which they would not dare to hold up this measure to the American people. Unless, then, they can establish a reasonable confidence that this indefinitable property of gold and silver will be imparted, they must consider their project as exploded, independent of any judgment which might be passed upon it by reason of its other features.

For some years past, the average surplus or actual amount of money in the treasury has been less than two millions of dollars, and at the present time there is a large deficit. The secretary informs us, in his annual report, that at the end of the year it will be minus more than half a million of dollars. But, though the sources of revenue are now insufficient, it will be the duty of congress to make them sufficient. This will probably be done, if, in pursuance of the just and proper demands of the public service, that any scale of duties which will probably be adopted will not afford a larger average surplus than one million of dollars, and that the power given to furnish capital for this government bank, that sum then would be the available means, the basis of the fifteen millions, or less amount of its paper issues. To give the machine a good start, we must suppose that, at that time, the million of dollars would be collected and furnished by the government receivers in gold or silver. Well, in the present state of the public revenue, and of the public credit, how long would it take brokers and others to rush to the exchequer board and to sweep the whole stock of its specie? It is indisputable that the supplies of the treasury would be drained of sufficient metallic basis, on which this treasury bank could be planted, with the prospect of a single day's security; and well was the sagacious mind that framed the law aforementioned, to have it so. It is a section which authorizes the board to issue certificates of a stock of the United States for five millions of dollars, bearing an interest of five per cent. per annum, and to sell and dispose of the same, at par, for whatever they may bring, be it much or little, in gold or silver coin or bullion, whenever this may be necessary to carry on the operations of the exchequer board. A provision, so wisely and so emphatically must have been expected, otherwise some limit would have been prescribed to the discount upon the sale of this stock, at a time when probably will touch, and then carry big six per cent. interest. It would have been more ingenious, too, that the creation of this public debt should have been predicated upon the necessity of the exchequer board and of the commerce board: for that was the certain need which this contingent power was intended to serve; and, without its exercise, it was known that the thing would never be quickened into life. Well, by means of the surplus revenue and the sale of this loan stock, the government bank is enabled to commence business with five or six millions of specie; and, as it is required to have but one dollar of New York, for every three of specie, fifteen millions of dollars of treasury notes would be at once issued. If business were always to flow along smoothly in its usual channels, that proportion between the basis and circulation of a bank might be sufficient. But the great expansion of the paper system, the accelerated speed of commercial intercourse among nations, and the heavy balances against us in the foreign trade since the great reduction in our tariff of duties, have increased the frequency, the suddenness, and the greatness of commercial revulsions in this country. From the aggregate of these causes, the experience of the last twenty years has amply demonstrated that this stock of specie is not enough to fortify *private banks* against the severe and continued pressure of the times, and to withstand general disorders and disruptions in the ordinary course of business and commerce. This truth will be found upon trial to have an application much more rigorous in this institution than to ordinary banks: because it will be less able to command certainly and promptly its resources, and will be subjected to greater losses. To no inconsiderable extent will these resources be absorbed by loans and advancements to the government. The plundering and purloining of the officers of the board and some forty agencies will be another large item. If the funds of the banks, owned by private stockholders and guarded by the keen vigilance and daily supervision of individual interest, are so frequently stolen by those entrusted with its custody as to have become a common occurrence, how much more precarious and unsafe will be the interests and money of the government, looked to, as they generally are, even by its most faithful agents, with carelessness and indolence. A heavy loss will likewise most certainly ensue from the making of bad debts. This consequence cannot be excluded wholly from the transactions of banks, or even individuals, by any precaution or care, or by the conditions of their customers, or the exercise of any degree of vigilance. Even when debts are good in their inception, it requires a constant attention, inquiry, and scrutiny to keep them so, far beyond any thing to be experienced or even hoped of public agents, whose interests are in no degree affected by the security or the loss of such debts. In this treasury bank the amount of this kind of loss would probably be very large.

But the political managers of the exchequer board would make loans by discounting bills of exchange, one form of bounty to party receivers, and of reward for political service. Thriftless and unprincipled men would get their hands deep into the vaults of the exchequer; and the only return which they would often make, would be, to give a zealous and unscrupulous support to the ruling political party. These household troops would be an important element in adjusting the balance of political power, and they would be quite sufficient for any party emergency, to cover up such transactions. Heavy sums would thus be suspended, rendered unavailable to assist in any mode the redemption of treasury notes by gold and silver, and a large proportion would ultimately settle down into a dead loss.

There are other causes that would tend to make it impossible for the exchequer long to continue specie payments. The state of the foreign trade and the exchanges would cause, at times, a heavy shipment of specie; and of the city of New York, as the great emporium, would this be principally required. Some estimate of the amount of specie required before enumerated, have aggregated the principal amount of these treasury notes. As they are only payable at the place where issued, and their tendency to accumulate in New York would be well known, no great amount would be issued there. Yet they would be in the hands of her large importing merchants, who would be preparing to make heavy remittances of the metals, and any political emergency would constitute the principal means to raise the necessary supply. They could not be there converted into gold and silver, and, from the inevitable law of currency, would sink below par.—Being payable at distant other places, the mode of cashing them would be in the money market, where they would appear in such masses as to cause considerable depreciation. If the emergency of the holders should admit of a few day's delay, the issues of the agencies most rapidly accessible would be gathered together and returned upon them. Suppose one of these agencies, having in hand five hundred thousand dollars of specie, had issued a million and a half of treasury notes—it is a reasonable calculation that half the amount would have accumulated at New York. By Mr. Webster's argument, at two-thirds of the revenue are paid at this port, that proportion of the treasury notes would concentrate there. When there is a great demand in this city for the precious metals, messengers would be despatched to that agency with seven hundred and fifty thousand dollars of its paper. And what, then, becomes of the obligation always to redeem this paper in gold and silver? What would be the assurance of the holders of the other half that they could at will convert it into coin, when they could present it nowhere else for that purpose?

Again: suppose the bill should pass, the treasury bank will go into operation under the benumbing influence of a general distrust of it, and when the creditor of the government, in lieu of the treasury notes bearing an interest of 5 per cent. are at a discount of from 1 to 2 per cent., and its stock carrying 6 per cent. per annum interest is refused in all our money markets. It will be insupportable for the holders of these treasury notes to have confidence in them; and in their mistrust they will scrutinize this act of organization. They will learn that when they present this paper for redemption, and full to get gold and silver for it, they will have no right of suit against the government or the government bank; and so far from being entitled to 10 or 12 per cent. damages, as against most banks of recent charter, they will not have against this the claim that would exist against

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all others for legal interest. They would ascertain that all the remedy which they would have would be to petition the lastly justice of congress for a redress of grievances. They would regard the whole affair as a novel and doubtful experiment; and, be assured, they would make haste to convert their treasury notes into gold and silver.

It is thus proved that the exchequer board would be subjected to greater losses, that it would have a less ready and available command of its means, and that it would be exposed to larger, more sudden, and more constant demands for specie, than ordinary banks. Unless, then, it had extraordinary capacities for replenishing its stores of specie, it would be impossible for it to continue the redemption of its paper. It could not count upon more than a million of dollars average from the public revenues; and the other resources which are given it, it is the power to sell its own drafts, and to purchase domestic bills, the general mode of supply in ordinary banking. It is not only endowed with these the most valuable and distinctive powers of banking, but it may locate branches all over the Union; it has a fixed and also a contingent capital; it receives public and private deposites, and banks upon them; it issues a circulation, and conducts all its operations for profit; and yet the secretary asserts, and reiterates the assertion, that it is no bank. It would be a bank, because it would have all the functions and attributes of a bank; and it would be a government bank, because the government would furnish its capital, and manage and direct its concerns. It would probably be as well named by being called the banking department of the government; and, however unwisely, one of the principal operations of government would be banking. Its first transactions in buying and selling exchange would probably be successful, but the radical and inherent vices pervading its whole structure would soon produce depreciation in its paper. Now, there is no principle in banking better established *than that of those paper is depreciated cannot command or successfully conduct the operations of exchange.* These transfers must be made in gold or silver or their equivalent; and no degree of probability that such drafts will be met with specie will suffice. The purchaser of the draft will be required to pay a premium for it in that medium, and for him there must be the positive *certainty*. The continuous possession of a sufficient stock of this precious metal medium will be indispensable to enable the government bank to enter the bill market. A man desirous to sell a bill to aid him in a real business transaction would want par funds—nothing of less value would answer his purpose, and he would dispose of his paper where *they* were to be had, and nowhere else. He would never consent to have his bills discounted in depreciated funds, and to meet it in par. Those who make accommodation paper, and whose object is to negotiate a loan in this form, might apply to the exchequer board, but such customers, instead of increasing their supplies of gold and silver, would certainly produce further depletion. The real safe and profitable business in exchanges would be done by other banks, or by individuals whose good credit and ample means were known, whilst many of the customers of the exchequer would want the disposition, and very many the ability to *be punctual*, which is the soul of banking.

From this review, it is reasonably certain that the exchequer board, instead of having extraordinary and superior means of regenerating its gold and silver, would be in this respect be far from an equality with other banks, notwithstanding the greater and more frequent drains to which it would be subjected. The conclusion, therefore, that it would be utterly impracticable for it to maintain specie payments is doubly enforced. The redemption of its paper always and perpetually in gold and silver, being *an essential end* to be achieved *by its particular organization* and capacities, if this fails, the friends of the evil projectors dare not concede that it ought to be rejected. Without that *indispensably property* its circulation would be based only upon the credit of the government and its receivability in payment of all public debts. And what a severe and just judgment of condemnation has Mr. Webster passed upon such paper!

At the extra session of congress in 1837, the secretary of the treasury proposed to congress to authorize the issue of ten millions of treasury notes, bearing no interest, to be receivable in discharge of government dues, and to be redeemed by the public revenue. So far as security and redeemability were involved, that paper was certainly as satisfactory as any which the exchequer board would issue. What said that clear-sighted statesman of the treasury notes, then for the first time offered to the country to perform the offices of money?

"But now, sir, what sort of notes does the secretary propose to issue? He proposes, sir, to issue treasury notes of small denominations, down even as low as twenty dollars, not bearing interest, and redeemable at no fixed period; they are to be received in payment of debts due to the government, but are not to be otherwise paid until, at some indefinite time, there shall be a certain surplus in the treasury beyond what the secretary may think it requires. Now, sir, this is plain, intelligible, absolute paper money; it is exactly a new issue of old *continental*. If the genius of the old confederation were now to rise up in the midst of us, he could not furnish us from the inventory of his resources with a more perfect model of paper money. It carries no interest; it has fixed no time of payment; it is to circulate as currency, and it is to circulate on the credit of the government, with no fixed period of redemption! If this be not paper money, sir, pray what is it? And, sir, who expected this?"

Why, sir, who expected this? The treasury notes to be issued by the exchequer bank upon their face will be redeemable on demand; but this promise will be found to be illusive and false, and therefore these notes will be less honest than the issues of 1837. They in essence continental paper money, modified by the greater resources and the different government of the country. What, then, could an institution, emitting such paper, effect to purify the currency, to bring it up from its very slowly, but certainly from the excesses of a greatly redundant and spurious circulation, to aid in the general resumption by the banks of specie payments, and to check the ruinous depreciation of the legitimate and cheapen exchanges, to assure to labor and industry a reasonable reward, to lure back a general, widespread and regenerating confidence! Nothing, absolutely nothing. On the contrary, it would aggravate existing evils. Its projectors profess strongly that it would greatly benefit the people and the country; but it would certainly benefit the, if any of both, and "enure" to the benefit of nobody but the spoilsmen in office and their followers. Let us enforce this view by an appeal to the great authority with which we are fortified in the positions hereinbefore assumed, as we shall some others that are to follow:

"If, sir, we were in a temper to learn wisdom from experience, the history of most of the banks upon the continent of Europe might teach us the futility of all these contrivances. These were, like this before us, contrived for the purposes of finance, not for purposes of commerce. The same fate has been experienced to them all. Their credit has sunk. Their respective governments go to them for money when they want it, and will nowhere else. They go to them when their wants only by new issues of their own paper. This is not redeemed, the invariable consequence of depreciation follows." "Such are the banks of Petersburg, Copenhagen, Vienna, and almost all Europe; and while the paper of those government banks has been depressed, that of other banks existing in their neighborhood, unconnected with the government, has maintained its credit and the value of commercial credit, has retained a value equivalent to that of coin." "Paper already depreciated will necessarily be sunk lower when another flood of depreciated paper is forced into circulation. In regard to the plan of this proposed bank," (that of 1815)," Mr. W. said in will connect to no bank which to all intents and purposes was not a specie paying bank."

Any other at this time would certainly cause confusion to be "worse confounded."

But another of the main purposes of this exchequer bank is the safe-keeping and disbursement of the public money. The safety of the government funds is the most important consideration connected with their custody; and the present scheme proposes to secure this mainly by the "honesty and integrity" of public officers, and by "bonds with responsible sureties" to be executed by them. This is precisely that security, which all experience has proved to be insufficient. Turn to the record of the collectors of customs and excises, and to the receivers in the land offices, and also to the treasurers and other officers of public money. In the aggregate, we supposed to possess honesty and integrity, and many of them no doubt truly, when they were first brought into contact with temptation, all taking oaths of office, and giving bonds with responsible and approved sureties. In what a large number of instances have this honesty and integrity been found too weak for the allurements of avarice and profligacy: these official oaths become felonious perjuries, and these responsible sureties hopeless insolvents. The loss of public treasure that ensued can only be told by the figures of many millions. Look to bank officers, men chosen for their places not mainly nor at all because of a particular political fealty, but selected by persons deeply interested and upon intimate knowledge for honesty, fidelity, good habits and business capacity. These men, too, give bonds and take official oaths, and are subject to a daily visitation, rendered astute by personal interest; and yet the frequency and magnitude of their depredations upon the treasures committed to their charge, is frightful, and threatens, more than all other causes, a total overthrow of the banking system. The great desideratum in connexion with the custody of the public money so as to ensure its safety, is to put it in a situation and condition that partisan politicians, whose duty is to disburse, shall not have daily and hourly access to it. If it were possible for human ingenuity to devise a scheme which would inflexibly restrict their approach to it to the purposes of legal expenditure, so far as they are implicated its safety would be assured; but this is unattainable, and the nearest approximation is the deposite of the public money in banks. This throws around it every guard which the exchequer board can possibly afford; and in addition the much more reliable ones of all the means of the bank, all the industrious and habitual watchfulness of those whose fortunes are deeply adventured in it, and yet another, of more value than all, the great dissemination of the largest portion of its capital. The bills receivable perpetually absorb much the largest amount of the means of banks, and place them beyond the present depredation of its officers.

The history of the treasury of the United States confirms the truth of this reasoning. Between 1787 and 1791 the public revenue was principally kept in and disbursed by agents of state banks. From the latter period until 1811, the first Bank of the United States performed those offices, as did the state banks again until 1816. After the charter of the Bank of the United States, these were devolved upon and were mainly performed by it, until the removal of the deposites; then reverted again to the state banks, and so have continued to the present time, notwithstanding the great evil of the existence of the sub-treasury; the sub-treasurers, availing themselves of *their superior security*, took the responsibility of depositing with them the public money. The state banks failed to pay the public money to the government for fifteen years; and the two United States banks for thirty-seven years. Through the whole of both periods the banks have had the custody and disbursement of upwards of $200,000,000 of the public money, with a loss to the government of only upwards of $1,200,000, every cent of which occurred with the state banks; yet the two banks of the United States have kept and disbursed more than $700,000,000 of the public treasure, without the loss of the first farthing to the country! How is the state of the case when the government has had the actual custody and disbursement of the public money? In the process of expenditure, large sums have been ordered from the vaults of the banks into the hands of disbursing agents, and as a consequence to an extent were permitted to remain in bank until checked for by the pay officer in favor of the government creditor. But in numerous instances, where banks could not be once mentally used, and from other causes, the disbursing officer has had the actual keeping of the money, and has paid it out by his own hand. What sums have been misapplied in this mode cannot be ascertained; but it is presumed 100,000,000 would be a large estimate. And what has been the amount of the defalcations of these officers? More than $5,000,000 Also from the commencement of the government, the revenue was necessarily in the hands of the collecting officers between the time of its collection and its disbursement or deposite in bank; and, in the course of this short space, these officers have paid upwards of $4,000,000. Here are $9,000,000 of public money thus lost, notwithstanding the "honesty and integrity" of these officers, and their "bonds with good security." Suppose there had been no employment whatever of banks in any connexion with the public revenue; that its aggregate amount of $1,300,000,000 and upwards had been wholly in the actual custody of government officers until its final disbursement—they, all the while exposed to the most seductive, the most potent of all temptations—access at will to large sums of money, and to the exchequer, what would have been the number and extent of their defalcations! The history of the treasury of the United States is in confirmation of long experience, that banks connected by individuals are the safest of all depositories of money. No prudent business man would pass over a bank of good credit to make his deposites in the exchequer and the government will not wastly if it will pause and learn, not only of individual sagacity, but of its own experience. Those who burn money will have two objects in making a deposite—the security and the command at will of their funds. Unless the depository gives the most satisfactory assurance of both, the deposite will not be made. So far from offering this pledge, the exchequer holds out any thing else to the capitalist. When he might want his money for investment, he

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would often find that it had run through this great treasury sieve. If he should still be in doubt whether or not to make the deposite, the charge upon him of half per cent. would speedily resolve it. Nor would the pledged faith of the government for the amount of deposite remove his difficulties; for he would not be "so soft" as not to understand that when his money should be purloined by the officers of the exchequer, or appropriated in any other way, that it would be difficult, if not impossible, to get congress to appropriate its amount to him from the public treasury.

The proposed measure makes another innovation that would doubtless be a violation of the constitution. It enacts that "the declaration of loans due to any officer of the United States may be paid in gold and silver coin, in treasury notes issued under this act, or in the notes of banks," &c. The pay or salary of an officer when due is a debt of the U. States, and as such it is the constitutional duty of congress to make payment of it. What is payment? It is the discharge of a debt, by delivering to the creditor the amount in money, in gold or silver coin, and nothing else in payment. The term "to pay the debts," was at the time of the adoption of the constitution, and now is, perfectly well understood. "To levy and collect taxes, duties, imposts and excises," were not phrases of more certainty. There is no discrimination between the obligation and mode in which the government and individuals are to pay debts. If an officer, being a creditor of the government, may be satisfied by treasury notes at their present value, so may he be when they are at a discount of fifty cents. The government may compel him to take wild lands or any other thing which is property in this sort of payment. What would be thought of an individual who would attempt to discharge his debts in lumber, or in lumber accepted fifty per cent. or any other rate, or in, horses, cattle, &c. Public debts may be discharged by these notes, or by any other commodity which accepted by the creditor; but it is his *option* to receive or reject this record and satisfaction, just as individuals do. It is also proposed to be taken from the government officer, if he should incline to pay the receipt of revenue and taxes. It never was the universal practice of nations to collect them exclusively in gold or silver. They have to a considerable extent been received in all ages, and in every stage of civilization to the present time; and long before, contemporaneous with, and ever since the adoption of the constitution, bank paper has been very extensive. It is natural, and the policy of the United States, where the government is constituted and exists for the benefit of the people exclusively, they ought to be received in any currency that would most support with their general interests and permanent interests. But the political influences, immediate and remote, of the proposed measure, present the most important consideration connected with it. For some years the course of events has been to weaken the power and efficiency of the legislative and to strengthen the executive department of the government. The veto power has had a practical scope and operation never contemplated by the framers of the constitution, and which threatens to interrupt materially the apportionment of the legislative power. In the two sessions of congress which the acquisition of Louisiana and Florida, the influence of the president received an unforeseen accession in the great enlargement of executive appointments, without any corresponding increase to congress. The powers of congress have not been thereby added to, but diffused and probably weakened.

It was never intended by the sages who founded our government that all officers, even judges, should hold their places at the will of the president alone. Nor does the constitution convey any such principle. This heretical power was conferred by little more than a majority of congress, when the great man who stands at the head of the human race was president, upon reasons of supposed convenience and expediency, and not of constitutional law. The lights of subsequent experience have shown it to be unhealthy excescence upon our body politic, that threatens more seriously its dissolution than all other causes. It makes the president the fountain of honor, and the dispenser of the purses of public money. It enables him to give and to withdraw the support, and, consequently, to command the will and the consent of the numerous and increasing corps of office-holders, diffused, yet connected, over the whole of *that body*, like the nerves and the muscles of the human system. It is the great talisman of his potent influence over party, and over the two houses of congress and all their proceedings. It has often heretofore reduced the house, where the great popular principle of our institutions was intended to act in healthy vigor and perfect independance, to be the passive registry of executive edicts. It is the fruitful parent of the disorders of the government generally, and especially of the most portentous one, that all its functionaries, with few exceptions, totally neglect and disregard official duties, and abuse station and influence, by giving themselves up to presidentmaking. The course of this triumphant and revolutionizing power is onward. It was the opinion of some members of the convention, and so argued by many statesmen of the day, that the executive was the weaker department, and was exposed to be assaulted and reduced by congress. But usurpation is marching on in a contrary direction; and that equilibrium established by the framers of the constitution, and upon which they balanced our complicated system, has been rudely shaken from executive encroachment. This is in accordance with all history, and with the natural order of things. A legislative power, divided among a numerous body of men necessarily of variant, if not of repellant and conflicting counsels, never has and never will be able to subvert free systems of government. It is a sole executive, with his unbridled, secret, rapid and energetic decisions and actions, with the military power, commanding the military force of the country, grown insolent in the strength of his power, and goaded on by raging ambition, and flattery and overwhelming popular liberty. Even under our jealously-guarded system, such is the proneness of the executive power to augmentation, that it has become all-prevalent.—The influence of government for the decades every national and state election. All the legislation of congress, and a good portion of that of every state, is prostituted to it. It merges all parties, it controls every representative, it controls the judiciary of government, but in all the states and territories, even to the most insignificant. It diffuses itself over the whole union, it enters every family, it numbers the members kindred, it pervades the elements of life, it mars the public peace, and keeps the whole fabric of society heaving in perpetual commotion.—The influence of government for the decades every a feeble man, who may reach it without popularity or a party, and he will have an undue influence in congress and in the country. But, in the change of events, we have experienced a contrary operation, in which all the military power and all the resources of the union have been put in requisition, and confided to the president. During the doubtful conflict of parties, presidential patronage, with efficiency and fidelity. He is equal to the trial, and he points the march of our armies to conquest and to glory. As the bloody tide of war recedes from our shores the union, and the nation, and the people, in gratitude and blessings gush forth. He is in the meridian of life, possessed of unbounded popularity, of sagacity and genius. The country is exhausted from its mighty exertions: the army is disbanded, peace paid, insured to victory and to distcipline, and obedient to his command. If such a president were covetous of a second term, and if he thought that this measure would confer upon our executive, and he would speedily overthrow liberty, and erect a throne upon the rumbling ruins of the constitution.

In support of the petition that this government bank would add in an alarming degree to the power of the president, let us again recur to that great authority who has not yet failed us. In his speech on President Jackson's veto message, Mr. Webster says:

"It has been found by experience that banks are safest under private management, and that *government banks* are the most dangerous of all institutions. The whole drift of the message is to impress the settled judgment of all the civilized world, and set up *government banks*, independent of private interest and private control. Every bank must have some stockholders, unless it be such a bank as the president has recommended, and in regard to which he seems not likely to find much concurrence of others' opinions," &c.

On another occasion he remarked:

"Again, I have heard it said that, although there may be a bank hereafter, yet it must be a bank in which the government, that is the executive, shall have direct participation and control. I need hardly say, for one, I shall not consent to any such project for extending executive influence. I shall not agree to make a very bad bank for the sake of making a very *dangerous government*. I shall not, sir, I repeat and reiterate all these new principles. I shall set my face against all banks but a specie paying bank, a hard money bank, a well regulated, well constituted bank, established on principles safe to the government and safe to the people. *If we cannot have such a bank*, the next best thing will be to have none. Gentlemen may set their hearts at rest, sir, about all these new projects. The country is too wise—it has already had too much taste of *experiments* to countenance any one of them. If there be not a sound bank, a safe bank, a bank *independent of executive control*, there will, for the present at least, be no bank at all. Again, we have already had distinct intimations that paper might be issued on the foundation of the revenue. *The treasury of the United States is intended to become the bank of the United States, and the secretary of the treasury is intended to be the great national banker.* Sir, to say nothing of the crudity of such a notion, I should be allowed to make one short question upon it.—We have heretofore heard much of the danger of consolidation, and of the *great and well founded fear of the union of all powers in this government.* Now, sir, when we shall be brought to the state of things in which all the circulating paper of the country shall be issued directly by the treasury department, *under the immediate control of the executive*, we shall have consolidation in a very high degree."

On another occasion Mr. Webster observed:

"In the first message of the president (Jackson) it was said that a national bank was perfectly constitutional, but that it should be differently constituted; that it should be founded on government credit and government revenue. This would have been an *administration bank*, and eventually, *through the president's office*, (the secretary of the treasury,) *the president's bank.*"

These cogent and conclusive objections to the project that was then shadowed forth acquired additional point and force in their application to the "monster" now formed and organized under the name of the "exchequer board."

The report of the secretary says: "nor is the plan justly liable to the objection, that it creates a union of the purse and the sword, by giving to the executive the custody or control of the public money. Far otherwise. The president cannot touch a dollar of the public money by his own authority, nor change its custody." "Whoever shall come to the exchequer for money, must show the law of congress under which the appropriation is made, and be made but in compliance with such law. Until appropriations are made by law, the president will have no more authority than any other individual in the country to take a farthing from the exchequer." So far as all this is true, would it not have been equally so, if that *government bank*, to which Mr. Webster so strenuously objected, with such implacable spirit, had been established! Was it not true under the operation of the sub-treasury? Was it not true, when General Jackson forced the removal of the public deposites from the bank of the United States? And notwithstanding these checks, which the report assumes to be so sufficient, was not the government money as much under the control of General Jackson, as the law had assigned to the president himself its custody? Then, as under the system now proposed, it had other keepers, but the *president keeps the keepers*. He makes and unmakes them according to his own sovereign pleasure. And yet this *candid* report tells us that the president cannot "change the custody" of the public treasure. There is safety only in having some power between the president and the public money, which he cannot blast with his breath and reproduce in a form to do his bidding, as though it was inanimate machinery. A bank owned by individuals principally, and knowing no control but a direction chosen by them, is the only defence which can be thrown up against the strong and ever-acting proclivity of the executive to seize upon the nation's treasure, to unite the purse and the sword, unless, indeed, the practice of the government should be brought back to the true principle of the constitution, and the concurrence of the senate should be held to be as necessary to a remark, as it is to make all officers of the government.

But what was Mr. Webster's opinions of the ability of the president to "change the custody" of the public money under the power assumed by president Jackson? Let him speak for himself. "The act of removing the deposites, which I now consider as the president's act, and which his friends on this floor defend as his act, took the national treasure from beneath the security and guardianship of the law, and disposed of its contents, in parcels, in such places of deposite as he chose to select. At this very moment congress and the treasure is subject, so far as respects its *custody and safe keeping, to his unlimited control.*" Would not such be the state of the case under the exchequer board? It is true, the president could not change the place of custody, but he could change those who held this custody, and with the moon, if he chose; and that comprehends the whole substance of the matter. The secretary's report is no analysis, no examination of this measure. It is a smooth, specious, delusive summing up of benefits to result from it, not warranted by its general arrangement and powers, its details and machinery. Its purpose is to lubricate the *bill*, and then present it to congress and the country.

The project may be characterized as a compound of General Jackson's government bank, of the state bank deposite system, and of the sub-treasury with-

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out the specie clause. With the exception of providing a currency for the government different from that of the people, it is justly obnoxious to the aggregate objections that were made to each of those systems. The extent to which its sub-treasury organization would increase the influence of the executive, is comprehensively and powerfully presented by Mr. Webster in his speech against the sub-treasury. He says: "In the first place, sir, I have suggested the complete union which it would form, if it were in itself practicable, between the *political and money power*. The whole commerce of the country, indeed, under such a state of law, would be little more than a sort of *incident to treasury operations—rather a collateral consideration, a by-product, a subsidiary and important branch of the public interest.*"

The exchequer board would never be able, by the profits of its business, to pay its expenses and its losses. It would abstract largely from the revenue in providing suitable buildings, paying salaries to numerous officers, large contingencies, &c., when our meagre sources of supply are not sufficient for the pressing and important demands of the public service. It would add, certainly, between one and two hundred appointments to the patronage of the president. These officers would be scattered widely over the confederacy. They would extend the influence over the business and fortunes of a great many men around their respective localities. Having the power to furnish or to withhold money at pleasure, they would acquire a large personal and official influence, all which would inure to the benefit of the president, the party chief, and still further swell his overshadowing influence.

This examination of the project has been predicated upon the belief that it would have but a partial and temporary success. But suppose it should realize the expectation of its friends, furnish the president of a fashion, well have fixed its death-fangs deep in the body politic. It will commence business upon the surplus in the treasury and the proceeds of the five million loan. It is allowed to receive specie deposites in gold and silver to the amount of fifteen millions of dollars, and may issue paper, including the certificates of deposite, to three times the amount of its specie in vault—which may amount in the aggregate to a currency of forty-two millions of dollars, or about four times the average circulation of the United State bank. It may sell bills of exchange and purchase bills without limit. In the year 1832, the late bank of the United States transacted this description of business to an amount exceeding $260,000,000, although about half its funds were employed in the discount of local promissory notes. If the bright dreams of the report should not prove to be "stuff," the revenues and credit of the United States, the receivability of its notes in payment of all government dues, the large individual deposites of specie, and the copious pecuniary supplies of buying and selling bills and drafts, all concentrated to the doing of exchanges, would enable the president of the exchequer equal to five hundred millions of dollars annually. Having no ends of individual interest to subserve, and being managed by venal politicians for party aggrandisement exclusively, it would put down the cost of exchange to the point where profit would cease, and would thus crush all competition and secure a monopoly. It would not allow the state banks to thwart the objects and general course of its administration; and, where it was important, these institutions would be coerced to bend and to co-operate. With its power, influence and its ability to concentrate them rapidly at any point, it would collect the paper, run upon, and overwhelm all state banks at will; and they would do business and exist only by its sufferance. We would be brought to that state of things in which all the circulating paper of the country would be issued or regulated "by the treasury department, under the immediate control of the executive" and we would "have consolidation with a witness." With this mighty engine, any political party would be able to perpetuate power in its own hands, to appropriate government and all its offices and emoluments, all its lucrative jobs and contracts to itself, and to lay upon its adversaries the heavy hand of a practical despotism.

But whether the exchequer failed from the commencement, or had a short-lived success, it would be essentially a government paper system based upon the public revenue and the public credit, but mainly upon the latter. It would, sooner or later, run the unvarying course of all those that have preceded it; it would be pushed to its utmost tension, and its total overthrow with wide-spread evil and ruin would ensue. Exigencies would arise when the revenues would not meet the wants of the public service and of the *party*. The increase or imposition of taxes is generally attended with more or less of popular revulsion; and the creation of a public debt, by borrowing, is always odious. In this free country there will be a perpetual succession of antagonist political parties, active, vigilant, watchful and often so nicely balanced that small causes will give the one or the other the preponderance. The levy of taxes, or the demonstration of a public debt by the ordinary mode of borrowing, might be fatal to the ascendant party in power. But now comes to their aid the exchequer bank, and the expedient of issuing treasury notes—to stamp blank paper with a particular impress and it becomes money. This obviates the necessity of taxation; it creates no public debt, or, if it does, it veils it well. It furnishes ample means to conduct the government upon a scale of magnificent expenditures, and to reward by large salaries and fat jobs the votaries of party—its free companions, its Swiss. Above all, it enables those who wield the truncheon to hold on to it. Nothing can be more resistless are its seductions! The appetite which this spurious paper feeds become morbid, and increases until it has infected the whole country. Things become artificially, fictitiously excited. All prices run up; the mechanic acts and productive industry are neglected; a spirit of wild speculation seizes upon every condition in life, and the prospects of sudden wealth dazzle and bewilder the entire community. A delirium is upon the nation, and still the cry is for more money. The smoking crevices soon tell that the volcano is smouldering beneath, and ere long internal explosions shake the whole land, and spread over it ruin, misery, and desolation.

Such have been the course and effects of a government paper system in other countries. A regent of France granted to John Law and his brother, banking powers, and soon after their establishment was merged in the Royal Bank. It was sustained by all the revenues of France, by the monopoly of the mint, the crown lands, a monopoly of a great portion of the foreign trade, and was amalgamated with the Mississippi company. It was an institution similar in many respects to the exchequer board. It succeeded for a time, and did an immense business. Its stock was sought with insatiable avidity by all, from the menial to the royal duke; and it appreciated from five hundred to twelve hundred per cent. It went on emitting its masses of paper until the bloated bubble could distend no more; and it burst, after having revolutionized a large portion of the property and individual condition of France.

Afterwards, and during the reign of Louis XV, the revenues of the kingdom were found to be insufficient to pay the interest upon the large debt left by the long and expensive wars of his illustrious predecessor, and at the same time pay the expenses of the government and of one of the most licentious and expensive courts that ever had existence. His minister, the Duke Mazarine, shrunk from the responsibility of proposing a tax upon the privileged orders, who owned a great portion of the property in France; and the deficit went on increasing. Colbert, his successor, recommended retrenchment and the imposition of additional taxes, so as to establish an equilibrium between the public receipts and expenditures, and he was dismissed from office. Nobel commenced his career by borrowing, and soon closed it, like Colbert, by recommending to the king taxation upon the privileged orders. The evil continued to grow; and elegant, the plausible and the persuasive Calonne was made comptroller general to cure it. He continued the system of borrowing, and called to his aid its common adjunct the paper system. It had the usual temporary success, but it at last cost a monstrous cost. When all on the surface was smooth, and his financiering was apparently completely successful, and the court was rejoicing in the triumphs of his seemingly matchless genius, and his inexhaustible resources for producing revenue, it is said that M. de Calonne was paying, daily, one million of francs, to sustain the credit of his paper system. Ruin followed. His administration hastened and aggravated the inevitable catastrophe. It was thus that the love of place and the penilluminity of ministers, the repugnance of the people to taxation, and the beguiling vices of the stockjobbing and government paper system, accelerated the first scene of the French revolution, the assembly of the notables, and contributed largely to its subsequent horrible excesses. No nation can long have credit, or escape internal convulsions, where it makes borrowing and the issue of government paper the substitute for taxation in raising the necessary supplies to conduct its affairs. The inevitable tendency of this policy to run into the greatest extreme in times of difficulty is marked with a distinctness which no mind can mistake in the history of the assignats of the national assembly. Four hundred millions of francs were first ordered to be issued, and the system went careering on, until the amount was forty-five thousand millions—one hundred times the proper circulation of France. What mind can grasp the amount of wrong, fraud, vice, disorder and calamity caused by such a vast amount of spurious circulation, maintained by the horrible mandate of a revolutionary tribunal, with guillotine dripping with the gore of those who refused it! Even these at length lost comparatively their terrors, and the loathed assignats came to be more dreaded.

But we have some chapters on this subject in our own history, which are full of admonition. Previous to the revolution there was not a colony, except Nova Scotia, which had not plunged into the excesses and felt the blighting influences of an irredeemable and depreciated government paper. Notwithstanding the firmness of their numbers, their limited wants, and the untempting circumstances of their condition contrasted with ours, to avoid the burdens and responsibilities of taxation they postponed the evil day; but they could not escape it long, and it came upon them with long suspended and collected wrath. We all know the history of "the Continental money." It bore upon its face solemn promises of redemption, which had not been fulfilled, were scorned by the continental congress; but after the issues had swollen to three hundred millions, all that was in circulation fell dead upon the hands of its holders. Though the greatness and the durability of the patriotic of the colonies might have constrained congress, sooner or later, to this expedient, and though it is conceded that the embarrassments of the next 12 years and in achieving our independence, yet it cannot be denied that the system had its origin in the repugnance of the people to taxation. In time of peace, with a capacity for large taxation, without any distress, to fire times the necessary amount of revenue, it would be impolitic and culpable in the highest degree to adopt any measure that could have a tendency to tempt to its use.

There are other provisions in the bill which are objectionable; and that one which permits the president, by the secretary of the treasury, to create as many offices for the transaction of the business of the exchequer as the board may think necessary, and their compensation to be fixed by the board, are not liable to the same abuse, but in their nature are altogether improper.

The undersigned has stated the evils which in his judgment, will flow from this measure. He does not pretend to be a prophet, commissioned, he would spring forth full grown, like Minerva from the brain of Jupiter. Such is not the history or nature of political abuses and usurpations. If these enemies to the rights of man and to popular institutions are always to make their first appearance in their naked atrocity, in their matured powers of mischief, with an aspect gloating for scenes of injustice, oppression, persecution and blood, as alarmed and exasperated people would rise in their irrepressible energy and power and strangle them at once. Their approaches are stealthy, and insidious; and because they are so, are too often fatally successful. They begin with infancy, and by imperceptible growth familiarize their victims with the unfolding monster; and we are awakened to the sad reality until we are struggling in its death embrace. The deluded people are amused in the meantime with palliatives, with treasury notes, and similar devices. A change in popular sentiment follows. Some begin to grow fat from the sinister motive of immediate pecuniary advantage; some from indolence or timidity will not look ahead to the threatening consequences; some are beguiled by the specious plea that they have been bewitched by arts with themselves in making resistance to other measures of the same, and think there can be no danger where their *great and admired* give a support; others, of a hardy and adventurous spirit, mount the wave that is rolling on events, to be wafted whither it will; while many, wearied out with the protracted struggle, fold their arms and quietly yield to whatever comes. Things still move on to their consummation in due season, a daring and superior spirit strikes, and the country sinks into the repose of political servitude and national degradation.

Since the undersigned condemns so generally and so decidedly this executive measure, it may be expected of him to propose a substitute. This he does not do, and he begs leave to offer a few reasons in explanation. He feels the utmost confidence in the practicability of a moneyed institution, owned partly by the government, but principally by individuals, and to be managed by its owners, answering every purpose of currency, exchange, and deposite, exacting not a single power but what is embodied in the

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bill to establish the exchequer board; but without any of its insecurity, promptness to abuse, and to failure in the avowed objects of its creation, and without the corruption and dangers with which it is fraught. But it is another of history, that at the last session of congress the bill "to incorporate the subscribers to the fiscal bank of the United States" was framed and proposed at the instance of the president, and its provisions were approved and liberally commended, and yet he vetoed this emanation from himself, and left the country with all its afflicting disorders upon it. He is surrounded by "constitutional advisers," some of whom have given, that at the last session of congress the bill "to incorporate the subscribers to the fiscal bank of the United States" was framed and proposed at the instance of the president, and its provisions were approved and liberally commended, and yet he vetoed this emanation from himself, and left the country with all its afflicting disorders upon it. He is surrounded by "constitutional advisers," some of whom have given, that at the last session of congress, I would be long contended, and have expressed their approbation of the principles in the constitution of an agency to answer such important ends for which they, in common with the undersigned, have so

large considerably executive patronage and government expenses. It can do nothing to facilitate and cheapen exchanges, to aid commerce, to restore general confidence, to bring back to the country its lost prosperity. Wherefore, the undersigned recommends to the house to reject wholly and in detail this scheme, both in the form in which it came from the executive, and in the less imposing one into which it has been moulded by the majority of the committee. He concurs fully in the sentiments expressed by Mr. Webster on a similar occasion, "it is better to do nothing than to do mischief."

GARRETT DAVIS.

February 16, 1842.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

March 3. Mr. *Miller* presented a memorial of 154 females of Rahway, New Jersey, employed in the clothing business, praying increase of duties on foreign ready made clothing.

Mr. *Buchanan* presented four memorials from Pennsylvania, praying protection for the iron interest.

Mr. *White* one from same state for window glass.

Mr. *Simmons* presented resolutions of the state of Rhode Island in favor of a protective tariff.

Mr. *Barrow* presented resolutions of Louisiana in relation to the Maine boundary dispute.

The senate then proceeded to the consideration of the special order of the day, viz: the resolutions offered by Mr. *Clay* on the 15th ult. and the resolutions offered by Mr. *Wright* as substitute therefor, viz:

Resolved That it is the duty of the general government in conducting its administration, to provide an adequate revenue within the year to meet the current expenses of the year; and that any expedient, either by loan or by treasury notes, to supply, in time of peace, a deficiency of revenue, especially during successive years, is unwise, and must lead to pernicious consequences.

2. Resolved, That such an adequate revenue cannot be obtained without restoring to the national treasury the revenue from the public lands, or the imposition of high taxes upon all foreign imports, including the ordinary necessaries of life, thus making the tax onerous to the whole people, because of those necessaries the whole people are consumers.

3. Resolved, therefore, That so much of the act entitled "an act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights" approved on the fourth day of September, eighteen hundred and forty-one, as appropriates those proceeds to the states and territories, and to the District of Columbia, should be repealed, because it is now apparent that the portion of the public revenue cannot be taken from the national treasury without creating the imminent necessity for borrowed loans, or additional taxation, or both, to an amount sufficient to supply the deficiency thus produced.

4. Resolved, That in the adjustment of a tariff to raise an amount of revenue such as may be required, over and above the means to be derived from the sales of the public lands, which amount should be adequate to pay the current expenditures of the government, economically and properly administered, and to the gradual but certain extinguishment of any existing debt, the provisions of the act of 2d March, 1833, entitled "an act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," commonly called the compromise act, ought to be adhered to, as the general basis of such adjustment.

5. Resolved, That the provisions in the act of the extra session for the distribution of the proceeds of the public lands, requiring the operation of that act to be suspended in the contingency of a higher rate of duty than twenty per cent. present the ground upon which only congress has assented to the distribution of the land revenue to the states, and when it shall appear that the distribution cannot take place consistently with the terms of that provision, it will appear that a state of things exists under which congress did not intend it should take place at all.

6. Resolved, That it is the duty of government at all times, but more especially in a season such as now exists, of general embarrassment and pecuniary distress, to abolish all useless institutions and offices, to curtail all unnecessary expenses, and to practise rigid economy.

7. Resolved therefore, That congress is called upon to retrench its expenses—by abridging the duration of the long sessions; by regulating and more sparingly dispensing mileage of the members; and by diminishing the contingent expenses, and especially those incurred for stationery, for printing, for the employment of clerks for committees, and for folding printed matter to be transmitted through the mails. And that congress is also called upon to make retrenchments in the following departments of the public service, viz: To diminish the expenses of the judiciary department, by bring the diplomatic relations of the United States within narrow limits, by discontinuing appropriations for charges d'affaires at Naples, Bogota, Caracccas, St. Jago, and Lima; to diminish the expenses of foreign intercourse by reducing the appropriations for diplomatic representatives to France and Brazil to the compensation attached to the grade of ministers resident, and for those of Austria and Mexico to the compensation attached to the grade of charges d'affaires; to restricting the franking privilege of members of congress to letters and other communications in writing only, and those not to exceed the weight of one oz; to further limit and more clearly define the franking privileges of deputy postmasters, to increase and regulate, according to the weight, the charges to be made upon books, pamphlets, and other printed packages transmitted through the mails.

Mr. *Smith*, of Indiana, addressed the senate at large, commencing also upon Mr. *Wright's* speech, and at 4 o'clock concluded.

And the senate adjourned.

March 4. A resolution was adopted calling on the secretary of the navy for information as to what steps had been taken, in compliance with a joint resolution of the last session, in relation to the purchase of American water-rotted hemp for the use of the navy.

The senate then proceeded to the discussion of the resolution restricting the veto power; and

Mr. *Berrien* rose and delivered his views, at great length, in favor of a wholesome restraint of the veto power. When the further consideration of this subject was postponed until Friday next.

The senate then proceeded to the consideration of executive business; and, after some time spent therein, adjourned over to Monday.

March 7. Mr. *Woodbury* presented the credentials of the hon. *Leonard Wilcox*, appointed by the governor of New Hampshire a senator of the U. States in the place of Mr. *Hubbard*, resigned.

Mr. *Wilcox* was then qualified, and took his seat in the senate.

Mr. *Wright* presented the memorial of citizens of Clinton county, New York, remonstrating against the passage of any law to permit the importation of rail road iron, or iron for steamboats, free of duty, and praying that all iron may be subject to a duty of thirty per cent.

Mr. *Miller* presented a memorial from citizens of New Jersey, asking that the duty on foreign iron may be restored to that it was in 1839.

Mr. *Clay* presented a memorial from a great number of ladies of Rahway, New Jersey, who, he said, judging from their autographs, were very beautiful indeed. These ladies, inasmuch as a further reduction of duty on foreign ready-made clothing would render their employment unprofitable, and, having no other means by which to support themselves and their families, respectfully pray that congress will enact such laws as will secure them from foreign competition. He believed that articles of ready-made clothing had been objects of protection from the commencement of the government down to the present time, and that, too, separate and distinct from any system, and he hoped that he would be allowed to say that, without diversity of opinion there may exist as to the protection of the *men* of the country, there would be no diversity of opinion whatever as to the protection of the *ladies*; and he presumed that no might here rely on the chivalry of South Carolina to rush forward and protect their fair countrywomen from foreign competition.

Mr. *Calhoun* remarked that during the operation of the tariff act of 1828, he dined in the company of General Patterson and a gentleman from South Carolina; and that they entered into conversation on the effects of the tariff, and especially as to ready-made clothing. The difference between the Charleston price and the amount paid, defrayed the whole expense of his trip. Now, if gentlemen were not able to make clothes cheaper, they were not able to buy them.

Mr. *Clay* remarked that he had merely made an appeal to the heart of the senator from South Carolina, and he was sure that twenty-five years ago it would not have been made in vain.

Mr. C. also presented a memorial from Huntington county, Pennsylvania, relating to the iron interest; and this subject he recommended to the senate generally, but particularly to the senators from Pennsylvania.

Mr. *Buchanan*, in presenting memorials from iron manufacturers of Pennsylvania, asking that the duty on iron may be restored to what it was in 1839, said he thought that the senator from Kentucky was unkind when he (Mr. *Clay*) presented the petition of many ladies, and gave him (Mr. *Buchanan*) the iron manufacturers and recommended them to his particular care.

Mr. *Clay* did not feel that he had inflicted any injury upon the senator from Pennsylvania. He had recommended to him the petition of the iron manufacturers because they happened to be men of Pennsylvania; and the reason why he had not recommended the memorial of the ladies was, that the senator had lived for fifty-five years and upwards without having taken *any* lady under his protection.

Mr. *Buchanan* said that, old as the senator himself was, he wished to take all the ladies under his protection.

Mr. B. then presented a memorial from Lancaster, Lebanon county, Pennsylvania, complaining of the compromise act, and asking for a general protection of domestic manufactures; also, a memorial from the repairers and dressers of raw quills, asking that the duty may be removed from the same, but retained on the finished imported article.

Mr. *Simmons* presented a memorial from paper manufactures, asking for protection; also, resolutions of the legislature of Rhode Island on the subject of a uniform mode of electing the president and vice president of the United States, by fixing the same day for that purpose throughout the union.

Mr. *Sevier* submitted a joint resolution, authorising the president of the United States, by and with the consent of the senate, to appoint three commissioners, to hold their office for six months, to adjudicate the claims of the Cherokees residing east of the Mississippi river, and ascertain and pay to each claimant the amount justly due him out of such money as has been set aside for that purpose, and as yet unexpended, under the treaty of 1835 and '36.

The resolution was referred to the committee on Indian affairs.

Mr. *Tallmadge* said that as there were several special orders which had precedence of the exchequer bill, he would take this occasion to move that its consideration be postponed until this day two weeks—the 21st instant; and the motion was agreed to.

The senate then proceeded to the consideration of the bill to extend, for a limited time, the operation of a portion of the act entitled "an act to revive and extend the charters of certain banks in the District of Columbia."

Mr. *Allen* addressed the senate, contending that the banks had forfeited their charters.

Mr. *Bayard* replied.

Mr. *Allen* moved that the bill be laid upon the table, to enable him to offer a resolution.

The motion was then taken and decided in the negative—yeas 14, nays 22.

Mr. *Allen* then moved that the bill be recommitted to the committee on the District of Columbia, with instructions to inquire and report to the senate whether the banks in the District, or either of them, have violated their charters, directly or indirectly, or in any manner sought to avoid any requirements or conditions in the act to revive and extend their charters, approved August 25, 1841. And especially to inquire whether they, or either of them, have issued and acted upon a certain circular letter, (which was read by the clerk). He then continued his remarks upon the subject of banking corporations: and, when he concluded.

Mr. *Kerr* obtained the floor, and the senate adjourned.

March 8, 1842. After the presentation of some executive communications, and the reports from committees, the senate proceeded to the consideration of the special order, being the bill from the house in relation to the banks of this District, the question pending being a motion to recommit the bill, with instructions.

The bill was debated at some length by Messrs. *Kerr* and *Bayard* in its favor, and by Messrs. *Wright*, *Buchanan*, *Benton*, *Calhoun*, *Woodbury*, and others, against it.

The question was taken on the motion to recommit, and decided in the negative: yeas 18, nays 28.

A motion was then made by Mr. *Bayard* to lay the bill on the table, with a view to inquire, by resolution, whether the banks had not forfeited their charters since the 1st March.

This proposition was voted down by the same vote as the first—18 yeas, 25 nays.

The bill was then so amended as to provide that the extension of privilege, instead of being for a specific time, depend on the resumption of the banks at Richmond and Baltimore, and then the bill was ordered to a third reading.

The senate then went into executive session, and after a brief time spent therein, adjourned.

March 9. Mr. *Berrien*, on leave, introduced a bill to provide for the reports of the decisions of the supreme court of the United States.

The bill relating to the District banks was taken up for its third reading; when the yeas and nays were demanded, and resulted as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Choate, Clay, Clayton, Evans, Graham, Huntington, Mangum,

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Miller, Morehead, Phelps, Porter, Prentiss, Simmons, Smith, of Ind. Southard, Sprague, Tallmadge, Woodbridge—21.

NAYS—*Messrs.* Allen, Benton, Buchanan, Calhoun, Fulton, King, Lam, McRoberts, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—18.

The senate then took up the bill to amend the act entitled "an act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights," approved September 4, 1841.

Mr. *McRoberts* moved an amendment, doing away with all the restrictions to the pre-emption clause, and supported his amendment in a speech which occupied the time of the senate until long after the hour for the special order.

After which the senate went into executive session, and remained therein until half past five o'clock P. M.; and then adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 3. A resolution was adopted on motion of Mr. *Bowne* granting the use of the hall to the Congressional Total Abstinence society on Monday next.

The report on retrenchment was then taken up and after progress therein, the general appropriation bill was considered again in committee of the whole and after further progress and discussion respecting the printing of the U. States laws, the committee arose and the house adjourned.

FRIDAY, MARCH 4. The report of the committee on retrenchment was further prosecuted, and several of its resolutions discussed and adopted, until on motion of Mr. *Briggs* its farther consideration was postponed until to-morrow.

Mr. *Barnard* offered a resolution authorising the clerk of the house to inquire into the cost, practicability, &c. &c. of having the desk of members removed from the body of the hall, and of placing others outside the bar, which he intended to write. But objection being made, it was, for the time withdrawn.

The house then resolved itself into committee of the whole, Mr. Cushing in the chair, and commenced the consideration of private business, which occupied the session, until the house adjourned.

SATURDAY, MARCH 5. Mr. *Taliaferro* moved the reconsideration of the vote determining that the house should, after this week, sit daily, Sundays excepted, at 12 o'clock. Mr. T. stated that it was impossible for the committees to do business if the house meet at an early hour.

Mr. *Fillmore*, who had moved to change the hour, stated that the condition of the public business required more time for legislation. He stated that he had received a communication from the war department, stating that the fund of the quarter master's department was entirely exhausted. The same was true of the navy and all the departments. The house had passed but one appropriation bill, and not one twentieth of the civil and diplomatic bill had been considered. Congress had been in session three months, and nothing had been done in regard to the public business.

Mr. *Barnard*, of New York, replied, and thought the best mode of reform would be to remove the desks from the floor of the house. That would save more time and attract more good than any thing else. By meeting at eleven o'clock when so much of the public business was done in the committee rooms and at the departments, nothing would be gained.

An effort was then made to lay the motion on the table, and subsequently the previous question was moved, but it was negatived, ayes 90, noes 99. So the house subsequently agreed to meet at 12 o'clock for the remainder of the month, and at 11 o'clock on and after the first Monday in April.

The report and resolutions of the retrenchment committee were then again taken up and after their farther consideration.

The house adjourned.

MONDAY, MARCH 7. Hon. *Joseph L. White*, of Indiana, who was up to this day detained at his distant home by indisposition, appeared, and took his seat.

On leave given, Mr. *Everett* laid on the table, with a view to have printed, an amendment to the appointment bill heretofore reported from the select committee of which Mr. *Everett* was chairman; which amendment proposes to *strike out* (the ratio of) 68,000, and *insert* 50,391, constituting a house of 305 members, under which the present representation of no state will be decreased: and (with a view to test the sense of the committee between a low and a high ratio) Mr. E. gave notice that he will hereafter move to amend the amendment *by striking out* 50,391 *and inserting* 70,680, (constituting a house of 217 members.)

	50,391		70,680	
Maine,	9	48,274	7	7,033
New Hampshire,	5	32,619	4	1,854
Massachusetts,	14	32,225	10	30,899
Rhode Island,	2	9,046	1	38,148
Connecticut,	6	7,658	4	27,288
Vermont,	5	39,993	4	9,228
New York,	48	12,151	34	25,799
New Jersey,	7	19,306	5	19,636
Pennsylvania,	34	10,713	24	27,687
Delaware,	1	26,652	1	6,363
Maryland,	8	36,996	6	10,044
Virginia,	21	1,991	15	9,111
North Carolina,	13	9	9	18,972
South Carolina,	9	10,064	6	39,503
Georgia,	11	24,713	8	13,574
Alabama,	9	35,924	6	65,263
Mississippi,	5	45,619	4	14,847
Louisiana,	5	33,075	4	2,310
Tennessee,	13	121	9	49,186
Kentucky,	14	1,451	10	136
Ohio,	30	7,736	21	35,186
Indiana,	13	30,782	9	49,745
Illinois,	9	22,539	6	51,971
Missouri,	7	7,369	5	7,006
Arkansas,	1	39,209	1	18,920
Michigan,	4	10,703	3	227
	305	539,718	217	570,816
		10.70		8.08

The amendment and table were ordered to be printed.

Mr. *Shields*, of Alabama, offered the following resolution:

Resolved, That the secretary of the navy be requested to cause an examination to be made of the invention of Thomas S. Easton for the prevention of steam-boiler explosions, and the results of said examination to be reported to this house, with such observations as may seem to him to be proper touching the efficacy of said invention to its adaptation to the accomplishment of the purposes intended.

The resolution was modified, so as to insert the words "together with any other invention submitted to him," and then referred to the select committee heretofore appointed on the subject of steamboat navigation.

Mr. *Gilmer*, from the select committee on retrenchment, appointed under a resolution of the house of June 17, 1781, presented a report with the following resolution:

Resolved, That the select committee on retrenchment have leave to sit during the session of the house, and power to send for and examine persons and papers.

The resolution was adopted without debate or division, and the report was ordered to be printed.

The house then proceeded to the further consideration of the report and resolutions of the committee on retrenchment and after progress therein

Mr. *W. C. Johnson* (objection being made) moved that the rules of the house be suspended for the purpose of enabling him to offer the following resolution:

Resolved, That the doorkeeper be directed to remove the desks on the floor of the hall at the earliest practicable moment.

The question on the motion was then taken and decided in the negative: yeas 74, nays 93.

The house then, in committee of the whole, proceeded to the consideration of the general appropriation bill, but on the first division being called, there being no quorum present, the committee rose, and

The house adjourned.

TUESDAY, MARCH 8. The house resumed the consideration of the retrenchment report and after progress therein, the orders of the day were called for and reports from committees received.

Mr. *J. C. Clark* reported back the senate bill allowing drawbacks on goods transported in the original boxes, packages, &c. to Chihuahua and Santa Fe, with an amendment striking out all after the enacting clause, and inserting the following:

Be it enacted, &c. That all goods, wares, and merchandise entered for the benefit of a drawback of duties may hereafter be exported in the original casks, cases, chests, boxes, trunks, or other packages, by sea or otherwise, in American vessels of not less than thirty tons burden, either from the district where they were originally entered or from any other district, to any foreign dominion, which shall immediately adjoining the United States or not; said goods, wares, and merchandise, when not shipped coastwise, under the present law, may be transported by land, or partly by land and partly by water, to another district, for exportation, under such rules, regulations, and restrictions as shall, from time to time, be prescribed by the secretary of the treasury; and all laws inconsistent with this act are hereby repealed.

Mr. C. in making this report, remarked that it was proper to say, that, notwithstanding the committee, under a conviction of the great importance of this subject both to our foreign freights and to our internal carrying trade with Mexico and the British North American colonies, had concurred in the report, some gentlemen on the committee had reserved to themselves the liberty of modifying the provisions of the bill, if subsequent reflection and information should suggest any desirable amendments. Mr. C. in consideration of the importance of the bill, moved that 1,000 extra copies of the bill, amendment and report be printed; which was agreed to.

Mr. *Marvell*, from the committee on the judiciary, to which was referred sundry petitions remonstrating against the repeal of the act passed at the last (extra) session of congress establishing a uniform system of bankruptcy, with instructions "to inquire into the expediency of reporting a bill to amend the existing bankrupt law so as to include all associations and corporate bodies issuing notes or bills for circulation as money, and such other amendments as said committee may deem necessary," report, in part—

That it is not expedient to amend the existing bankrupt law so as to include associations and corporate bodies issuing notes or bills for circulation as money.

The reading of the report was called for but the morning hour having expired—the rules of the house were, on motion of Mr. *Gordon*, suspended in order to receive reports from committees giving rise to no debate.

When the committee on foreign affairs was called; Mr. *Bowne* rose and stated that he intended to put an inquiry to the committee on foreign affairs in relation to a matter now pending before them. He desired to inquire when a report might be expected from the committee on the petitions some time since referred to them on the subject of American prisoners confined in Van Dieman's Land.

Objection being made, the inquiry was not entertained.

The house, on motion of Mr. *Fillmore*, resolved itself into committee of the whole on the state of the union, (Mr. *Briggs*, of Massachusetts, in the chair,) on the bill making appropriations for the civil and diplomatic expenses of the government for the year 1842 and after progress therein the committee rose, and reported progress.

The speaker laid before the house the following communication.

Washington, March 8, 1842.

To the house of representatives:

I feel it to be my duty to invite your attention to the accompanying communication from the secretary of the treasury, in relation to the probable demands which will be made upon the treasury for the present quarter. It will be seen that, without arresting the requisitions which will be made by the war and navy departments for the months of March, April, and May, there will be an unprovided for deficit of upwards of three millions.

I cannot bring myself, however, to believe that it will enter into the view of any department of the government to arrest works of defence now in progress of completion, or vessels under construction or preparation for sea. Having due regard to the unsettled condition of our foreign relations, and the exposed situation of our inland and sea coast frontier, I should feel myself wanting in my duty to the country, if I could hesitate in urging upon congress all necessary appropriations for placing it in an attitude of strength and security. Such recommendation, however, has heretofore been made, in full reliance as well on congress as on the well known patriotism of the country, and the high sense of national honor, and their determination to defend our soil from the possibility, however remote, of a hostile invasion.

The diminution in the revenue arising from the great diminution of duties under what is commonly called the compromise act, necessarily involves the treasury in embarrassments, which have been for some years palliated by the temporary expedient of issuing treasury notes—an expedient which, affording no permanent relief, has imposed upon congress, from time to time, the necessity of replacing the old by a new issue. The amount outstanding on the 4th of March, 1840, varies in no great degree from the amount which will be outstanding on the first of January next; while in the interim the new issues are rendered equivalent to the redemption of the old, and at the end of the fiscal year leave an augmented pressure on the finances by the accumulation of interest.

The contemplated revision of the tariff of duties may, and doubtless will, lead in the end to a relief of the treasury from these constantly recurring embarrassments: but it must be obvious that time will be necessary to realize the full anticipations of financial

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benefit from any modification of the tariff laws. In the mean time, I submit to congress the suggestions made by the secretary, and invite its prompt and speedy action. JOHN TYLER.

Treasury department, March 7, 1842.

To the President of the United States:

Sir: The duty devolved by the constitution upon the president of the United States "to take care that the laws be faithfully executed" renders it proper that you should be advised of the pecuniary condition of the treasury, as well in regard to the claims upon it as of the means for their discharge, in order that you may decide upon the expediency of laying before congress the necessity of further provisions for meeting the public obligations.

The aggregate of demands upon the treasury, during the present and the two succeeding months, is estimated, as will be seen by the statement which I have the honor herewith to submit, at $9,574,040. The immediate means within the command of the treasurer for meeting these expenditures were, at the commencement of the present month, including the unexpended power to issue treasury notes, under the act of 31st January last, about three millions of dollars. Of this sum, nearly two hundred thousand are in the hands of officers. A portion of this amount has been paid for land since the first of January last, and is required by law to be paid over to the several states. The greater portion of it is held at points not convenient for ordinary disbursements.

The nett revenue from customs during the present and two succeeding months is estimated at 3,250,000 dollars. But, after adding this amount to the means now at the command of the treasury, there will still remain a deficit to be provided for of upwards of three millions for the service of the same period.

In submitting to congress the annual report of the department on the finances, it was suggested that an authority to issue treasury notes to the amount of five millions, with such an extension of the term of the loan remaining to be disposed of as would render it acceptable, would, with the revenue from imports, enable the department to meet the expenditures of the present year. At the same time, a revision of the tariff was urged as an indispensable means of sustaining public credit.

You are aware that, while the report on the finances was in the course of preparation, the plan of a fiscal agent or exchequer, since submitted to congress, was under your consideration. No doubt was entertained that, in the event of its adoption by congress, it would obviate the necessity of any further provision for redeeming the treasury notes required for the service of the present year, and payable in the next. The faculty of expanding the issue of exchequer bills to a given extent was expected to afford facilities that would remove all apprehension of embarrassment, while the issue of its maximum of $15,000,000, resting on $5,000,000 of specie, and $5,000,000 of government stock, to be held in reserve to meet any contingencies of such issue, and aided by the daily accruing revenue, was regarded as placing such issue on a foundation perfectly sure and stable.

Should this provision, however, not be adopted by congress then it is obvious that the whole amount of the treasury notes authorized by the late act of congress will become a burden upon the revenue of 1843, without any adequate provision for relief. And, in view of this state of things, it becomes a question of grave importance, whether it would not be advisable to recommend an increase of the loan to an amount sufficient to absorb the treasury notes that will be outstanding at the end of the year, and to be applicable in the mean time to the redemption of such as may be offered for that purpose. But whether this shall be done or not, it is obvious that the existing state of the treasury calls for the immediate intervention of congress to save the good faith of the government. And no effectual expedient for this purpose is perceived, but that of enlarging the term of so much of the loan as remains to be negotiated to a period of at least twelve years, and securing the payment of principal and interest by pledging a distinct source of revenue for that purpose.

I have taken leave to place the accompanying statement before you, that you may decide whether any, and, if any, what measures ought to be adopted by the executive under the circumstances therein exhibited. It would be wholly superfluous to add any suggestion in regard to the paramount importance of maintaining the fidelity of the government to all its engagements.

W. FORWARD, *secretary of the treasury.*

Statement of means in the treasury on the 1st of March, 1842.

Cash subject to the drafts of the treasurer by the latest returns to this date, with the several depositories and collectors,	$237,949 03
Subject to drafts in land offices, by latest returns,	178,311 20
	$416,260 23
Amount of treasury notes authorised by act of 31st of January last, which may be issued on 1st of March	2,653,093 30
Total of immediate resources,	$3,069,353 53
Estimated rev. from cust. dur'g March,	1,250,000 00
" " April,	1,000,000 00
" " May,	1,000,000 00
Means of the current three months,	$6,319,353 53
Probable demand during the current three months:	
The amount of treasury notes issued in March, 1841, at 6 per cent. was about $1,200,000. Estimating that two-thirds of these have been already redeemed through the custom houses and land offices, there remains to be paid during the month of March	$400,000 00
The secretary of war estimates his requisitions in March at	822,692 00
The secretary of the navy estimates his requisitions in March at	900,000 00
No salaries having been paid by the treasury since the 18th of January on account of the civil list, and the quarterly payment of interest on public debt becoming due on the 1st of April, the payment on account of civil list, foreign intercourse, and miscellaneous and legislative expenditures, should the usual appropriation be made by the course of March, may be estimated at	1,275,000 00
	$3,737,692 00
The amount of treasury notes issued at 6 per ct. during the month of April, 1841, was about $850,000. Estimating that one-half has been redeemed through the custom houses and land offices, and the other half held for investment, there will remain to be paid in April, $425,000	
The secretary of war estimates his requisitions in April at 906,128	
The secretary of the navy estimates his requisitions in April at 724,000	
The civil list, foreign intercourse, & miscellaneous and legislative, will require about 500,000	$2,555,128 00
The amount of treasury notes at 6 per cent. issued in May, 1841, was about $1,200,000. Estimating, as above, that one-half have already been redeemed, there will be required in May for this item $640,000	
The secretary of war estimates his requisitions for May at 1,491,229	
The secretary of the navy estimates his requisitions for May at 650,000	
Civil list, foreign intercourse, and miscellaneous and legislative, will require about 500,000	3,281,220 00
Total estimated expenditures for the current three months	$9,574,040 00
Deficiency of estimated means	3,254,686 47

The reading of the communication having been concluded—Mr. *Fillmore* said he concurred in the views expressed by the secretary of the treasury in regard to the necessity of immediate action in relation to the finances; he considered it also the committee of ways and means to state that they had not hitherto acted on the subject of a permanent revenue, because they had, thus far, been waiting for an expected report from the secretary on that subject. The present communication proposed an extension of the time of the loan already authorised, for which there was at this time a full pending before the house, and for the passage of which Mr. F. felt great anxiety. The message further contemplated an increase of the amount of the loan. On this point he was not at present prepared to express any opinion. It must be with the utmost possible reluctance that he ever could yield his assent either to an increase of the existing loan or to any new emission of treasury notes. (Cries of "No! no!") The only proper course for congress to pursue was to provide, without delay, an adequate and permanent revenue to meet the wants of the country. (Loud cries of "certainly; that's it.")

Mr. F. moved to refer the communication to the committee of ways and means.

Mr. *McKeon* said he was not surprised at the tenor of the communication just read. It was what he had been expecting for some time. The government was now, at length, brought up to the question how it was to get along and with a view to ascertain how congress was disposed to employ the means it did possess, he would move to refer the communication to a committee with instructions to report a bill repealing the law in relation to the distribution of the proceeds of the public lands among the states.

Mr. *Cushing* suggested the propriety of postponing any final disposition of the communication until to-morrow, suffering it meanwhile to be printed, which was agreed to by general consent.

A second communication from the president of the United States was then read as follows:

Washington, March 8, 1842.

To the house of representatives:

In my message of the 7th December I suggested to congress the propriety, and, in some degree, the necessity of making proper provisions by law, within the pale of the constitution, for the removal, at their commencement, and at the option of the party, of all such cases as might arise in state courts involving national questions, or questions touching the faithful observance and discharge of the international obligations of the United States, from such state tribunal to the federal judiciary. I am urged to repeat, at this time, this recommendation, by the receipt of intelligence, which I am sure is truly, thus a subject of Great Britain, residing in Upper Canada, has been arrested upon a charge of connexion with the expedition fitted out by the Canadian authorities by which the "Caroline" was destroyed, and will, in all probability, be subjected to trial in the state courts of New York. It is doubtful whether, in this state of things, should his discharge be demanded by the British government, this government is invested with any control over the subject until the case shall have reached the court of final resort of the state of New York, and been decided by that court. And although such delay ought not, in a national point of view, to give cause of umbrage to Great Britain, yet the prompt and instant rendering of justice to foreign nations should be practised among our highest duties. I cannot, therefore, in consideration of what properly becomes the United States, and in anticipation of any demand from a foreign government for the discharge of one of its subjects, forego the duty of repeating my recommendation to congress for the immediate adoption of some suitable legislative provision on this subject.

JOHN TYLER.

Mr. *Barnard* (chairman of the committee on the judiciary) said that it would be recollected by the members of the house that the general subject referred to in the message had been for some time before the judiciary committee, who had reported a bill in relation to it; and Mr. B. should have been very glad to have seen a moment when he could, with any prospect of success, have asked the house to take up that bill out of its order and act upon it. He had been aware, some time since, from information in possession of the executive department of the government, that there was handed over the occurrence of just such an event as was now mentioned in the message: he had apprehended that such a case would arise but he had seen no moment in which he could ask the house to take up the bill which the committee had reported: he knew well that whenever it did come up it must excite debate, and that very great differences of opinion might be expected to exist in regard to it.

He moved the message be referred to the committee of the whole on the state of the union to which the bill he had just alluded to had been referred; but afterwards on the suggestion of Mr. *Cushing*, moved that the committee of the whole be discharged from the consideration of the bill, and that it together with the present communication be referred back to the committee on the judiciary; which was agreed to.

The house then adjourned.

WEDNESDAY, MARCH 9. On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole on the state of the union (Mr. *Briggs*, of Mass. in the chair) and resumed the consideration of the bill making appropriations for the civil and diplomatic expenses of the government for the year 1842.

The pending question was the unfinished business of yesterday; being a proposition to amend the bill by requiring the printing of the departments to be done by contract, and after several hours discussion thereon the committee rose.

The *speaker* laid before the house a communication from the executive of the territory of Iowa, in relation to the boundary thereof. Referred to the committee on the territories. Adjourned.

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CHRONICLE.

BRITISH MILITARY AND NAVAL FORCES IN OUR NEIGHBORHOOD. The British military force in our immediate neighborhood consists, according to the army list of Jan. 1842, of 27 regiments, distributed as follows:

In Canada—1st Dragoon Guards; 7th Hussars; Grenadier Guards; Coldstream Guards; Royal Canadian Rifle Regiment and the 1st, 14th, 23d, 43d, 56th, 67th, 68th, 74th, 71th, 74th, 83d, 84th, regiments of foot.

In Nova Scotia. 8th, 30th and 76 th regiments of foot, and a corpsal artillery.

In New Brunswick. 36th and 67th regiment of foot.

Bermuda. Two regiments of foot, and a corps of artillery and engineers.

There is a Royal Veteran battalion stationed at St. Johns, Newfoundland, and the 64th regiment of foot, no designation stated.

In addition to this formidable force in our neighborhood, there are 9 regiments of foot in the West India islands.

The British naval force on the North American station consists of the following vessels:

Illustrious, 72 guns; Magnificent, 72; Winchester, 50; Pique, 36; Cleopatra, 36; Vestal 36; Spartan, 36; Niagara, 26; Tweed, 20; Romney, 20; Comus, 18; Electra, 18; Racehorse, 18; Rover, 18; Pilot, 16; Racer, 16; Vixen, 16; Sapphire, 16; Hornet, 6; Pelican, 5; Lark, 4; Charybdis, 3; Fair Rosamond, 2; Blazer, (steamer,) 1; Firefly, do. 2; Planet, do. 6; Gleaner, do. 2; Hecla, do. 1; Hydra, do. 4; Tartarus, do. 4; Magera, do. 6; Phlegethon, do. 2. Total number of guns, 542. [*N. Y. Express.*

CONSUL. The president has recognised Luis E. Hargous as Mexican Consul for the port of New York.

CUBA. We learn from a gentleman who came passenger in the packet ship Philadelphia, from Havana, that the difficulty between the governor of Cuba and the British steamer *Forth* was nothing very serious, and had been altered by a Spanish man of war, then lying in Havana, and no news from the Jamaica war—we begin to think that also a false alarm. [*Charleston Merc.*

PENNSYLVANIA TARIFF CONVENTION. The state convention of coal interest men has called a convention to meet again at Harrisburg on 13th April. Resolutions were adopted breathing the spirit and sentiments of protection to home industry. A state central committee was announced and county committees recommended to be organized. The following was unanimously adopted:

Resolved, That the people of Pennsylvania, engaged in manufacturing agricultural, mining, mechanical and internal commercial pursuits, be requested to assemble in convention in Harrisburg, on the second Wednesday, the thirteenth day of April next, for the purpose of taking measures to secure all necessary encouragement to domestic labor, enterprise and capital, and thus promote the welfare of all classes of society.

O'CONNELL'S ABOLITION ADDRESS is condemned and believed to be a base fabrication, by a meeting of Irishmen at Pottsville, Pa.

KENTUCKY. A new county has been created by legislature act out of parts of Lincoln and Mercer by the name of Boyle, county seat, Danville.

On the 23d March, the legislature adjourned *sine die*. On the 25th February, they proceeded by joint ballot to elect a senator to fill the vacancy occasioned by the resignation of Henry Clay. John J. Crittenden was elected without opposition, receiving 91 votes of the house and 38 of the senate. The Commonwealth says that "The pride of the state seemed to have been awakened, and some of the leading members of the democratic party sustained the nomination, on the ground of the purity of patriotic and unsuppreachable by mere partizans. We allude particularly in the course of Col. Johnson of Scott, and Mr. Marshall of Fayette. The feeling of the man expressed the wish that the call for the yeas and nays might be withdrawn in order that it might go forth to the world that Mr. Crittenden was the unanimous choice of his native state."

MARYLAND. *Chesapeake and Ohio canal*. The bill providing for the completion of this work to Cumberland after being rejected in the house on the 5th, by a vote of 36 to 34 was re-considered and passed on the 18th, by 40 yeas to 34 nays. On the 9th it passed the senate after receiving an amendment. On the 30th it again passed the house with additional amendments, and was returned to the senate, and there rejected. The senate has rejected bill for taxing state stocks and a law has been passed empowering the chancellor, and county courts acting as courts of equity, to grant divorces in certain cases which are defined in the law. For this reason the senate has refused to grant any of the applications now before them.

Slavery. The bill based upon the proposition of the late slaveholders' convention in relation to the colored population was rejected in the house on the 18th inst.

The legislature adjourned *sine die* on the 19th.

MASSACHUSETTS. The legislature of Massachusetts, agreeably to the wish of both branches and with the advice and concurr of the council, was prorogued by Gov. Davis on the 3d March, until the first Wednesday in September next, when it will re-assemble for the purpose of districting the state for the choice of members of congress under the new apportionment, which it is expected will before that time have been made by congress.

NAVAL. The U. S. ship Falmouth, commander McIntosh, sailed from Norfolk on the 8th, on a cruise. The U. S. ship John Adams left Boston, ready for sea, and will sail the first fair wind for Rio Janeiro. The U. S. frigate Columbia sailed from Boston on Friday, to cruise along the coast.

The steamer Missouri, says the Army and Navy Chronicle, has been ordered round to Norfolk, as soon as her equipments shall have been completed. Upon her arrival, she and her sister steamer Mississippi will make a trial of their speed and other qualities in the Chesapeake bay. It is not improbable that they may come as far as Annapolis, to afford members of congress an opportunity to examine these modern engines of naval warfare.

The U. S. sloop of war John Adams, Capt. Conover, sailed from Boston on the 8th, for the Brazil station. She relieves the Marion, Capt. Biddle.

The U. S. schooner Grampus, G. J. Van Brunt, lieut. com. was spoken on the 23d, lat. 33 54, lon. 77 23, by the sch. Oberon, arrived at Charleston.

NEW HAMPSHIRE. On the 8th inst. the state election took place. Returns are not yet received.

NEW YORK AND MASSACHUSETTS. A rail road survey took place at Springfield, Mass. on the 4th March, at which were present the executive and legislative officers of the two states. Mr. Seward and Gov. Davis both delivered addresses on the occasion, and in the evening they respectively returned to Albany and Boston.

NEW JERSEY. The legislature have settled on just and liberal principles, the claims of the public creditors of the state and the officers of the New Jersey rail road company, by postponing the payment of the tax on the fund five years from the 1st March, and the tax on the tolls will be in 1844, agreeably to the construction placed on the charter by the company. The question was conceded to be involved in doubt from the ambiguity of language; the doubt has been resolved on equable and liberal principles—honorable to the state and protective of the rights and interests of citizens who have invested capital in New Jersey. [*N. Y. Amer.*

Imprisonment for debt. One days ago the council passed a bill, virtually abolishing imprisonment for debt, except in cases of fraud. Yesterday the bill was debated very warmly in the house, and, as we hear by a passenger from Trenton, New York, the house has adjourned not interfering with the general principle. It is no longer doubtful, that New Jersey will cease, to be a prison-house for creditors in other states.

OHIO WHIG STATE CONVENTION. The following resolutions were adopted by the convention which assembled at Dayton on the 22nd ult. for the purpose of nominating a governor:

Resolved, That this convention approve the principles contained in the public messages of the present governor of the state, and recognise in his administration an honest, faithful, and patriotic effort to sustain and advance the true interests and prosperity of the state. We therefore hail his acceptance of the nomination as a subject of joy to all true whigs, and the sure harbinger of a glorious triumph of the people over faction and partisan machine.

Resolved, That the people have a right to demand of the national government the enactment of a regulation of the national currency under the constitution; that the power of the states over the question is necessarily limited; and that the regulation of commerce between the states, which is dependent on the power of congress, can only be satisfactorily accomplished by the creation of a currency and medium of exchanges, available for all purposes throughout the union.

Resolved, That labor is the true source of national wealth, and that all measures of governmental policy should aim to ensure labor its adequate reward.

Resolved, That the tariff laws now in operation are insufficient for this purpose; and that a tariff which will protect our manufacturers from the ruinous competition of the old world, and give to our agriculture a home market for its surplus products, is imperatively demanded by every interest of the people of the state of Ohio.

Resolved, That, in fixing the rate of duties on the importation of foreign goods merely for the purpose of revenue, due discrimination should be made between such articles as we can and such as cannot profitably be manufacture, so as to give adequate encouragement to our own industry and enterprise.

Resolved, That an expression from whig brethren in our sister states, on the expediency of holding a national convention, in reference to the next presidency, be invited through the medium of the whig press.

Resolved, That this convention deliberately and solemnly re affirm the principles and doctrines of policy and reform under which we rallied in the memorable campaign of 1840; and that it is our firm purpose not to rest until "those principles of government are carried out" which were the political creed of the revolution of 1776 and of every true-hearted whig.

Resolved, That Jos. Ridgway, jr. Samuel Z. Selmes, John A. Lazell, John Greenwood, Lewis Hoyt, A. F. Perry, and C. P. Wing, be and are hereby appointed a state central committee, with power to fill vacancies.

PRESIDENCY. The correspondent of the New York Courier and Enquirer, writes thus from Washington March 7, 1842.

"*Dear Sir*. An important political movement is about being made in North Carolina, which will probably be only the first of a series of similar demonstrations to be made in every state of the Union. A convention of the whigs of the old north state, will be held at Raleigh, on the 4 h day of April next—the anniversary of the death of the lamented Harrison—for the purpose of unconditionally nominating Henry Clay of Kentucky, as the candidate for the presidency in 1844, and to take into consideration the subject of the vice-presidency, with a view to future conference and action on that point."

Some demonstrations in favor of J. C. Calhoun have appeared in the south west.

RESUMPTION. The legislature of New Jersey passed a bill on the 5th inst. providing for the resumption of specie payments on the 1st of June next or on the 15th August next. In Pennsylvania, the joint committee of the two houses having reported on the 5th a bill for immediate resumption, it passed the senate by a vote of 21 to 11 on the 7th, and the house by 66 to 19, on the next day. In Maryland, on the 3d inst. a communication was laid before the house of delegates from the Governor of Delaware informing that they had unanimously resolved to resume on the 1st August. On the 4 h a committee of citizens from Baltimore visited the seat of government. On the 5th the bill reported by a joint committee of conferees of the two houses passed the house with amendments by a vote of 50 to 14, and on the next day the senate by a vote of 14 to 4. The bill provides for resumption on the 1st of May next, and authorises the immediate issue of small notes until the 1st of November.

RHODE ISLAND. In reply to a request made by certain citizens of Providence to the judges of the supreme judicial court of Rhode Island for their opinion upon the legality of a convention called the "people's convention," lately voted upon by a large portion of the people of that state, the judges say "that the convention which terminated the people's convention assembled without any fault in forming it they proceeded without law; that the votes given in favor of it were given without law, and however great may be the experience of public opinion they may present that said convention, instead of being the parliament law of the land, is of no binding force whatever; and obedience to it will form no justification or excuse for any act done in pursuance of it; and that any attempt to carry it into effect by force will be treason against the state of Rhode Island, if not against the United States."

TARIFF. The friends of American industry are mustshalling for the convention which is to assemble at New York on the 4th of April next. Delegations have been selected in every direction. The iron and coal interest will meet again at Harrisburg on the 13th April. The various interests of the state are rallying and are harmonizing themselves. A meeting "to express the sentiments of the people of Vermont on the duty of congress in relation to the interests of the protecting tariff laws" was called for the 10th of the present month. The shoe and leather interest met in convention at Boston on the 2nd, adopted resolutions and appointed a committee to proceed to Washington.

TEXAS. Galveston dates to the 24 h ultimo, have been received at New Orleans by the steam packet N. York. The Texan navy was at Galveston among the foreigners in the N. York were gen. Jas. Hamilton and col. Dangerfield, the Texan secretary of the treasury.

The son of Mr. Baker and the son of Mr. Sales, citizens of Travis county, residing on Onion creek, eight miles from Austin, were killed by Indians on the 2d ult. The Texan schooner Frolic, commanded by captain Wyatt, and the Texan commodore Moore, off Vera Cruz, has arrived at Galveston.

VIRGINIA. *Re-apportionment*. The important subject so strenuously demanded by the western counties of the state, and so strenuously by the representatives in both houses of the general assembly, engaged the discussion of the house for several days. The majority of the committee on the subject had reported in favor of a re-apportionment on the basis of the qualified voters; the minority on the other hand were in favor of the combined basis of white inhabitants and taxes and that the present representation was so nearly upon this ratio that it was unnecessary to disturb it.

The discussion called out some strong speeches on both sides. Messrs. Brown of Preston, Jackson, Morgan, Dorman, Smith of Kanawha, and Harrison of Monongalia, supported the proposition of the majority of the committee; and on the other side, Messrs. Stuart of Fauquier, Crutchfield, Keen and Yerby, argued in favor of the minority report. On the 9th, Mr. Yerby moved an indefinite postponement of the whole subject—which, after some debate, was carried by a vote of 65 to 56:

The bill for taking the sense of the people on the call of a convention, was then taken up, and on motion of Mr. Scott, was indefinitely postponed by a vote of 66 to 57.

Upon that vote being announced, Mr. Dorman rose to offer a protest against these proceedings of the house.—Mr. Scott of Jefferson objected to certain parts of the protest—and Mr. Dorman withdrew it, for the purpose of modifying it.

Distribution act. After much discussion on the subject of the late distribution act of congress, a resolution offered by Mr. Dorman that the treasurer of the commonwealth should act as one as the agent to receive the money, was passed on the 8th inst. by a vote of 65 to 56. Being carried to the senate on the 9th as amendment to it was adopted, ayes 16, noes 14, instructing the senators in congress to oppose the repeal of that provision of the distribution act which limits the duties to 20 per cent.—After a long discussion the resolution as amended was then rejected by a vote of 20 to 10.

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TRADE AND COMMERCE.
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☞ AGENTS. C. W. JAMES and TH. F. EASTON are the only agents now authorised to collect for *Niles' National Register*, in the states and territories north and west of, and including Ohio.

FOREIGN ARTICLES.

The arrival of the British steamer Acadia at Boston, via Halifax, from Liverpool, at length relieved the anxiety which was felt for the safety of the Caledonia. The remarkable good or dangerous or good fortune, of both, which led to the meeting of the steamers *Acadia* and *Unicorn*, in its result relieves the anxiety of thousands in both hemispheres.

The Halifax Morning Post of the 3d inst. says:—"Never did the peal of cannon burst more gratefully on our ear, when, last evening it announced to us the arrival of a steamship from England, waking thousands from their slumbers, and thrilling thousands of anxious hearts with the tidings that the missing steamer had escaped the fury of the mighty deep!

A few minutes before midnight we heard guns pealing down the harbor, and soon after rockets were seen flying into the air from the neighborhood of George's island.

I will be recollected that the Unicorn sailed down the harbor on her way to England, at half past four o'clock on Monday afternoon. About an hour after dark, not far from Sambro, a light was discovered bearing up toward her; for, as the Unicorn carried blue lights, she was distinctly seen by the other, which, when hailed, proved to be the Acadia. By the least chance in the world the ships would have passed, and the tidings that would thus have been carried home by the Unicorn would have given rise to much anxiety for the safety of the Acadia.

As it is the Acadia will make the most rapid outward and homeward trip ever performed across the Atlantic by any steamer; as we understand she will sail to-day for England, and will thus no doubt carry home the news of her own arrival here."

A passenger who came out in the Acadia to Halifax writes from thence:

We left Liverpool on the afternoon of the 4th of February, in the Caledonia, with every prospect of a fine passage;—but the fair prospects soon changed to head wind and severe weather, which we encountered until the 11th, when we ascertained that we had received a severe injury to our rudder, and were compelled to put back for the nearest port—having repaired the rudder sufficiently by lashing it with iron bands and chains to enable us to do so. Fortunately for us there was little or no change of wind, and the weather moderated a little, so that we reached Cork harbor, Ireland, about 3 o'clock, P. M. of the 15th. After sufficient repairs we left the following day for Liverpool, where we arrived on the evening of the 17th.

Too much credit cannot be ascribed to the agents in Liverpool for their promptness in fitting out the Acadia. We again left Liverpool at 3 o'clock p. m. on the 19th, in great hopes of having better weather and more favorable winds, but we have encountered head winds, or nearly so, most of the passage, with some very severe weather. On the 3d, latitude 46·21, longitude 43·56, saw some large fields of ice, and on the night of the 4th passed a small iceberg not more than two or three times the length of the ship from us. Last evening, about 9 o'clock, we met the Unicorn, going to Liverpool with the mails, who immediately returned to this place with us.

The Acadia left Liverpool on the 19th February. London papers of the 18th are received.

LORD ASHBURTON, the special minister sailed from Portsmouth on the 16th Feb. in the Warspite for this country.

The Britannia steamer reached Liverpool on the 15th Feb. in 11 days.

Lord Morpeth has lost his election for parliament in the city of Dublin, having received 3,435 votes, while his tory opponent, W. H. Gregory, received 3,825. Gregory's majority, 390.

LONDON, Feb. 17. The rejection of lord John Russell's resolution by the large majority of 123 may be considered equivalent to the adoption of sir Robt. Peel's proposed corn law in the house of commons. [*Times.*

BRITISH PARLIAMENT.

The king of Prussia attended her majesty on the opening of parliament.

The British parliament was opened on the 3d of February, by the queen in person, and delivered the following speech:

My lords and gentlemen,

I cannot meet you in parliament assembled without making a public acknowledgement of my gratitude to Almighty God on account of the birth of the Prince my son—an event which has completed the measure of my domestic happiness, and has been hailed with every demonstration of affectionate attachment to my person and government by my faithful and loyal people.

I am confident that you will participate in the satisfaction which I have derived from the presence in this country, of my good brother and ally the king of Prussia, who at my request undertook in person the office of sponsor at the christening of the Prince of Wales.

I receive from all princes and states the continued assurances of their earnest desire to maintain the most friendly relations with this country.

It is with great satisfaction I inform you that I have concluded with the emperor of Austria, the king of the Netherlands, the king of Prussia, and the emperor of Russia, a treaty for the effectual suppression of the slave trade, which, when the ratification shall have been exchanged, will be communicated to parliament.

There shall also be laid before you a treaty which I have concluded with the same powers, together with the sultan, having for its object the security of the Turkish empire, and the maintenance of the general tranquillity.

"The restoration of my diplomatic and friendly intercourse with the court of Teheran has been followed by the completion of a commercial treaty with the king of Persia, which I have directed to be laid before you.

"I am engaged in negotiations with several powers, which, I trust, by leading to conventions founded on the just principle of mutual advantage, may extend the trade and commerce of the country.

"I regret that I am not able to announce to you the re-establishment of peaceful relations with the government of China.

The uniform success which has attended the hostile operations against that power, and my confidence in the skill and gallantry of my naval and military forces, encourage the hope of speedily that our differences with the government of China will be brought to an early termination, and our commercial relations with that country placed on a satisfactory basis.

Gentlemen of the house of commons,

The estimates of the year have been prepared, and will be laid before you.

"I rely, with entire confidence, on your disposition, while you enforce the principles of wise economy, to make that provision for the service of the country which the public exigencies require.

"*My lords and gentlemen*—

"I recommend to your immediate attention the state of the finances and of the expenditure of the country.

"You will have seen with regret that, for several years past, the annual income has been inadequate to bear the public charges; and I feel confident that, fully sensible of the evil which must result from a continued deficiency of this nature during peace, you will carefully consider the best means of averting it.

"I recommend also to your consideration the state of the laws which affect the importation of corn and of other articles, the produce of foreign countries.

"Measures will be submitted for your consideration for the amendment of the law of bankruptcy, and for the improvement of the jurisdiction exercised by the Ecclesiastical courts in England and Wales.

It will also be desirable that you should consider with a view to their revision the laws which regulate the registration of electors of members to serve in parliament.

"I have observed with deep regret the continued distress in the manufacturing districts of the country. The sufferings and privations which have resulted from it have been borne with exemplary patience and fortitude.

"I feel assured that your deliberations on the various important matters which will occupy your attention will be directed by a comprehensive regard for the interests and permanent welfare of all classes of my subjects, and I fervently pray that they may tend in their result to improve the national resources, and to encourage the industry and promote the happiness of my people."

It will be observed that the speech makes no direct mention of the United States.

At the conclusion of the speech her majesty withdrew from the house, and retired amid the cheers of the assembled thousands to Buckingham palace.

Lord Melbourne followed; he cleverly but courteously twitted the party now in power with the assurances they now expressed that the state of the country was by no means hopeless, congratulated them on finding that affairs were in a much less deplorable condition than they had represented when out of power. As to the corn laws, he assured them that the idea of retaining the sliding scale was absurd—that it must be abandoned.

Lord Brougham said that the only way to deal with the corn laws was to repeal them absolutely. Of the ease of the Creole he said that the slaves demanded by the United States could not be given up.

The duke of Buckingham said his opinions on the corn laws had undergone no change. A measure had been proposed by the present cabinet which he could not support, and he had consequently retired from the ministry. He should be compelled to oppose that measure, but on all other questions the government might rely on his cordial support. The address was then agreed to.

London, Feb. 10. The most correct description of the feeling prevailed in commercial circles, by the new sliding scale proposed last night by Robert Peel, is that of general disappointment. The funds, which are the truest indices of public feeling in the monetary world, have shown no sympathy with the cabinet measure. It is not considered by moderate men of any political section as sufficient to settle the question, or to contain within itself such elements of useful change as can entitle it to their support.

The public mind was worked up by seven months of suspense to look for something great and important. It was expected that, as the premier had taken so much time to prepare his measures, they would be found in the end well worthy of all the suffering which the people had endured in the long interval of their preparation. These anticipations were increased in the hopes of the country when still further raised, by the liberal sentiments expressed in the speech from the throne, and by the solemn tone in which this premier subsequently expressed himself with regard to the present position of public affairs. When, after all this suspense and distress, official mystery and pompous allusion to benefits to come, the great and first public grievance has been met by a pitiful contrivance to maintain a high fluctuating duty, ranging from 20s. to 10s. per quarter when the average price at home is under 62s. per quarter, the feeling of disappointment has been proportionally great; and the general opinion is, that the country has been shamefully trifled with.

London, Feb. 17. - The rejection of lord John Russell's resolution by the large majority of 123 is considered equivalent to the adoption of sir Robert Peel's proposed corn law in the house of commons. It is a vote which does not commit any individual who concurred in it to a preference for the principle of a sliding scale over that of a fixed duty; it offers no impediment to the future progress of legislation on this question. It signifies nothing more than this—that the house of commons prefers sir Robert Peel's plan to the present law, and is not disposed to convict it before trial of perpetuating all the evils of the existing system, that at all events it does not

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recognise the wisdom of refusing to move forwards because the first step will not finish the journey. [*Times.*

In the commons lord John Russell, in reference to the United States of America, trusted that all differences between the two countries would be settled amicably, whether that could be settled by a special mission or not, was a matter on which he would not express any opinion. Sir Robert Peel said that a person had been sent out there to endeavor to terminate existing differences, by means other than those which had been hitherto adopted. Such a determination would be for the interests of humanity and civilization, and it was felt that the person who went thither for that purpose should be a person of such consideration as to have held a seat in her majesty's councils. The ambassador who had gone had agreed to do so entirely from a sense of public duty, and considering his relations with the United States, and the respect attached to his name in that country, he was convinced that a more welcome messenger could not be selected.

THE CREOLE CASE.

The affair of the Creole was referred to in both houses.

Lord Brougham said "that it was impossible that any rupture with the United States could arise out of that affair. The only treaty by which England or America could claim any refugees, either from the other, related exclusively to murderers, forgers, and fraudulent bankrupts; and even that treaty had expired. There was no international law by which they could claim, or we give up, the parties who had taken possession of the Creole; and those persons must stand or fall by our laws only."

In the house of lords, February 11, Lord Brougham, pursuant to notice, brought under the consideration of the house the case of the Creole, by moving for copies of any correspondence upon the subject. He had, he said, considered the subject since he had first named the matter in that house, and the result of the consideration was a confirmation of the opinion he had formerly given. He was of opinion that even for the mere purposes of good neighborhood there ought to be a law amongst nations, which should go to each of surrendering criminals seeking refuge after condemnation in other countries. There was, however, no such law in existence, and no power on the part of this country to comply with any such demand.

The earl of Aberdeen said that some communications had taken place upon this subject with the government of America, but he hoped the noble lord would not press for them, if he informed him of the course which the government intended to pursue. After receiving all the legal assistance that was deemed requisite, the government was satisfied that, by the law of this country, there was no authority to bring the persons who had escaped in the Creole to trial for mutiny or murder, or even to detain them in custody. Instructions had accordingly been sent out for their liberation, unless it should appear that there was any colonial law under which they could be brought to trial. He was not, however, aware of the existence of any such law.

Lord Denman said he believed that the whole of Westminster hall were unanimous that the law of England furnished no means of delivering up the persons who had escaped in the Creole. The noble lord quoted the opinions of lord Coke, and in late years, of sir C. Wetherell, to the same effect, and said that it would be, indeed, desirable if there were an international law giving a power to surrender criminals; but such a law could only rest upon the presumption that the laws of all nations were reasonable, and he feared the nefarious traffic in slaves would stand very much in the way of any such arrangement.

Lord Campbell said he should not have spoken on the subject, but that an opinion had been attributed to him contrary to that just expressed by the lord chief justice, which opinion he had never given. He was of opinion that the American government had no power to demand that those men should be given up, and that, if such a demand were made, there was no power by the municipal law of England to comply with it.

Lord Cottenham and the lord Chancellor gave similar opinions, and lord Brougham said that the same view was likewise taken by lord Wynford and lord Abinger.

Lord Brougham then withdrew his motion, and their lordships adjourned.

It will be perceived that all the law authorities and public men of all sides in the house of lords, agreed that there was no authority to surrender the fugitives, nor hold in custody the alleged mutineers, and lord Aberdeen distinctly stated that orders had been sent to Nassau to set at liberty those of the Creole's revolted slaves who had been detained in custody.

CORN LAW.

Sir Robert Peel brought forward his project for a change in the corn laws, on the 9th. It is substantially embraced in the following schedule.

Whenever the average price of wheat, made up and published in the manner required by law, shall be for every quarter—

		Proposed Sliding Scale.	Present Sliding Scale.
Under 51s.	duty shall be for every qr.	20 6	36 8
51s and under 51s.		19 0	35 8
52s and under 53s		18 0	34 8
53s and under 54s			33 8
54s and under 55s			32 8
55s and under 56s		17 0	31 8
56s and under 57s		16 0	30 8
57s and under 58s		15 0	29 8
58s and under 59s		14 0	28 8
59s and under 60s		13 0	27 8
60s and under 61s		12 0	26 8
61s and under 62s		11 0	25 8
62s and under 63s		10 9	24 8
63s and under 64s		9 0	23 8
64s and under 65s		8 0	22 8
65s and under 66s		7 0	21 8
66s and under 67s			20 8
67s and under 68s		6 0	18 8
68s and under 69s			16 8
69s and under 70s		5 0	13 8
70s and under 71s		4 0	10 8
71s and under 72s		3 0	6 8
72s and under 73s		2 0	2 8
73s and upwards		1 0	1 0

Sir Robert Peel admitted that he did not anticipate from this measure any material and immediate relief to the existing distress. He did not attribute that distress to the corn laws. He ascribed it to a variety of other causes, temporary in their nature.

Sir Robert defended his proposition at great length, but as it seems to us, with no great feeling of confidence.

Mr. Cobden avowed hostility at the outset. He denounced the proposition as an insult to a suffering people.

February 11. Lord John Russell gave notice of dissent to the principle of the sliding scale, on which he should take the sense of the house.

Sir Robert Peel, in answer to a question, intimated that he did not think it proper or judicious to continue the prohibition against importing salt and fresh meat, cattle, swine, &c.

The British ministers had declined advising the queen to grant a pardon to the Chartist prisoners, Frost, Williams and Jones.

A terrible gale was experienced in England and the neighboring waters on the evening of Jan. 26th. Accounts had reached Lloyd's of the loss of 23 vessels on that dreadful night, besides which it was feared that others have foundered. Many lives were lost. Damage was done to vessels in Waterford, (Ireland) harbor to the amount of £12,000. We do not discover the names of any American, among the vessels lost.

FRANCE.

The advices from Paris are to the 16th of February inclusive.

The treaty for the suppression of the slave trade—conceding the right of search—had not been ratified by France. The London papers admit that concessions in against the declared opinion of the chamber of deputies and the nation, but endeavored to console themselves with the assurance that some slight modifications of the treaty will secure the desired ratification.

The attitude of France upon this subject is of great interest to the United States. The following is the British account of the attitude of the question.

London, Feb. 18. We announce with deep regret, on the authority of a communication received from Paris, by express, that the ratification of the treaty between the five great powers of Europe, for the suppression of the slave trade, which, according to the previous arrangement, was to have been accomplished on Saturday or Monday next, will be delayed, if not prevented, by the French government.

Of the sincerity and good faith with which the French government concluded this important treaty there cannot be any doubt. It was the result of a proposal originating with France, in conjunction with Great Britain, and France and Great Britain equally rejoiced in the accession of the other powers. To congratulate each other on the general concurrence of Europe in a humane and benevolent suggestion, which had emanated from them conjointly, seemed, indeed, to be all that remained for England and France to do.

It is the more to be lamented that M. Guizot should have suffered himself to be overborne by the radical opposition in the chamber of deputies, and by the outcry which democratic orators have endeavored to excite throughout France, that the most recent proceedings of the chamber demonstrate the comparative weakness of this party, and the paramount strength of the French government, a strength to be shaken only by that government placing itself in the wrong.

The French papers and our Paris papers of Wednesday announce a division of the chamber of deputies on the preceding night, in which the government achieved a signal triumph over the opposition on the motion of M. Ducos, to entitle some classes of professional men, chiefly distinguished by their anti-monarchical principles, to vote in the electoral colleges.

This concurrence might have been fairly felt satisfaction in any circumstances. At the present moment it is peculiarly suspicious. It may be expected to impart to the existing administration of France that confidence in its own stability, the absence of which could alone cause or justify any hesitation to perform a duty which the French government owes, no less to its own dignity and honor, than to Europe and to Africa.

M. Guizot, feeling himself compelled to refuse, for the present, to join, without reserve, in the name of France, in ratifying the treaty in the precise terms in which it has been concluded, proposed certain modifications. In these modifications Lord Aberdeen has declined to acquiesce, being of opinion, that, as a British minister, he ought not to admit the necessity of any guarantee for the disinterestedness and probity of Great Britain in respect to the abolition of the slave trade, these having been already proved by sacrifices and efforts in that cause, to which neither France nor any other country can produce a parallel.

It is certain, indeed, that upon this subject the conduct of France and that of Great Britain are in striking contrast. France, relieved from the necessity of encouraging the sugar culture in her colonies, and even adopting, in furtherance of the interests of the domestic cultivators of the beet-root, the policy of positive discouragement to the culture of the cane, has never drawn sixpence from her national purse to relieve the distress of her slave-holders, although, at a very small expense, she might have diffused much happiness in her colonies, with an increase of security to the favored department of her domestic agriculture.

Concerning markets we can only say that there is little concouraging in the accounts.

Paris papers of 16th February, say: the debate in the chamber of peers on M. Ducos' proposition for electoral reform terminated in an unexpected manner on Tuesday evening: the ministry, instead of being left in a minority which was on every side expected, gained a triumphant majority of 41 votes. The numbers were as follows:

For the motion, ...	193
Against, ...	234
Majority for ministers, . . .	41

This triumph was owing altogether to the brilliant speech with which M. Guizot wound up the debate, and counteracted the combined attacks of Messrs. Dufaur, Passy, and Lamartine. M. Guizot has added immensely to his reputation as an orator and statesman by his speech, and his position as chief minister of the crown, seems now by common consent assured to him for a long period.

The opposition manifested on a majority, and even the ministerial ranks admitted the certainty of a defeat, and such would have been the result of any other man, but M. Guizot had the management of the chamber so well in hand and so well on the fears of the moderate conservatives, and to infuse vigor into the minds of his friends, that he changed the whole temper of the house, and secured a substantial majority.

EAST INDIES.

Canton. By the arrival of the ship Venice, at New York, advices have been received from Canton to the 18th November. The Canton Press of the 25th says: "Every thing remains quiet at Canton, Ningpo, Chinha, and Chusan." The following letter, however, will give the best information of the present aspect of affairs in that quarter.

Macao, November 18, 1841.

Since my last of the 17th of October our commercial affairs have not undergone any change for the better. The last news from the north confirms the anticipations which were entertained of the movements of the English in that quarter. And at the latest dates no overtures had been made to the plenipotentiary from either the imperial or provincial governments, and it is now a matter of speculation what course the emperor will pursue.

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The British forces in the north are divided between Amoy, Chusan, Ningpo, and Chinha: they have not 500 men for each, and cannot pursue their depredations further, without abandoning their present conquests, or receiving large reinforcements. Notwithstanding the official notifications of the plenipotentiary of an immediate resumption of hostilities in the province in the event of any warlike preparations being made, the Chinese are again actively engaged in preparing for defence. Large fortifications of granite are being built on the banks of the river below Canton, and where a frigate could pass last spring, an artificial bar of stone has been constructed, at an immense expense, which effectually impedes the navigation except for boats of light draught.

Some heavy guns and large quantities of muskets have been imported within six months, and sold to them at high prices, and the truce which was agreed upon violated in several points: but there seems no reason for supposing that the Mandarins have any intention of commencing offensive operations.

It is believed by many that sir Henry Pottinger will be down here in December; and as he stands pledged to resume hostilities if he comes, there is but little doubt another attack on Canton will be made, and the city occupied by the British forces.

The Hong merchants, who paid six millions ransom money for the city last May, and who, by order of the emperor, are required to refund the remaining four which were paid by government, were called upon ten days ago to contribute a million of taels towards paying for the defences now in progress; and, not daring to refuse, $1,000,000 was immediately made up and paid. As no reasonable amount of wealth can stand the extortion these poor wretches are subject to, I doubt not be surprised if within a year the whole of them are to fail, except Honqua, who within six months has suffered to the extent of more than $2,000,000, but it is supposed he has some 26 or 28 millions left.

From the east. The overland mail from India arrived at London on 7th of February. Dates from China November 14, Calcutta December 22, and Bombay January 1.

The forces in China were still going on in their career of conquest. The expedition sailed from Amoy on the 1st of September—retook Chusan, without opposition, on the the 1st of November, and Ningpo surrendered immediately after wards.

Afghanistan. A season of disaster has attended the progress of the Anglo-Indian attempt to subjugate the country; almost the whole population finally rose up in arms; a new sovereign has been proclaimed by the people, in the room of the predecessor and feeble Shah Soojah; and the utmost efforts of the Anglo-Indian troops to quell the insurrection have proved unavailing.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Consuls.

John F. Mullowny, of Pennsylvania, for the empire of Morocco.

Samuel Haight, of New York, for the port of Antwerp, in the place of Thomas H. Barker, resigned.

F. M. Dimond, of Rhode Island, for the port of Vera Cruz, in the place of Thomas Poinsy resigned.

John R. Wood, of North Carolina, for the island of Martinique.

Thomas Carlile, of New York, for the port of San Francisco, in California.

William R. Hayes, of Vermont, for the island of Barbadoes.

John B. Williams, of Massachusetts, for the Bay of Islands, in New Zealand, in the place of James R. Clenden, resigned.

Thomas H. Blount reappointed collector of the customs at Washington, N. Carolina.

Robert Diggs reappointed surveyor of the revenue at Nanjemoy, Maryland.

Richard W. Greene to be attorney for the United States for the district of Rhode Island, reappointed.

MR. EVERETT'S PLAN—FISCAL AGENCY.

House of representatives, March 14, 1842.

Committed to the committee of the whole house on the state of the union.

1. The treasurer of the United States to hold his office during good behavior, but removable on the address of a two-thirds majority of the house of representatives.

2. The treasurer to receive, keep and disburse the revenue through the agency, without clarge to the United States.

3. The treasurer to be the comptroller of the agency; all its effects to be held by him in trust; and its contracts to be made and enforced in his name, as comptroller of the agency.

4. The United States, through the treasurer, to have a lien on all the effects of the agency, for all its debts due to the United States.

5. The agency to be based on a capital of 30,000,000 dollars; one-third to be subscribed by the United States in six per cent. government stock, and the residue by individuals, in specie, by instalments, within three years, to commence operation when one-third is paid in.

6. The agency to be managed by a board of directors, one-third appointed by the president and senate, the residue by the individual stockholders.

7. The board of directors to establish offices at such places as the treasurer shall deem necessary and proper, for the receipt, safe-keeping, or disbursement of the revenue; and to appoint the managers of such offices, and all other necessary agents and servants, and fix the rate of their compensation.

8. The dealings of the agency to be limited—

I. To the receipt, safe-keeping, and disbursement of the revenue.

II. To the purchase, sale, and receipt on deposite, of bullion and foreign and domestic coins.

III. To the sale of its bills of exchange.

IV. To the purchase of domestic and inland bills of exchange, founded on bona fide transactions, at sight, or having not more than ninety days to run, payable at any of its offices other than at the one where purchased. The maximum rates of discount and premiums on bills to be fixed by law.

9. The agency to be authorized to issue bills of circulation for specie deposited, and to twice the amount of the specie paid in by the individual stockholders provided, that the amount of its bills of circulation shall not exceed twice the amount of its specie on hand.

10. Its bills of circulation, wherever payable, to be receivable at all its offices for government debts, and for debts due the agency.

11. Holders of bills of circulation, wherever payable, to the amount of $100, to be entitled to receive, at any office where presented, a non-assignable certificate, bearing interest at four per cent., payable in one year at the office where issued, or, at the election of the holder, at any other office at three per cent.

12. All profits over seven per cent. to be passed to the credit of the United States.

13. The treasurer and the stockholders at all times to be entitled to the inspection of all the accounts, records, books, and papers of the agency.

14. The board of directors to make monthly statements of the condition of the agency, to be by him annually laid before congress.

15. The act establishing the agency to be repealable at the pleasure of congress; but if repealed within twenty years the United States to refund to the private stockholders all profits over six per cent. on the government stock received by or passed to the credit of the United States, or on hand, and to secure to them their just share of the effects of the agency.

THE ARMY.

General Wool, who has been on a visit of inspection to Fort Monroe, and the Rip Raps, arrived in town yesterday. [*Norfolk Beacon, March* 11.

STATES OF THE UNION.

PENNSYLVANIA.

Special elections. It will be seen by the annexed returns that the hon. Almon H. Read has been elected to congress to fill the vacancy occasioned by the death of the hon. Davis Dimock, jr.

Read, 4,489; Kingsbury, 2,295; Hamlin, 212; Horton, 163. Read's majority 1,855. [*Argotone.*

OHIO.

Extract from the report of the board of public works.

Columbus, January 8, 1842.

To the honorable general assembly of the state of Ohio:

The board of public works, in submitting their annual report have the gratification of stating, that the Muskingum, Miami, and Walhonding canal, are now completed; that there remains to be done only one fourth of the aggregate amount of work on eleven miles, to complete the Hocking canal; that comparatively little remains to be done to complete that portion of the extension of the Miami canal, now under contract, and which includes the whole work, except thirty-three miles of the north end; and that, with moderate exertions, the whole of the Wabash and Erie canal can be completed, and in readiness for navigation, as early as the first of July next, and in time for early fall business.

The present condition, and progress of the several works, placed in charge of the board, are given in detail under the appropriate head of each.

Ohio Canal. The navigation on this canal has been steadily pursued, with but the single interruption of a few days, near the close of April, occasioned by a breach in the bank of the canal, near Roscoe. It was opened for navigation, throughout its extent, about the 20th of April, and was not closed by ice until near the 26th of December.

The line of packets, which commenced running the first of May, continued to run throughout the season, without the loss of a single trip.

Causes, beyond the control of the board, or their agents, have produced, for the first time since the completion of this canal, a decrease, or falling off, in the amount of tolls collected, compared with the previous year. These causes are, it is believed, easily discovered, and as readily accounted for.

A partial failure of the wheat crop, especially in the southern half of the state, may be assigned as one of the *principal* causes. The very great reduction in the prices of transportation to the eastern cities, by the way of New Orleans, may be assigned as another cause, indicating, as it did the past season, the shipping of wheat, flour, pork, and numerous other articles of produce, from Circleville, Chillicothe, and the ports south, by the southern route, instead of the northern, by the way of Cleveland; in which cases, tolls were collected only on from 50 to 70 miles of the canal, instead of 230 to 270 miles, had the northern route been preferred. For the same causes, much of the produce of the Muskingum Valley sought a southern route, and, consequently, was not transported *any* distance on the Ohio canal.

The decreased quantity of New York salt, brought into the state, has also had some effect on the amount of tolls collected.

The foregoing causes, as well as many others that might be enumerated, would have operated more severely in the reduction of revenue, had not the quantity of merchandize been very much *increased*, over the previous year.

The following comparative statement of the shipments and receipts of merchandize, New York salt, and the principal articles of produce, at the terminations of the canal, are taken from the collector's returns, for the last two years; and, are here given, as a more full explanation of the foregoing:

Cleveland.

	1840.	1841.
Received—		
Bushels of wheat,	2,155,407	1,564,421
Barrels of flour,	505,461	441,425
" " pork,	23,017	29,794
Shipped—		
Pounds of merchandize,	10,783,514	15,164,747
Barrels of New York salt,	77,954	59,993

Portsmouth.

Received—		
Barrels of flour,	34,134	62,447
" " pork,	7,827	25,144
" " New York salt,	12,380	1,440

Walhonding canal. This work is now completed, and will be in readiness for early spring navigation.

This canal is 25 miles long, extending from the Ohio canal, at Roscoe, up the valley of the Walhonding river, to the junction of the Vernon and Mohican, 19½ miles; thence up the valley of the Mohican, 3½ miles, where it enters the pool of a dam constructed across the Mohican; thence there is slack water, 1½ miles.

Six miles above Roscoe, the canal crosses from the right to the left bank of the Walhonding, in the pool of a dam, which affords the means of crossing the river, and a supply of water for feeding the canal to Roscoe. This dam is 305 feet long, and 4½ feet high, above the surface of low water. The foundation, for about one-half the distance across the stream, is solid rock, and the remaining portion is composed of successive layers of trees with the tops up stream. Three string pieces of square timber, are then placed across the stream, bolted securely to the rock and tree foundation; and on these are placed a continuous course or layer of square timber, securely bolted to the string pieces, forming an apron for the dam, and on this apron, is constructed a crib of square timber, twelve feet wide, tied together by cross timbers once in ten feet, filled with stone, and covered with four inch plank, forming the breast or tumble of the dam. The ends of the dam are secured by cribs of timber filled with stone, in lieu of stone abutments. At the termination of the canal on the Mohican, the dam is 276 feet long, and 4 feet 7 inches high, above low water, and constructed similar to the one across the Walhonding. This dam

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affords the means of slackwater navigation, 11 miles above the termination of the canal to the village of Rochester, and a supply of water for feeding the canal to the point of crossing the Walhonding, 171 miles below. The total descent in this canal, is 89 feet 10 inches, which is overcome by 11 locks and a cut stone masonry. There is also a guard lock near the point of introducing the water from the pool of each dam, to guard against the influx of water in time of floods, and at such times, to serve as a lift lock.

For the purpose of passing the small streams under the canal, seventeen cut stone culverts have been constructed, besides three wood culverts used as land drains. There are also, eleven road bridges with a wood superstructure of fifty feet span, resting on hammer dressed stone abutments.

In the construction of the masonry on this canal, such improvements have been made, as experience in the construction and superintendence of the Ohio canal had suggested.

The immediate valley of the Walhonding, through which this canal passes, though generally extensive, is bounded in many places, by high, rocky, and precipitous bluffs, and from the uncertain course of the stream, it became necessary, either to cross it very often, or construct the canal in its bed, where a wash bank presented itself. The latter alternative was adopted, and five and one-half miles of the towing path embankment, have been constructed entirely in the bed of the stream, with a protection wall of stone on the outside, to guard against abrasion from water and ice during floods.

The other portions of the line, are located along alluvial bottom lands, forming a canal of cheap construction, and one that will be easily kept in repair.

Subsequently to the commencement of this canal, laws have been passed, authorising the board, under certain restrictions, to construct branches of this work to extend up the valley of the Muskingum river, in Morgan, Perry, in Knox county, a distance of 21 miles; up the valley of Mohican, to Loudonville, in Richland county, a distance of 23½ miles; and up the valley of Killbuck, in Millersburg, in Holmes county, a distance of 25 miles.

The Walhonding canal of itself, will not produce a large amount of revenue, except from the water power, until at least one dollar more of the cost is constructed; but it is believed, that when the system, of which this canal forms a part, or the main branch, shall be completed, it will be a work of very considerable importance.

HOCKING CANAL. Forty-four miles of this canal, extending from Carroll, on the Ohio canal, to Monday creek, four miles below Nelsonville, are completed and navigable. Of the remaining eleven miles, extending to the town of Athens, the southern termination of this canal, three-fourths of the work is already performed; several of the sections being entirely finished, and others nearly done.

This canal appears to be permanently constructed, as, since the introduction of water, more than a year since, not a single breach has occurred on that portion constructed by the state.

The work of increasing the width and depth of the Lancaster side cut summit having been very much retarded, during the winter, by a succession of wet weather, it was suspended for the purpose of opening the canal for spring navigation. On the 10th of July the water was again withdrawn from this summit, and the remainder of the work completed so as to introduce the water for navigation, about the 15th of September.

MUSKINGUM IMPROVEMENT. The unfinished condition in which many of the dams on this improvement were left at the close of last year, necessarily subjected them to damages from the successive floods of the winter and spring. Two of these dams were very seriously injured and many of the others, more or less damaged.

To repair and complete these dams necessarily caused much delay, as the work was of such a character that but little could be effectually done until the river approached the low water point. Nearly all the dams have been more or less repaired; and in making these repairs, such additional security has been afforded to them by increasing the gravelling above, and placing brush, stone, and other protections below, as the action of the floods indicated as necessary.

This work is now completed, and steamboats of the ordinary size, running in the "upper trade," on the Ohio river, pass from Marietta to the pool of the dam, above Zanesville.

The improvement of the Muskingum river extends from the side cut at Dresden, which connects it with the Ohio canal, to Marietta, at the mouth of the river, where it connects with the Ohio river. The distance from Dresden to Marietta, by way of the improvement, is 91 miles. The descent is 125½ feet, which is overcome by 11 dams with 12 lift locks. These locks are built of cut stone masonry, and with the exception of the lock between Dresden and Zanesville, are each 175 feet long in the chamber, and 36 feet wide.

There are on the canals, or side cuts of this improvement, 5 draw bridges and one stationary bridge; two at Zanesville; one at Taylorsville; one at McConnelsville, and two at Lowell. There has, also, been constructed, to facilitate the use of the water, 11 culverts or sluices; one at Zanesville; two at Taylorsville; two at McConnelsville; two at Windsor; one at Beverly; one at Lowell, one at Devol's, and one at Marietta.

Water power has already been leased on this improvement capable of propelling 30 run of stone, and which will yield an annual rent of $6,000. Applications are at present before the board for an equal quantity, to be acted upon during the session.

If this improvement shall be made to stand the effects of the floods without serious damages, (which the board believe can be effected), it will be a very important work, and one that will not only afford very great facilities for the transportation of the exports and imports of the country adjacent to the valley, but incalculable benefits, from the extensive water power created by it, which, at no distant day, must make this valley one of the most important manufacturing districts in the state.

MIAMI CANAL. This work, which now includes that of the Warren county canal, was made ready for navigation during the latter part of February. The business season was in this instance early, and continued until the latter part of July, when it became necessary to draw off the water for the purpose of rebuilding a lock and some water gauges, which had become so much dilapidated as to be unsafe. The lock, which was among the first constructed, was built of the free stone, quarried on the Ohio river, about one hundred miles from Cincinnati. Experience has shown that this material is not fit for works intended to be permanent. The lock has been rebuilt in a superior style of workmanship, of excellent limestone, procured from the quarries near Cincinnati. Six water gauges have also been rebuilt of the same material; and these works may now be considered permanent.

The pond drains in Butler county, the construction of which was authorised by a law of the legislature, were completed in November last. These drains have been constructed, partly by the state, and partly by the owners, in the proportions of one-third by the former, and two-thirds by the latter. These works will open a large amount of land for cultivation, and effect an improvement in the condition of a large portion of the country, which has hitherto been extremely unhealthy. The total cost of the work, to the state, has been $7,100; which has been charged in the account of the Miami canal.

MIAMI CANAL EXTENSION. All the work upon this canal that has been placed under contract, is now so nearly completed, that, with the exception of two or three sections, it might be prepared for navigation as early as the first of August next.

"The extension of the Miami canal" is that part of the Miami canal which extends from Dayton to the intersection with the Wabash and Erie canal, about eight miles west of Defiance. The distance from Dayton to the junction, is about 113 miles, exclusive of the Sidney feeder, which is fourteen miles in length.

That portion of the line extending from the "deep cut" to the junction, about thirty-three miles in length, is all that now remains to be put under contract. This section commencing at the deep cut, can be constructed very cheaply. There are no very heavy or expensive jobs upon it; and when this shall have been completed, the communication between the Ohio river, at Cincinnati, and Lake Erie, will be perfected in a manner which will have an important bearing upon the interests of the whole western portion of the state.

WABASH AND ERIE CANAL. This work, since the last annual report of the board, has been prosecuted, with as much industry as the situation and different kinds of work in progress would permit.

Seventy miles of the eastern portion of the line are finished, leaving about twenty miles to be completed.

From Manhattan, the eastern termination of the canal, to the head of the Rapids, a distance of thirty-one miles, the earth work and culverts are completed, and all of the locks on the main line, consisting of eight lift and one guard lock, are nearly so, and will be finished at the opening of navigation.

The two locks on the Toledo side-cut, and five on the Maumee side-cut, are also finished, with the exception of the gates, which will be completed this winter.

The out-let lock on the Maumee side-cut will be finished next May, and the aqueduct across Swan creek, which completes the canal communication with Manhattan, will not be finished before the month of July next. It may, therefore, be confidently expected that the connexion between the canal and Maumee river will be completed and ready for navigation, at farthest, in the mon th of April; at Maumee city in the month of May; and at Manhattan, not until the month of July next.

The water has been let in, and the canal used for the purposes of navigation, the past season, from the head of the Rapids to Maumee city, a distance of eighteen miles; and during the present month, it is expected, the water will be let into the canal from Maumee city to the head of the locks at Toledo, as additional distance of nine miles.

From the head of the Rapids to the foot of Flat Rock, a distance of twenty-two miles, there are three locks and six culverts unfinished. They are in different stages of progress—some nearly completed, others partially so; and it will take until the month of July next to prepare this portion of the canal for navigation. The means by which the work on this portion of the canal is not in as forward a state as the balance of the line, is on account of the delay in procuring stone for the masonry. This unavoidable delay in procuring stone has prevented its completion early next spring.

From the foot of Flat Rock to the Indiana state line, a distance of thirty-five miles, the canal was completed for navigation by the first of May next—There is no difficult or important work on this portion of the line, which will prevent its being used for navigation early in the spring.

On the six miles of canal adjoining the Indiana line, the water was let in last June; and since that time, it has, in connexion with the Indiana canal, been used for the purposes of navigation, making, at this time, thirty-three miles of canal prepared for use.

At the opening of navigation next spring, and until the completion of the work in July, the inhabitants of Indiana can, without much difficulty, avail themselves of that portion of this canal which will be in operation, and of that portion of the Maumee river between the head of the Rapids and foot of Flat Rock, which is at all times of sufficient depth to float a canal boat, to ship their produce to an eastern market. For the purpose of having a sufficient supply of water for the canal, on the state line to Defiance, it was a part of the original plan of this improvement to construct a reservoir. During the last summer, contracts were let for constructing this reservoir at about twenty-five hundred acres in area. It is located six miles on this side of the state line, and adjoining the canal. The estimated cost of this reservoir was $170,000; but the contracts for constructing the same, have been let for the sum of $156,000. This work is now progressing, and will be completed the ensuing summer.

With the necessary means provided for completing this canal, it may be reasonably expected that its whole length may be prepared for navigation in the month of July next; which will open a canal communication, in connexion with the Indiana canal, of two hundred and thirty-three miles.

WESTERN RESERVE AND MAUMEE ROAD. That portion of the road from Perrysburg to Lower Sandusky, a distance of thirty-one miles, is mostly completed. The metal is placed on the road the whole distance, with the exception of two miles, which lacks the second coat, and which will be completed the ensuing spring. Before this portion of the road is completed, it will require the construction of two bridges—one across the Portage river, and the other across the Sandusky river—which latter bridge is in progress of construction; and in order to complete these bridges, it may require an additional appropriation of six or eight thousand dollars.

The whole length of this road, from the western line of the Connecticut Western Reserve to the Maumee river, is forty-five miles. Thirty-one miles lie between the Maumee and the Sandusky rivers, and fourteen miles between the Sandusky river and the eastern termination of the road.

By the act of March 14th, 1838, this road was secured to the use of the public works of the state, and the board of public works were directed to cause the same to be thoroughly drained and graded, and to take all the proper steps to make a firm and durable McAdamized road. They were also directed to commence at the Maumee river, and to proceed thence towards the Sandusky river, and construct a good McAdamized road.

In pursuance of the provisions of the above mentioned act, an estimate of the cost of the construction of the road between the Maumee and Sandusky rivers, (a distance of thirty-one miles), was made, which amounted as above, to $238,000. The work on this portion of the road is nearly complete, and will

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be done within the original estimate. Eight miles of worst portion of the fourteen miles of the road on the east side of the Sandusky river, have been graded and drained, and did means permit, should be covered with stone. No estimate has been made for continuing the McAdamizing of this road east of the Sandusky river, and it is submitted, whether at present, this work shall be further prosecuted.

NAVIGATION. The receipts of tolls upon this road have increased considerably during the year ending November 15, 1841, above those of the former year, and the repairs have been of such a character, as render its condition much better than it has been for many years previous.

In compliance with the law, the number of superintendents was reduced to one, on the fifteenth of May last. Several important improvements have been adopted in the system of repairs, and it is supposed that the condition of the road will be so much improved during the present year, as thereafter to justify a considerable reduction of the tolls.

ROADS AND CANALS. *Urbana, Troy and Greenville road.* There has been paid on this work during the year ending November 15, 1841, by T. G. Bates, acting commissioner, $12,702 56.

Cincinnati and Whitewater canal. There has been paid on this canal during the year ending Nov. 15, 1841, by T. G. Bates, acting commissioner, $56,000.

It is with extreme regret, that the board are compelled to announce to the legislature, that in consequence of a notice from the board of fund commissioners to the effect, that funds could not be obtained for the prosecution of the work, under the authority conferred by the existing laws, it became their duty to notify the contractors upon the extension of the Miami and the Hocking canals, of the fact, and to take measures for arresting the progress of the work.

On the extension of the Miami canal, as is shown by this report, there has already been expended a sum nearly equal to $2,000,000. There is now due to the contractors, including the money retained to insure the faithful performance of their contracts, about $300,000, which must be paid promptly even if the work shall be discontinued. It will be safe to say, that the damage which will be caused to the state by a suspension of only two years' duration, will amount to a sum sufficient to complete the whole work. The board do not present this as an idle estimate intended to deceive or alarm the legislature; it is the result of earnest deliberation and honest conviction.

The difficulty of procuring money by ordinary means, has become so great, that it is presumed that some other mode will have to be resorted to for the completion of our present works. In selling of state stocks, or the making of temporary loans, based upon anticipated sales, shall be found impracticable, some other plan should be adopted. There is one among the many that have been suggested, which, in the opinion of the board, is worthy of the consideration of the legislature. The lands granted by congress to aid in the construction of the Wabash and Erie canal, may be put in market at a fair valuation, and, it is confidently believed, that if they are properly managed, they will produce a sum sufficient to complete both those works. But as it is not to be expected that the lands will sell so rapidly as to enable the board to complete the works within a reasonable time, it will become necessary to anticipate the sales, by an issue, from time to time, as the lands become necessary, of bonds or scrip, bearing interest, and payable periodically. These bonds may be received in payment for the lands, and, as the amount will be limited, it is thought that their credit will be sufficient, without making them receivable at the treasury in payment for other state dues.

The board are also of opinion, that if all other means should fail, that part of the line under contract may be let, simply by giving notice that the contractors will receive their pay in ordinary state bonds at par. It is believed that the work would be taken by individuals upon fair terms, who would negotiate the bonds upon their own account, and thereby release the state from the trouble and expense of further negotiation, except for that part of the work now under contract.

These matters are presented for the consideration of the legislature with the greatest diffidence. The members of the board are not attached to any particular plan of operations. They firmly believe, however, that a suspension of the works at this time, would operate most injuriously to the best interests of the state. They would, however, gladly execute their duties in any form the legislature may point out, and they, therefore, respectfully submit the whole matter to the wisdom of your honorable body.

Signed WILLIAM RAYEN,
LEANDER RANSOM,
TIMOTHY G. BATES,
RODOLPHUS DICKINSON.

Name of each work.	Estimate of work when completed.	Paid for work done at each work, during year ending Nov. 15, 1841.	Paid for work done from their commencement to year ending Nov. 15, 1841.	Estimate of work yet to be done, after each work.
Wabash and Erie canal,	$2,647,164 67	$300,000 00	$2,347,164 67	$400,000 00
Walhonding canal,	595,729 99	62,676 82	534,053 17	41,676 82
Extension of the Miami canal,	2,270,000 00	615,177 06	2,022,087 31	1,017,915 69
Hocking canal,	1,136,705 32	149,195 00	1,136,705 32	149,195 00
Muskingum improvement,	1,136,705 32	149,195 00	1,136,705 32	149,195 00
Western reserve and Maumee road,	258,000 00	51,666 56	216,666 56	8,000 00

*These works are completed, and these amounts are required to pay the balance due on contracts.

The following tabular statement exhibits the amounts received by the collectors on the Ohio and Miami canals, for tolls, fines and water rents; the amount paid to collectors and inspectors for their services, since December 1, 1826, and the amount paid to engineers and superintendents, and for making repairs since December 1, 1838, for each year.

OHIO CANAL.

Years.	Received for tolls, fines, and water rents.	Paid collectors and inspectors.	Paid engineers, superintendents, and for repairs.*
1827	$1,500 00	$700 00	–
1828	4,000 00	900 00	–
1829	7,000 00	1,100 00	–
1830	30,493 93	1,300 00	–
1831	64,664 17	2,100 00	–
1832	79,982 48	3,600 00	–
1833	136,555 70	4,125 00	$33,741 26
1834	164,488 98	5,325 00	71,853 49
1835	185,684 48	5,325 00	75,875 10
1836	211,823 32	5,650 00	84,846 81
1837	293,428 79	7,050 00	115,688 82
1838	382,135 96	7,250 00	192,344 99
1839	423,599 94	8,300 00	195,697 13
1840	452,129 03	8,500 00	113,002 95
1841	416,302 63	†9,240 73	124,263 49

MIAMI CANAL.

Years.	Received for tolls, fines and water rents.	Paid collectors and inspectors.	Paid engineers superintendents, and for repairs.
1827	–	–	–
1828	$8,042 70	–	–
1829	20,941 36	$1,300	$10,329 59
1830	30,683 39	1,300	9,936 05
1831	36,643 88	1,550	6,605 06
1832	36,847 47	1,700	9,237 91
1833	50,470 63	1,975	5,668 83
1834	50,989 99	2,225	7,940 37
1835	51,917 00	2,225	16,937 57
1836	51,116 52	2,225	28,768 77
1837	62,883 40	2,675	46,556 91
1838	77,863 08	2,700	32,657 25
1839	78,601 19	2,500	44,991 19
1840	70,391 53	2,500	22,553 55
1841	72,612 88	2,672	50,780 55

*Until 1833, when the canal was finished, repairs were charged as construction.

†This amount includes tolls refunded.

MISSISSIPPI.

REPUDIATION. The Vicksburg Whig of the 23d has the following—From the legislative proceedings in another column, it will be seen that the house of representatives on *Friday night* last solemnly repudiated the Union bank bonds! The time was well chosen! *Friday* is ominous—it is *hangman's* day the world over, and Friday night was a fitting time for such a deed of infamy and villany. It was well that the foul deed was perpetrated under cover of darkness. Night was the proper time for such a deed of outlawry. The light of day would have grown pale, and the sun have refused to shine on such a scene of unmitigated rascality. [*N. O. Com. Bulletin.*

RHODE ISLAND.

The convention which has been held in Rhode Island, for the purpose of completing the proposed constitution previous to submitting it to the final vote of the people, adjourned on the 18th February. It will be submitted to the people on the 21st, 22d and 23d of March.

It is intended to take offest (if adopted) on the first Tuesday of May next. All white male citizens of the United States may become voters under it by residing in the state two years and in the town where their vote is offered six months. No person can vote on a question of taxation unless he is taxed $150.

The general Assembly will hold its session as usual. They cannot create a public debt exceeding $50,000 without the consent of the people. The house will consist of seventy-seven and the senate of nineteen members. The governor is to be the president of the senate, of which the lieut. governor is a member. The senate may also have a president *pro tem.*

The judiciary system continues as at present. And the judges of the supreme courts hold their seats until a majority of both houses of the legislature, by a joint resolution, declare them vacant.

[*Jonr. Com.*

SHOE AND LEATHER BUSINESS.

The convention of those interested in the shoe and leather business of the state of Massachusetts assembled at Boston on March 2. Amasa Walker of Boston was chosen president and a business committee was appointed, to draft resolutions for their consideration. The Atlas says:

Mr. Walker, upon taking the chair, addressed the convention in a brief but pertinent speech: His remarks were well timed and appropriate. He referred, in commencement, to the general object of the convention. He stated that its principal purpose was to take into consideration the effects of the tariff upon the articles of their manufacture, and to inquire into the expediency of applying to congress for relief, and what would be the best course to be pursued in reference to its action upon duties affecting their business.—This convention was the first of the kind that had ever assembled for the purpose of consulting upon the wants and interests of this the largest manufacturing interest in the largest manufacturing state in the union. He congratulated the convention on the largeness of the numbers already present, as affording a most gratifying indication of the interest that was at length awakened among those interested in this business. In evidence of the importance of this branch of our manufactures to the state, Mr. Walker mentioned the fact—a fact received with astonishment, when first entertained a few years since—that no less than 40,000 persons were engaged in the manufacture of leather in Massachusetts, more than a third of all the manufacturers in the state. The value of their products had been ascertained to exceed eighteen millions of dollars, of which more than a third was pure labor, so that upwards of six hundred millions of dollars of actual wealth was derived to the state every year from its manufactures of leather.

Mr. Walker referred, in passing, to the intelligence, the equality between manufacturer and operative, the harmony and proportion of numbers among them, the comfort, neatness, and general air of respectability which pervaded every shoe making village in New England, and other equally important features, which combine to render this whole class of manufacturers one of the utmost importance and consideration.

It was of the greatest importance to the other interests of Massachusetts, that the manufacture of leather should be protected and fostered. It was the greatest source of trade that existed, and did more to attract hither the southern and western trader than any other.

The existing state of the tariff rendered it necessary, as a means of self-preservation, that they should appeal to congress for protection against a ruinous

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competition with foreign labor. They did not ask that a tax should be laid for the benefit of a few. By no means. They did not ask for any more duties on imports than were necessary for the wants of government. But they did ask that they should be so laid, that, while they supplied the necessary wants of government, they should also protect the American shoe maker.

Mr. Walker also hoped, that as this was the first business convention of the kind ever assembled, it would not dissolve without considering the subject of credit, by which all engaged in the business were so sensibly affected. He concluded by thanking the convention for the honor they had conferred upon him.

Mr. E. Hussey, of Lynn, from the business committee, reported the following resolutions:

1. *Resolved*, That if the nations of the earth had acted in accordance with the true interests of man—had been moved by the impulses of justice and humanity—guided by the same wise policy, and governed by the same laws—the result would have been a system of *free trade* throughout the world, as the best means of promoting the happiness of the great family of man.

2. *Resolved*, That whereas Great Britain, the acknowledged mistress of the commercial world, has, by her selfish restrictive policy, diverted commerce from its natural channel, and attempted to guide the wealth into her own coffers, we are driven, in self-preservation, to protect ourselves against that system of monopoly which aims a deadly blow, alike, at our industry and our independence.

3. *Therefore resolved*, That it is the duty of every nation that would render its existence *permanent*, to cherish and protect its industry as the only sure source of *wealth, happiness* and *independence*.

4. *Resolved*, That while the productions of American machinery may successfully compete with the productions of any other country, the productions of American *labor* (unless protected by restrictive legislation) must fall beneath the shock of European competition.

5. *Resolved*, That as the revenue of the country must be raised by impost duties, *justice demands* that a discrimination be made that shall check the importation of those articles which aim at the overthrow of *industry, prosperity*, and our *independence*.

6. *Resolved*, That as the manufacture of boots, shoes and leather is almost exclusively labor, the manufacturers of these articles have a right to claim *(if not demand)* of congress that protective legislation shall enable them to perform their relations, both social and political, with comfort to themselves and honor to their country.

7. *Resolved*, That a *specific* duty is the only guarantee against the many frauds and impositions which are practised upon the community by varied invoices and false valuations.

8. *Resolved*, That if congress adheres to the system of horizontal duties, it is absolutely necessary that a fixed valuation be established upon each pair of boots and shoes that may be imported, that shall produce the same results as a specific duty.

9. *Resolved*, That a duty about equal to that which existed up to 1835, is alike demanded by the interests of the north, south and west; that with a sound currency we may check that over importation which is draining our country of specie, and thus destroying the basis of our business transactions.

10. *Resolved*, That the interests of the north and the south, the agriculturist and the manufacturer, are nearly blended, that that which promotes the prosperity of the *one* must advance the interest of the *other*.

11. *Therefore, resolved*, That the 40,000 shoemakers of the old bay state are ready to raise their voices to the *land*, and cast in their *all* against any measure that shall have a tendency to give to the monopolist of Europe the profits of our industry, or drain our country of that specie which is the basis of our commercial prosperity.

12. *Furthermore, resolved*, That we will join with our brethren of the other states in any honorable measure that shall have a tendency to secure to us, upon boots, shoes and leather, a rate of duties that will enable us to compete with foreign manufactures, and give to the laborer his just reward.

13. *Resolved*, That we believe these U. States, *do power, within themselves, all* the essentials of national supply.

14. *Resolved*, That *we believe* it to be the duty of *every citizen* of these United States, who regards the true interests of his country, to encourage *our own* trade and manufactures in *preference* to foreign products.

15. *Resolved*, That the *members of this convention* do practically manifest the sincerity of their zeal for American manufactures, by *resolving to wear nothing but the products of American industry*, until other nations consent to receive our *own products*, on that reciprocity of trade which we *offer them*.

16. *Resolved*, That we believe it to be the true interest of *all* the producing classes of these United States, *who wish* to possess themselves of the means of comfort without dependence on foreign markets, to *obtain* from using *any article* they can *possibly do without*, especially those which come from *Great Britain or any other country* which does *not consent* to receive the products of these United States, in *fair exchange* for articles imported for the necessary consumption of the *American people*.

All the resolutions were discussed and adopted except the 14th, which was modified so as to strike out the clauses including the words *last* and *all*, and the 15th and 16th which were rejected.

A committee was then appointed to attend the national trade convention to be held at New York in April next, and the following gentlemen were appointed to compose a committee, to proceed to Washington with the memorial: Amasa Walker, of Boston; Ebenezer Hussey, of Lynn, and Lewis Allen, of Danvers.

The appointment of a person in each of the shoe towns of the state to collect statistics, was performed by nomination of the convention at large. At 20 minutes before 10 o'clock, the convention adjourned *sine die*.

TRADE AND COMMERCE.

Whilst repeating from time to time our firm persuasions that neither the government nor the people of England were disposed to commence an actual war with this country for any or all of the objects in dispute between the two countries, we have invariably repeated that the time had arrived when it was necessary for our government and the people of this country to arm for a strife of a scarce less serious character than actual hostilities—and to guard forthwith every avenue in support of our fair share of the trade and commerce of the world, or the deliberate measures which the British government in conjunction with her capitalists and merchants were steadily pursuing and carrying out in every possible direction over the whole face of the earth, would soon result in a monopoly which would prove disastrous beyond measure to every competitor that they may find in their way and most of all ruinous to this enterprizing republican people, whom they have cause to consider as their most formidable rivals for commerce. As a proof of the extent to which the ramifications of their immense scheme for monopolizing the transportation of mails and passengers as well as of goods and merchandise, already took, we have now before us propositions (and adopted by some of our own citizens, we blush to say) for their line of 14 new steamers, which are just coming on to our coast and its neighboring Archipelago *and which are constructed expressly for the contingency of a war with America, and commanded by officers of the royal navy* and who of course will soon make themselves acquainted with every harbor and sounding of our waters, these steamers propose, to carry on the coasting communication for us from port to port, convey passengers, and transport the mails!!

COLONIAL TRADE.

At a meeting of the citizens of Lubec, held for the purpose of adopting resolutions and defraying a petition to be forwarded to our representatives in congress, the following petitions and resolutions prepared by Jabez Mowry, Joseph Sumner, Andrew Ring, John C. Talbot and S. L. Hovey, were unanimously adopted:

To the honorable the senate, and the house of representatives of the United States in congress assembled:

The undersigned inhabitants of the state of Maine, beg leave, respectfully, to call the attention of congress to the total want of reciprocity in the present intercourse between her Britannic majesty's West India and N. American colonies, and the U. States.

By the act of congress of May, 29th, 1830, it was provided that whenever the president of the United States shall receive satisfactory evidence that the government of Great Britain will open the ports of her North American colonies to the vessels of the United States on such terms, that on entering said colonial ports, the vessels of said states shall be subject to no higher duties of tonnage or impost, or charges of any other description than would be imposed on British vessels, or their cargoes arriving in said colonial possessions from the United States—that then, in such case, the president may issue his proclamation declaring the ports of the United States open to British vessels coming from said colonial possessions, and their cargo, on the same reciprocal terms.

On the 5th of October, A. D. 1830, the president of the U. States having received such satisfactory evidence, issued his proclamation, declaring the ports of the United States open to British vessels, and that the "navigation acts" of 1818, 1820 and 1828, were absolutely repealed.

Your petitioners are bound to believe that such pledges were made, by the British government to the president, as satisfied him that the ports of the colonies would in good faith be opened to vessels of the United States. But, to this day, those ports have not been opened. A part, only, of the colonial ports have been opened. Those where return cargoes can be obtained for vessels of the United States, still remain closed—while not a creek, river, bay or inlet in the United States, is closed to British vessels. Besides, it is not true that at the colonial free ports, the vessels of the United States enjoy the same privileges as British vessels. They are subject to many exactions and onerous regulations, that are not exacted of British vessels, and not being able to obtain return cargoes, it is scarcely a privilege to be permitted to enter their ports at all.

By the act of May 29th, 1830, sec. 1. the president is authorised to issue his proclamation repealing the acts of 1818, 1820 and 1828, on certain conditions, viz: that vessels of the United States may import into said colonial possessions, from the United States any article or articles which could be imported in British vessels into the said possessions from Great Britain, viz: "in the same ships." So far from it, that the whole class of foreign goods are prohibited in American, and allowed in British vessels.

The trade in plaster of paris, is of vast importance to the United States. Maine, with scarcely a thirtieth part of the population, owns one-eighth of the tonnage of the United States. To her, this trade, is of vast importance. The plaster is dug from the earth in the provinces; and nearly 200,000 tons annually exported into the United States, giving employment to a proportionate number of tonnage, and therefore mostly enjoyed by our vessels; but is now for the most part, and will soon be wholly, monopolized by British vessels. Plaster, with the exception of a small quantity taken from the western shore of Windsor, is taken by British vessels from the quarries, and carried directly to the United States. To these quarries, our vessels are not admitted. The same may be said of the plaster trade.

Time can never sanction wrong. The opening of the ports of the United States was obtained by fraud, by a promise of reciprocity from Great Britain, which she has not granted, and never will grant. Her encroachments will continue as long as our endurance. We pray therefore, that this subject may receive the immediate action of congress—that the effect of the proclamation of 1830 be done away, and the "navigation acts" of 1818, 1820 and 1828, be revived.

February, 1842.

RESOLUTIONS.

Whereas, The constitution of the United States has solemnly secured to the people of these United States, "the right at all times peacefully to assemble and petition the government for redress of grievances"—

And whereas, The people of the United States are at this time suffering under a daily increasing catalogue of grievances, which they consider it the duty, and in the power of congress, in a great measure to alleviate, among which grievances may be enumerated, the unjustly assumed right of our territory by a foreign nation—the unsettlement of our north eastern boundary line, once fairly agreed upon, and marked out by the eternal highlands—a reciprocity of trade with the British colonies, which is no reciprocity, but which opens all American ports to British navigation, and virtually excludes all American vessels from British ports; which builds up and enriches a foreign power within sight of us, and makes a greater distinction in appearance, business and wealth, between the colonies and the states immediately bordering on them, than was ever intended by the God of nature, when he gave to each the same natural facilities. A bankrupt treasury and no currency, and many other matters deeply affecting the interests of our country, well known to your honorable body, and which by petition and otherwise have been frequently urged upon your consideration—

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Therefore resolved, That we consider it our duty, and the duty of the people generally, earnestly, decidedly, and respectfully to urge upon their representatives in congress the necessity of their complying with the advice given by Jefferson in his account of the congress of 1783, of "*their laying their shoulders to the great points, knowing that the little ones will follow of themselves.*"

Resolved, That we consider our present arrangement with Great Britain, in regard to the colonial trade, as wholly destitute of reciprocity, highly injurious to our whole country, and one which tends to build up the British colonies at the expense of our own industry, and that we will petition congress to do away with said arrangement.

Resolved, That we hereby call upon the people of our whole country to unite with us and by petition, memorials or in whatever manner may seem best, to call the immediate attention of congress to the transaction of the important business which the constitution implicitly and the people directly require of them.

Resolved, That the proceedings of this meeting be signed by the chairman and secretary and published in the Eastport Sentinel, Portland Advertiser, Eastern Argus and Kennebec Journal.

JOSEPH SUMNER, *chairman*.

C. L. RING, *secretary*.

EFFECT OF "FREE TRADE" ON OUR CITY.

The reduction of the duties on foreign iron has already produced a disastrous effect upon the American iron manufacture. From seventy to eighty hands have recently been discharged from the Troy Iron and Nail works in this city, and the whole works will be suspended in June next should the final reduction of duties under the compromise act then be suffered to take place. The total amount of disbursements at the Troy Iron and Nail works is, in prosperous times, at least $500,000 per annum. A large portion of which goes into the pockets of the laboring man, the farmer, the sailor, the teamster, and other members of the industrial classes. On the same stream with the Troy works are those of the Albany Co. whose annual disbursements are also very large. The same cause which affects the Troy Co. will also affect them, and then we shall have in the course of three months, unless congress take speedy measures to prevent it, more than eight hundred of the inhabitants of the ward of this city totally destitute of employment! Nor is this all. Many of the farmers in the vicinity of the iron works, derive their whole support from the market afforded there for their products. They also will be seriously injured by their suspension. Several vessels and many sailors are now also constantly employed in transporting ores, iron and other articles to and from the works. And they too will be deprived of their present means of support. Thus by the discontinuance of the operations of two manufacturing establishments in this city, more probably than one thousand persons, resident in this city, will be deprived of their livelihood, besides hundreds of others in Virginia, Pennsylvania, New Jersey, and the Northern section of our own state.

And if this disastrous effect will be produced by the suspension of two establishments only, what will be the condition of our city, when nearly every other manufacturing establishment within its limits as well as those in its vicinity, shall be obliged to suspend also! And that such will be the effect of the reduction of duties under the compromise act, who can doubt! [*Troy Whig.*

SPEECH OF MR. CLAY

UPON HIS RESOLUTIONS CONCERNING THE TARIFF AND OTHER GREAT OBJECTS OF PUBLIC POLITY.

IN SENATE—MARCH 1.

The resolutions having been read—

Mr. CLAY rose and addressed the senate nearly as follows: Mr. President: The resolutions which have just been read, and which are to form the subject of the present discussion, are of the greatest importance, involving interests of the highest character, and a system of policy which, in my opinion, lies at the bottom of any restoration of the prosperity of the country. In discussing them, I would address myself to you in the language of plainness, of soberness, and truth. I did not come here as if I were entering a garden full of flowers and of the richest shrubbery, to call the tea-roses, the japonicas, the jasmines and woodbines, and weave them into a garland of the gayest colors, that by the beauty of their assortment and by their fragrance I may gratify fair ladies. Nor is it my wish—it is far, far from my wishes to revive any subjects of a party character, or which might be calculated to renew the animosities which unhappily have hitherto prevailed between the two great political parties in the country. My course is far different from that it is to speak to you of the sad condition of our country—to point out not the remote and original, but the proximate, the immediate causes which have produced and are likely to continue our distresses, and to suggest a remedy. If any one, in or out of the senate, has imagined it to be my intention, on this occasion, to indulge in any ambitious display of language, to attempt any rhetorical flights, or to deal in any other figures than figures of arithmetic, he will find himself greatly disappointed. The farmer, if he is a judicious man, does not begin to plough till he has filled his pouch with the proper seed, and marked in distances by planting stakes by which his ploughmen are to be guided in their movements; and the ploughman accordingly fixes his eye upon the stake opposite to the end of the destined furrow, and then endeavors to reach it by a straight and direct furrow. These resolutions are my stakes.

But, before I proceed to examine them, let me first meet and obviate some objections, which, as I understand, have been or may be urged against them generally. I learn that it is said of these resolutions that they present only general propositions, and that, instead of this, I should once have introduced separate bills, and entered into detail and shown in what manner I propose to accomplish the objects which the resolutions propose. Let me here say, in reply, that the most important and most successful legislation which has ever prevailed from the foundation of this government, has been to fix first upon the general principles which are to guide us, and then to carry out those principles by detailed legislation. Such has ever been the course pursued, not only in the country from which we derive our legislative institutions, but in our own. The memorable resolution offered in the British house of commons by the celebrated Mr. Dunning is no doubt familiar to the mind of every one—that "the power of the crown (and it is equally true of our case, the power of congress) had increased, was increasing, and ought to be diminished." When I was a member of another legislative body, which meets in the opposite extremity of this capitol, it was the course pursued to lay down general notions of internal improvement and other leading measures of public policy, to propose specific resolutions going to mark out the principles of action which they (the two houses of congress) meant to carry into effect by subsequent enactments. Another objection is urged, as I understand, against one of these resolutions, which is this: that by the constitution no bill for raising revenue can originate anywhere but in the house of representatives. It is true that we cannot originate such a bill; but, undoubtedly, we can propose to the house of representatives, for its fair and in the right consideration of all questions touching the amount of the revenue and the mode in which it shall be raised, and involving the great question of a specific and proper expenditure, and how far the expenses of the government may safely and properly be diminished, it is perfectly legitimate for us to deliberate and to act as duty may demand. Then when we propose to the house of the present session of congress, a bill of revenue will be sent to us from the other house; and if, when it comes, we shall first have gone through with a consideration of the general subject, fixing the principles of policy proper to be pursued in relation to it, it will greatly economise the time of the senate and proportionably save a large amount of the public money.

Perhaps no better mode can be pursued of discussing the resolutions I have had the honor to present, than to take them up in the order of their arrangement, as I presented them to the senate, after much deliberate consideration.

The first resolution declares—

"That it is the duty of the general government, for conducting its administration, to provide an adequate revenue within the year to meet the current expenses of the year; and that any expedient, either by loan or treasury notes, to supply, in time of peace, a deficiency of revenue, especially during successive years, is unwise, and must lead to pernicious consequences."

I have heard it asserted that this resolution is but a truism. If so, I regret to say that it is one from which governments too often depart, and from which this government especially has departed during the last six years. Has an adequate revenue been provided within each of those years to meet the necessary expenses of those same years? No; far otherwise.

In 1837, at the called session, instead of imposing the requisite amount of taxes on the free articles, according to the provisions of the compromise act, what was the resort of the administration? To treasury notes. And the same expedient of treasury notes was ever since adopted, from year to year, to supply the deficit accruing. And, of necessity, this policy cast upon the administration succeeding an unsuccessful and ill-judged debt, inducing a temporary necessity on that administration to have recourse to the same means of supply.

I do not advert to these facts with any purpose of crimination or recrimination. Far from it. For we have reached that state of the public affairs when the country lies bleeding at every pore, and when, as I earnestly hope and trust, we shall, by common consent, dispense with our party prejudices, and agree to look at any measure proposed for the public relief as patriots and statesmen. I say, then, that during the four years of the administration of Mr. Van Buren, the average annual excess of expenditure over the income of the government to the amount of between seven and eight millions of dollars; and I say that it was the duty of that administration, the moment they found this deficit to exist in the revenue, to have resorted to the adequate remedy by laying the requisite amount of taxes on the free articles to meet and to supply the deficiency.

I shall say nothing more on the first resolution, because I do hope that, whatever the previous practice of this government may have been, there is no senator here who will hesitate to concur in the truth of the general propositions it contains.

The next three resolutions all relate to the same general subjects—subjects which I consider much the most important of all the subjects before us; and I shall, for that reason, consider them together.

The second resolution asserts—

"That such an adequate revenue cannot be obtained by direct taxes without abandoning the adopted or a higher rate than twenty per cent., as provided for in the compromise act, which, at the time of its passage, was supposed and assumed as a rate that would supply a sufficient revenue for an economical administration of the government."

The third resolution concludes—

"That the amount of foreign imports ought to be augmented beyond the rate of twenty per cent. so as to produce a nett revenue of twenty-six millions of dollars—twenty-two for the ordinary expenses of the government, for the payment of the existing debt, and two millions as a reserved fund for contingencies."

The fourth resolution asserts—

"That, in the adjustment of a tariff to raise an amount of twenty-six millions of revenue, the principles of the compromise act generally should be adhered to, and that especially a maximum rate of ad valorem duties should be established, beyond which there ought to be as little departure as possible."

The first question which these resolutions suggest is this: what should be the amount of the annual expenditures of the government? Now, on this point, I shall not attempt, what is impossible, to be exact and precise in stating what that may be. We can only make an approximation. No man, in his private affairs, can say, or pretends to say, at the beginning of the year precisely what shall be the amount of his expenses during the year: that must depend on many unforeseen contingencies, which cannot with any precision be calculated beforehand: all that can be done is to make an approximation to what ought to be or what may be the amount. Before I consider that question, allow me to correct, here, an assertion made first by the senator from South Carolina, (Mr. CALHOUN,) and subsequently by the senator from Missouri near me, (Mr. LINN,) and I believe by some of my gentlemen, viz. that the whig party, when out of power, asserted that, if trusted with the helm, they would administer this government at an amount of expenditure not exceeding $3,000,000. I hope, if such an assertion was actually made by either or all of these gentleman, that it will never be repeated again without resorting to proof to sustain it. I have of late seen some error taken by the whig party, or by any prominent member of the whig party. Sure I am that the party generally pledged itself to no such reduction of the public expenditure.

And I again say that I trust, before such an assertion is repeated, the proofs will be adduced. For in this case, as in others, that which is asserted and reiterated comes at last to be believed. The whig party did promise economy and retrenchment, and I trust will perform their promise. I deny (in no offensive sense) that the whig party ever promised to reduce the expenditure of the government to thirteen millions of dollars. No; but this was what they said: during the four years of the administration of Mr. Adams the average amount of the public expenditure was but thirteen millions, and you charged that administration with outrageous extravagance, and came yourselves into power on promises to reduce the annual expenditure, but, having obtained power, instead of reducing the public expense, you carried them up to the astonishing amount of near

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forty millions. But, while the whigs never asserted that they would administer the government with thirteen millions, our opponents, our respected opponents, after having been three years in power, instead of bringing the expenses below the standard of Mr. Adams's administration, declared that fifteen millions was the amount at which the expenditures should be fixed. This was the ground taken by Mr. McLane, when he was at the head of the treasury. I have his report before me, and, if I have time, will not be denied, I forbear to read from it. He suggests, as the fit amount to be raised by the tariff he had proposed, the sum of fifteen millions of dollars as sufficient to meet the wants of the government.

I hope now I have shown that the whig party, before they obtained power, never were pledged to bring down the public expenses either to twelve or to fifteen millions. They were pledged, I admit, to retrench unnecessary expenditures, and to make a reasonable deduction whenever it could properly be made consistently with the public service: that process, as I understand, is now going on in both houses, and I trust the fruits will be seen before the end of the present session.

Unpledged, therefore, as the whig party was, as to any specific amount, the question recurs, at what sum can the expenses of the government be now fixed?

I repeat that the exact amount is difficult to be ascertained. I have stated it in the resolution I now offer at *twenty-two millions;* and I shall soon show how I have arrived at the amount. Before I offer do that, allow me to call the attention of the senate to the expenditures of the preceding administration; for, in attempting to fix a sum for the future, I know of no course but to look back upon the expenditures of the past, and then to endeavor to deduce from it the probable amount of future expenditure. What, then, were the expenditures of the four years of the past administration?

In 1837 the amount was	$37,365,037 15
In 1838 it was . . .	39,455,439 25
In 1839	37,474,938 36
In 1840	28,926,533 81
Making an aggregate of	$143,561,945 46

Which gives us an average pr. yr. of $35,840,486 36.

The sum I have proposed is only twenty-two millions, which deducted from thirty-five as above, leaves a reduction of $13,640,000—being a sum greater than the whole average expenditure of the extravagant and profligate administration of Mr. Adams, which they told us was so enormous that it must be reduced by a great "retrenchment and reform."

I am not here going to inquire into the items which composed the large expenditures of the four years of Mr. Van Buren's administration. I know what has been said, and will again be said, on that subject—that there were many items of extra expenditure which may never occur again. Be it so; but do we not know that every administration has its extras, and that there may be expenditures of some real and must arise under every administration beneath the sun? But take this also into view in looking at the expenses of that administration: that less was expended on the national defence—less in the construction of repair of fortifications—less for the navy, and less for other means of repelling a foreign attack, than, perhaps, ought to have been expended. At present we are all animated with a common real and determination on the subject of defence; all feel the necessity of some adequate plan of defence, as well upon the ocean as the land, and especially of putting our navy and our fortifications in a better state to defend the honor and protect the rights of the nation. We feel this necessity, although we all trust that the calamity of a war may be averted. This calls for a greater amount of money for these purposes than was appropriated under Mr. Van Buren's administration; beside which, in the progress of affairs, unforeseen exigencies may arise, and the necessity occur, calling for other appropriations needed, which no man can anticipate. Every ministry in every government—every administration of our own government, has its extraordinaries and its contingencies; and it is no apology for Mr. Van Buren's administration to say that the circumstances which occasioned its expenditures were extraordinary and peculiar. Making all the allowances which its warmest friends can ask for the expenses of the inglorious war in Florida—a contest which has profusely wasted not only the resources of the treasury, but the best blood of the nation—making the amplest allowance for this and for all other extras whatever, the sum expended by the last administration still remains to be far, far beyond what is proposed as these resolutions are sufficient for the present, and for years to come. It must, in candor, be conceded that this is a very great diminution of the national expenditure; and such, if nothing else were done, would redeem the pledge of the whig party.

But let us now consider the subject in another light. Thirteen millions was the average annual amount of expenditure under Mr. Adams' administration, which terminated thirteen years ago. I should be authorised, therefore, to take the commencement of his administration in 1825, being a period of seventeen years, in making a comparison of the progressive increase of the national expenditures; or, at all events, adding one-half of Mr. Adams' term, to take the period as running fifteen years back; but I do not wish to deal unfairly perfectly fair calculation; and I will therefore say, that at the end of thirteen years, from the time when the expenditures were thirteen millions, I propose that they should be twenty-two millions, making a comparative increase for such a period, in a country of such rapid increase and development as this. What has occurred during this lapse of time? The army has been doubled, or nearly so; it has increased from a little over 6,000 men to 12,000. We have built six, eight, or ten ships of the line, (I do not recollect the precise number); two or three new states have been added to the union; and two periodical enumerations have been made of the national population; besides which there have been, and yet are to be, great and unprecedented works of fortification and national defence. Now when we look at the increase in the number of members in both houses of congress, and consider the necessary and inevitable increase and growth of the nation, (I ask, an extraordinary thing that at the end of a period of thirteen years our expenditures should increase from thirteen to twenty-two millions of dollars! If we take the period at seventeen years, (as we fairly may), or at but fifteen years, the increase of expenses will be found not to go beyond the proportional increase of our population within the same period. That increase is found to be about forty per cent annually. Let the increase of government expenditures, at the rate above stated, will not exceed that. This is independent of any augmentation of the army or navy, of the addition of new states and territories, or the enlargement of the numbers in congress. Taking the addition, at the end of thirteen years, to be nine millions of dollars, it will be found to average increase of about $700,000. And I think that the government of no people, young, free, and growing as is this nation, can, under circumstances like ours, be justly charged with extravagance, unless the increase of its expenses increase but at the rate of $700,000 per annum. If our posterity, after their numbers shall have swelled to one hundred millions, shall find that their expenses have increased in a greater ratio than this, they will have no cause of complaint of the profuseness or extravagance of their government.

But it should be recollected that while I have fixed the rate of expenditure at the sum I have mentioned, viz: twenty-two millions, this does not preclude further reductions, if they shall be found practicable, after so drastic operations have been explored and all useless or unnecessary expenditures have been lopped off.

The honorable senator from South Carolina (Mr. CALHOUN) has favored us, on more occasions than one, with an account of the reforms he effected when at the head of the war department of this government; and no man, certainly, can be less disposed to lend a hand to deprive him of the laurels he claims he thinks he put in his cap by that operation. But what does he tell us was his experience in this business of retrenchment? He tells us what we all know to be true—that it was difficult, very difficult, especially finds to be true in his own case—that it is much easier to plunge into extravagance than to reduce expenses; and it is pre-eminently true of a nation. Every nation finds it easier to rush into extravagant expenditure of the money entrusted to its public agents than to bring down the public expenditures from a period when they have been on economical standard. All useful and salutary reforms must be made with care and circumspection. The gentleman from South Carolina admits that the reforms he accomplished took him longer than he thought, It was not till after four years of constant exertion that he was enabled to establish a system of just accountability, and to bring down the expenses of the war to that average per annum, which he stated at length reduced. And now, with all his personal knowledge of the difficulties of such a task, was it kind in him, was it kind or fair in his associates, to taunt us, as they have done, by already asking, "where are the reforms you promised to accomplish when you were out of power?"

[Mr. CALHOUN here rose to explain, and observed that what he had again and again said on the subject of reforms was no more than this that it was time the promised reforms should begin. It was time they should begin; and that was all he now asked.]

Very well; if that is all he asks, the gentleman will not be disappointed. We could not begin at the extra session; it would not then reasonably be expected of us; for what is the duty of a new administration when it first comes into the possession of power? Its immediate and pressing care is to carry on the government; to become acquainted with the machine; to look how it acts in various parts, and to take care that it shall not work injuriously to the public interest. They cannot, at once, look back at the past administration to see what they have to do—they have time to look into the pigeonholes of the various bureaux, to find out what has been done, and what is doing. Its first great duty is keep the machine of government in regular motion. It could not therefore, be expected that congress would go into a thorough process of reform at the extra session. Its peculiar object then was to adopt measures of immediate and indispensable relief to the people and to the government. Besides which, the subsequent misfortunes of the whig party were well known. President Harrison occupied the chair of state but for a single month; and the members of his cabinet left it under circumstances which, let me here say, do them the highest honor. I do not enter upon the inquiry whether their resignations which they supposed they did actually exist or not; but, believing it to exist, as they did, their resignation presents one of the most signal examples of the sacrifice of the honors and emoluments of high station, at great expense and personal inconvenience, and of noble adherence to honor and good faith, which the history of any country can show. But I may justly claim, not only on behalf of the retiring secretaries, but for the whole whig party, a stern adherence to principle, in utter disregard of the spoils doctrine, and of all those baser motives and considerations which address themselves to some minds in power. I say, then, that, if in the late extra session was no time to achieve a great and extensive and difficult reform throughout the department of the government, a process like that attempted only during a regular session of congress; and do not gentlemen know that it is now in progress, by the faithful hands to which it has here and elsewhere been confidentially suggested that an extraordinary committee has been raised in this body, insomuch that to effect it the senate has somewhat shot from its usual and appropriate orbit by establishing a standing committee of retrenchment? If the honorable senator from South Carolina took four years to bring down the expenses of the war department, when under his own immediate superintendence, I may surely, with confidence, claim, my appeal to a sense of justice and liberality to allow us at least two years before he reproaches us with a failure in a work so much more extensive.

I repeat, that, in contemplating the propriety of fixing the annual average expenditure of this government at twenty-two millions of dollars, from this time and for some years to come, it is not my purpose to preclude any further reductions of expense by the dismissal of useless officers, the abolition of useless institutions, and the reduction of unnecessary or extravagant expenditures. No man is more desirous than I am of seeing this government administered at the smallest possible expense consistent with the duties entrusted to us in the management of our public interests both at home and abroad. None will rejoice more if it shall be found practicable to reduce our expenses to eighteen, to fifteen, or even to thirteen millions. None, I repeat it, will rejoice in such a triumph of economy more heartily than I. None, none.

But now allow me to proceed to state by what process I have reached the sum of twenty-two millions proposed in the resolution I have offered.

The secretary of the treasury has presented to us estimates for the current year, independent of permanent expenses of a million and a half, amounting to about twenty-four and a half millions, which may be stated under the following heads, viz:

For the civil list, foreign intercourse and miscellaneous,	$4,000,987 85
For the war department, including all branches,	11,717,791 27
Naval service,	8,705,579 83
	$24,424,358 95

And here let me say a single word in defence of the army. The department of war comes to us with estimates for the sum of $11,717,792 27; and those who look only on the surface of things may suppose that this sum is extraordinarily large; but there are many items in that sum. I have before me a statement going to show that of that sum only four millions are asked for the military service proper—a sum less than is demanded for the naval service pro.

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per, and only double the amount at which it stood when the honorable gentleman from South Carolina left the department. The sum was then about $2,000,000; it is now not quite $4,000,000; while, during the same period, the army has been nearly doubled, besides the raising of mounted regiments, the most expensive for that very reason of any in the service. I think that the gentleman from South Carolina, if he looks into the subject in detail, will find that the cost of the army is not 10 millions per annum, but it was when under his own personal administration. So I am informed; and that, although the pay has been raised a dollar a month, which has very largely augmented the expenditure.

The executive branch of the government has sent in estimates amounting, in all, to twenty-four and a half millions of dollars, for the service of the current year, which, with the million and a half of permanent expenditure, makes twenty-six millions. How much is to be added to that amount for appropriations not yet estimated, which may be made during the session by congress, to meet honest claims, and for other objects of a public nature! I remember one item proposed by my friend near me (Mr. *Meagum*) for a quarter of a million for the building of a steamship, an item not included in the estimates, but for which the senate has already appropriated: besides which there are various other items which have passed or will pass during the present session. The honorable gentleman from New Hampshire was at the head of the treasury, he made, in his communications to congress, constant complaint of this very practice. He well remembers that he was ever complaining that the expenditures of government were swelled far beyond the executive estimates, by appropriations made by congress not estimated for by the departments. I have calculated that we shall add to the twenty-six millions of dollars estimated for the executive departments, or permanently required, at least one million and a half, which would raise the sum for this year to twenty-seven millions and a half.

How then do I propose to bring this down to twenty-two millions? I have, I own, some fears that we shall not be able to effect it; but I hope that we shall so far reduce the estimates and prevent unnecessary appropriations that the total expenditures shall not exceed this amount. The means by which I propose to reach such a result is this: I suppose we may effect a reduction of the civil list to the amount of half a million. That general head includes, among other things, the expenses of the two houses, and, as I have heard, the other house has already introduced a report which, if adopted, will cut down those expenses one hundred thousand dollars, though I think that they should be reduced much more. I estimate, then, three and a half millions for the civil list instead of four millions; then I estimate nine millions for the war department instead of $11,717,000. In a conversation which I have lately had with the chairman of the military committee of this body, he expressed the apprehension that it could not be reduced below ten millions, but I hope it may be as low as nine. As to the naval service, the estimates of the department for that branch of the service amount to $8,707,500; an amount I think far too high, and indeed quite extravagant. I was greatly astonished at learning the amount was so large. Still I know that the navy is the favorite of all, and justly: it is the boast of the nation, and our great resource and chief dependence in the contingency of a war no man does, for a moment, of crippling or disabling this right arm of our defence. But I have supposed that without injury the appropriation asked for might be reduced from $8,707,500 to $6,500,000. This would put the reduction in the naval on a footing with that in the military appropriation, and still leave a greater appropriation than usual to that department. The reduction to six millions and a half is as large as I think will be practicable, if we are to provide for proposed experiments in the application of steam, and are, besides, to add largely to the marine corps.

How, then, will the total of our expenditures stand? We shall have—

For the civil and diplomatic expenses of the government	$3,500,000
For the military service	9,000,000
For the naval service	6,500,000
For permanent appropriations	1,500,000
For appropriations not included in the estimates	1,500,000
Making an aggregate of	$22,000,000

To this amount I suppose and hope our expenses may be reduced, until, on due investigation, it shall be discovered that still further reductions may be effected.

Well, then, having fixed the amount at twenty-two millions for the ordinary current expenses of government, I have supposed it necessary and pre per to add two millions more to make provision for the payment of the existing national debt, which is, in the event of the loan being taken up, seventeen millions.—And then I go on to add two millions more as a reserved fund, to meet contingencies: so that, should there be a temporary rise of the expenditures beyond twenty-two millions, or any sudden emergency should occur which could not be anticipated or calculated on, there may be the requisite means in the treasury to meet it. I do not know that it has been usual, at the head of the treasury since the days of Mr. Gallatin, including the respectable gentleman from New Hampshire opposite, (Mr. Woodbury), who has not held and expressed the opinion that a reserved fund is highly expedient and proper for contingencies.—Thus I propose that twenty-two millions shall be appropriated for the ordinary expenses, twenty more to provide for the public debt, and other two millions a reserved fund to meet contingencies; making in all twenty-six millions.

The next inquiry which presents itself is, how this amount ought to be raised? There are two modes of estimating the revenue to be derived from foreign imports, and either of them presents only ground for a conjectural result; but as fluctuating is the course of commerce, that every one must see it to be impossible to estimate, with precision, the exact amount of what it will yield. In forming my estimate I have adopted the mode which I have assumed the best basis of calculation. But here let me add, that at the treasury they have taken the imports as the basis; and I am gratified to be able to state that I, under-rate, on comparing the results arrived at, although the calculations were made without concert, those of the secretary turn out to be very nearly, if not exactly, the same with those to which I have been confirmed. I will here state that I have taken the exports as the ground of my calculations, adding thereto fifteen per cent. for profits. The exports are one means of making foreign purchases. Their value is ascertained by a uniform computation, under the act of 1820, and the returns generally present the same value. The price of cotton, as an example, at home, is always regulated by the price in the Liverpool market. It follows, therefore, that by taking the value of any commodity at the place of its export, you reach its true value: for, if the price received at home be unnecessarily and sometimes below that amount, the excess and deficiency will probably neutralize each other. This is the fairest mode for another reason: If in any one year more foreign goods arrived in the United States than in the next year would pay for, a credit is created abroad which must be extinguished by the exports of some succeeding year.

[Mr. Benton asked here inquired if any deduction had been made by Mr. Clay from the exports, to pay the interest, &c. on American debt held abroad. Mr. C. replied that the senator would presently see that he had].

I think the senate will agree with me, in assuming that the exports form a more correct and reliable standard of estimation than the imports; however that may be, the accidental coincidence between the results arrived at in either mode confirms and proves the calculation itself to have been founded in correct principles. Those results, as shown by the secretary of the treasury, are nearly, I believe, in the house, and I regretted that I could not examine them before I rose to address the senate.

I will now show you that the exports from 1836 to 1841, inclusive, a period of six years, amount to $621,004,125, being an annual average amounting to $103,500,687. That I take as presenting a safe ground of calculations for the future. To this I propose to add fifteen per cent. for profits—in which I do not follow Mr. Ewing, the late secretary, in his report at the extra session. It is certainly a great profit, (I include of course all expenses and charges of every kind), and with this addition, the annual amount will be $118,958,187, say 119 millions. Deducting, for the interest and principal of the American debt abroad, ten millions per annum, it will leave a net amount of 109 millions. There can be no dispute as to the propriety of such a deduction: the debt exists: it must be provided for; and my fear is that this amount will prove too small to meet it. I think that more than ten millions will be needed, but certainly none can object to the reserve of ten millions. We thus get, as I said, a net balance from our annual exports, including profits, of 109 millions.

Of this amount of importation how much is now free from duty? The free goods, including tea and coffee, amount to 30 millions; from which amount I deduct for tea and coffee, assuming that they will be subjected to moderate duties, 12 millions, leaving the amount of free articles at 18 millions: deduct this from 109 millions, the amount of exports, and it will leave a balance of 91 millions, which may be assumed as the amount of dutiable articles for some years to come.

How, then, out of these 90 or 91-millions of dutiable goods are we to raise a revenue of 26 millions. No man, I presume, will rise here in his place and say that we are to rely either on direct or internal taxes. Who has the temerity to meet the waves of popular indignation which will flow round and bury him, whenever it may be, that should propose, in time or peace, to raise a revenue by direct taxation? Yet this is the only resource to fly to, save the proceeds of the public lands, on which I shall speak presently, and which I can contain many more and to be thought of. You are, therefore, to draw this amount of 26 millions from the 91 millions of dutiable articles imported, and, to reach that sum, at what rate per cent. must you go?

I shall here say nothing, or but a word or two, on the subject of home valuation—a subject which a friend near me (Mr. Simmons), than whom none is more competent to its full elucidation. He thinks, as I understand, that there can be devised a satisfactory system of such valuation, and I heartily wish him success in the attempt. I will only say that, in my opinion, if we raise but ten millions, without any reference whatever to protection, without reference to any thing but to mere honesty, however difficult it may be, that should propose, we must assess the value of the goods on which we lay the duty, and not leave the value to be fixed by foreigners. All things now stand, we lay the duty, but foreigners fix the value of the goods. Give me but the power of fixing the value of the goods, and I care little, in comparison, what may be the rate of duty imposed. It is a principle that on an adulteration principle it is the foreigner who virtually fixes the actual amount of the duty paid. It is the foreigner who, by fixing that value, virtually legislates for us, and, in effect, levies a tax on goods not directly opposed to that of our revenue. I say, therefore, that independent of all considerations of protection, independent of all ends and motives but the revenue, I would put down frauds which have made the disgrace of our custom house—frauds in which the foreigner, with his double and triple and quadruple invoices, ready to be produced as circumstances may require, fixes the value of the merchandise taxed—every consideration of national dignity, justice, and independence demands the substitution of home valuation for that of the foreign. What effect such a change may have in the augmentation of the revenue I am not prepared to say, because I do not know the amount: I think the rate may be set down at twenty per cent. instead of twenty-five per cent. in addition to the foreign value of imports. I do not speak with great confidence. If the rate is twenty-five per then it would add only five per cent. to the rate of twenty per cent. established in the compromise act. Of course, if the home be substituted for the foreign valuation, the augmentation of duties beyond twenty per cent. will be less by that home valuation, whatever it may be. Without, however, entering into the question of home valuation, and leaving that subject to be arranged hereafter, I shall treat the subject as if the present system of foreign valuation is to continue.

I then return to the inquiry on an importation amounting to ninety-one millions, how much duty must be imposed to yield to me a net revenue of twenty-six millions? The question does not admit of perfect accuracy; the utmost that can be reached is a reasonable approximation. Suppose every one of the imports were to be subjected to a duty of thirty per cent. then the gross revenue will amount to $27,300,000. Deducting the expenses of collection, which may be stated at $1,600,000, will give $25,700,000, or three hundred thousand dollars less than the proposed amount of twenty-six millions.

But I might as well take this opportunity to explain a subject which is not well understood. It has been supposed, when I propose to fix a rate of ad valorem duty as the maximum to be allowed, that my meaning is, that all articles, of every description, are to be carried up to that point, and fixed at that rate, as on a sort of bed of Procrustes. That is not my idea. No doubt certain articles ought to go up to the maximum—I mean those of prime necessity belonging to the class of protected articles. There are articles, such as tea, and wines, and some others of small bulk and great comparative value, and therefore easily smuggled, and presenting a great temptation to the evasion of duty, which ought to be subjected to a less rate. There should, therefore, be a discrimination allowed under the maximum rate according to the exigency of the respective circumstances of each particular interest concerned. Since it will require a duty of thirty per cent. on all articles to give the amount of twenty-five million seven hundred thousand dollars, and

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since some of them will not bear so high a duty as thirty per cent. it follows that less than that rate will certainly not answer the necessary demands of the government, and it may in some particular cases require a rate somewhat higher than that in order to raise the proposed sum of twenty-six millions. But as the reserved fund of two millions for contingencies will not require an annual revenue for that purpose, should the amount of duties levied be less than twenty-six millions, or even between twenty-four and twenty-five millions, the reserved fund may be made up by accumulation, during successive years, and will leave an annual revenue to meet an annual expenditure of twenty-two millions and two millions for the public debt.

I now approach the consideration of a very important branch of the subject in its connexion with the compromise act.

I shall not here attempt to go again into the history of that act. I will only say that, at the time of its passage, it was thought right that the country should make a fair experiment of its effect; and that, as the law itself met the approbation of all parts of the country, its provisions ought not lightly to be departed from; that the principles of the act should be observed in good faith; and that, if it be necessary to raise the duties higher than twenty per cent., we ought to adhere to the principles of the compromise, then, as far as it should be possible to do. I have been animated, in the propositions I now offer to the senate, by the same desire that prompted me, whenever the act has been assailed by its opponents, to stand by it and defend it.

But it is necessary now to consider what the principles of the compromise act really are.

I. The first principle is, that there should be a fixed rate of ad valorem duty, and discriminations below it.

II. That the excess of duty beyond twenty per cent. should, by a gradual process, commencing on the 31st December, 1833, be reduced, so that by the 30th June, 1842, it should be brought down to twenty per cent.

III. That, after that day, *such duties should be laid* for the purpose of raising such revenue as might be necessary for an economical administration of the government; consequently excluding all resort to internal taxation, or to the proceeds of the public lands. For, contemporaneously with the pendency of the compromise act, a bill was pending for the distribution of those proceeds.

IV. That, after the 30th June, 1842, all duties should be paid in ready money, to the exclusion of all credit.

V. That, after the same day, the assessment of the value of all imports should be made at home and not abroad.

VI. That, after the same day, a list of articles specified and enumerated in the act, should be admitted free of duty, for the benefit of the manufacturing interest.

These are the principles, and all the principles, of the compromise act. An impression has been taken up most erroneously that the rate of duty was never to exceed twenty per cent. There is no such limitation in the act. I admit that, at the time of the passage of the act, a hope was entertained that a rate of duty not exceeding twenty per cent. would supply an adequate revenue to an economical administration of the government. Then we were threatened with that overflow of revenue with which the treasury now subsequently inundated, and the difficulty was to find articles which should be liberated from duty and thrown into the free class. Hence, wines, silks, and other luxuries were rendered free. But the act, and the spirit of the act, when subsequently limits congress to the iron rule of adhering forever, and under all circumstances, to a fixed and unalterable rate of twenty per cent. duty. The first section is in the following words:

"*Be it enacted, &c.* That, from and after the thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled 'an act to alter and amend the several acts imposing duties on imports,' or by any other act, shall exceed twenty per centum on the value thereof, one-tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-four, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-six, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one half of the residue of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted."

The provision of that section is nothing more nor less than the existing duties should be, by the 30th June, 1842, brought down to twenty per cent. What then? Were they always to remain at that rate? The section does not so declare. Not only is this not expected, and was not so understood, but directly the reverse is asserted, and was so understood, if the exigencies of the treasury required a higher rate to provide the revenue necessary to an economical administration of the government. The third section, which embodies most of the great principles of the act, is in these words:

"Sec. 3. *And be it further enacted*, That until the thirteenth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And, from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be, and hereby are, abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and, from and after the day last aforesaid, the duties required to be paid by law on goods, wares and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law."

What is the meaning of this language? Can any thing be more explicit or less liable to misconception? It contains two obligations. The first is, that duties shall be so levied as to raise revenue to the government; no waste, no extravagance, no squandering of the public money. I admit this obligation, in its fullest force, in all its length and breadth, and I trust that my friends, on the other side, will will fulfil it, in letter and spirit, with the most perfect fulfill. But the second obligation is no less binding and imperative; and that is, that such duties *shall be laid* as may be necessary to raise revenue as is requisite to an economical administration of the government. The source of revenue is defined and prescribed—the foreign imports, to the exclusion of all other sources. The amount, quantity, or measure of things, could not be specified; but whatever it may be, be it large or small, allowing us to come below, and imposing that rate of duty beyond twenty per cent. that amount is to be raised.

I contend, therefore, with entire confidence, that it is perfectly consistent with the provisions of the compromise act to impose a higher rate than twenty ever, thirty, forty or more per cent. subject to the single condition of an economical administration of the government.

What are the other principles of the act? First, there is the principle that a fixed *ad valorem* duty shall prevail and be in force at all times. For one, I am willing to abide by that principle. There are certain specific duties in the tariff, and the necessity of specific duties and discriminations which I am persuaded arise from a want of a right understanding of the subject. I am for the *ad valorem* principle practically in force ever since the compromise act was passed; and there has been no difficulty in administering the duties of the treasury on that principle.

It was necessary first to ascertain the value of the goods, and then to impose the duty upon them; and, from the commencement of the act to this day, the *ad valorem* principle has prevailed without any opposition. Compare the difference between specific and the ad valorem system of duties, and I maintain that the latter is justly entitled to the preference. The one principle depends upon the value of the goods, and the real value of the article taxed; the specific principle imposes an equal duty on articles greatly unequal in value. Coffee, for example, (and it is an article which always suggests itself to my thoughts), is one of the articles on which a specific duty has been levied. Now, it is perfectly well known that the Mocha coffee is worth at least twice as much as the coffee of St. Domingo or Cuba, yet both pay the same duty. The tax has no respect to the value, but is arbitrarily levied on all articles of a specific kind alike, however unequal may be their values. I say that, in theory, and according to every sound principle of justice, the ad valorem mode of taxation is entitled to the preference. There is, I admit, one objection to it: as the value of an article is a matter subject to opinion, and as opinions will ever vary, either honestly or fraudulently, there is some difficulty in preventing frauds. But, with the home valuation proposed by my friend from Rhode Island, (Mr. Simmons), the ad valorem system can be adopted with all practicable safety, and will be liable to those chances only of fraud which are inevitable under any and every system.

Again: What has been the fact from the origin of the government until now? The articles from which the greatest amount of revenue has been drawn, such as woollens, linens, silks, cottons, worsteds, and a few others, have all been taxed on the *ad valorem* principle, and there has been no difficulty in the operation. I believe, upon the whole, that it is the best mode. I believe that if we adopt a fixed rate of duty, wherever we can, the revenue will be subjected to fewer frauds than the injustice and frauds incident to specific duties. One of the most prolific sources of the violation of our revenue laws has been, as every body knows, the effort to get in goods of a finer quality and higher value admitted under the lower rate of duty required for those of a low quality. The honorable gentlemen from New Hampshire (Mr. Woodbury) and the honorable senator from N. Y. (Mr. Wright) both well know this. But if the duty was laid *ad valorem* there could be no motive for such an effort, and the fraud, in its present form, would have no place. In England, as all who have read the able report made by Mr. Hume, a Scottish member in the house of commons, must perceive, they seem to be giving up specific duties, and the tendency in the public mind appears to be, instead of having a variety of specific duties and a variety of *ad valorem* duties, to have one permanent rate of duty for all articles. I am willing, I repeat, to adhere to this great principle as laid down in the compromise act. If there be those who suppose that, under the operation of duty, a higher degree of protection can be secured than under the other mode, I would observe that the actual measure of protection does not depend upon the *form* but on the measure of the duty which is levied on the foreign rival article.

Assuming that we are to adhere to this principle, then every one of the leading principles of the same act must be adhered to, and consequently, I am again assert that the idea that duties are always to remain at precisely twenty per cent. and never to vary from that point, be the exigencies of government what they may, is not believed in the language of the act, nor is it required by any one of its provisions.

The next resolution I have proposed to the consideration of the senate is this:

"*Resolved*, That the provision in the act of the extra session for the distribution of the proceeds of the public lands, requiring the operation of that act to be suspended in the contingency of a higher rate of duty than twenty per cent. ought to be repealed."

Now, according to the calculations I have made, the repeal of the clause in question and the application of the proceeds of the sales of public lands from the states, even if made, will not dispense with the necessity of a great increase in the existing rate of taxation. I have shown that a rate of thirty per cent. will not be too much to furnish the requisite amount of revenue for a just and economical administration of the government. And how much of that rate will be reduced by the proceeds of the public lands, if imports the million and a half (which was the amount realized the last year) derived from sales of the public domain? It will be but the difference between 28 and about 28½. For, since 30 per cent. yields a revenue of twenty-six millions, one per cent. will bring about $900,000; and every million of dollars derived from lands will reduce your taxation on imports only $900,000; if you get a million and a half from the lands, it will reduce the taxes only from 30 to 28½ per cent.; or if you get three millions, as some gentlemen have proposed, it will, in that case, take your taxes in the amount of the difference between 30 per cent. and about 27 per cent. This will be the whole extent of benefit derived from this fund fund, which some senators have suppose would be so abundant as to relieve us from all necessity of additional taxation at all. I put it, then, to every senator, no matter whether he be opposed to the land bill or not, whether he is willing, for the sake of this trifling difference, between 30 and 28½ per cent. or between 30 and 27 per cent. to disturb a great momentous and perplexing subject of our national policy, which is now settled, and thereby show such an example of instability in legislation as will be exhibited by the fact of unsettling so great a question within less than eight months after it was opposed to the land bill or not, whether he is willing, for the sake of this trifling difference, between 30 and 28½ per cent. or between 30 and 27 per cent. will you, I repeat, the question, when it is absolutely and confessedly necessary that more revenue shall be raised, and the mode in which it may be done is fraught with so many and so great benefits to the country, as I shall presently show, will you disturb a great and vexed national question for

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the sake of eking out in so trifling a degree the amount to be raised? But let us look at the subject in another view. The resources on which government should depend for paying the public creditor and maintaining inviolate the national faith and credit, ought to be such as to admit of some certain estimate and calculation. But what possible reliance can be placed on a fund so fluctuating and variable as this which is derivable from the duties of the public lands? We have seen it rise to the extraordinary height of twenty-six millions in one year, and in less than six years afterwards fall down to the low amount of one million and a half!

The next resolution affirms a proposition which I hope will receive the unanimous consent of the senate. It is as follows:

"*Resolved*, That it is the duty of government, at all times, but more especially in a season such as now exists, of general embarrassment and pecuniary distress, to abolish all useless institutions and offices, to curtail all unnecessary expenses, and to practise rigid economy."

And the seventh resolution declares—

"That the contingent expenses of the two houses of congress ought to be greatly reduced; and the mileage of members of congress ought to be regulated and more clearly defined."

It has appeared to me that the process of retrenchment of the public expenses and reform of existing abuses ought to begin in an especial manner here, with ourselves, in congress assembled. There is found one of the most extravagant of all the branches of the government. We should begin at home, and encourage the work of retrenchment by our own example. I have before me a document which exhibits the gradual progress in the contingent expenses of the two houses of congress from 1820 to 1840, embracing a period of twenty years, divided into terms four years apart, and it shows that the amount of the contingent fund has advanced from $86,000 which it was in 1824, to $121,000 in 1828, a rate of increase not greater than was proper considering the progress of the country, to $165,000 in 1832, to $263,000 in 1836, and in 1840 it amounted, under an administration which charged that in 1821 with extravagance, to the enormous sum of $384,352! I am really sorry, for the credit of congress, to be obliged to read a statement exhibiting such shameful, such profligate waste. And allow me here to say, without any intention of being unkind to those able and competent officers, the secretary of the senate and the clerk* of the house of representatives, (not the present clerk), that they ought to bear a share of the responsibility for the great and sudden growth of salaries and fees. How did it arise? The clerk presents his estimate of the sum that will be necessary, and the committee of ways and means, being busily occupied in matters of greater moment, take it without mature examination, and insert it at once in the appropriation bill. But I insist that it should be cut down to a sum of which members of congress may with some decency speak to their constituents. A salutary reform has been commenced in the house of representatives, which ought to be followed up here. They have already stricken $100,000 from the contingent fund for both houses, but they should go much lower. I hope there will be another item of retrenchment, in fixing a reasonable maximum amount to be allowed for stationery furnished to the members of congress. If this shall be adopted, much will have been done, for this is one of the most fruitful sources of congressional extravagance. I am told that the stationery furnished during the 25th session averaged more than $100 per head to each member. Can any man believe that any such amount as this can be necessary? Is it not an instance of profligate waste and profusion?

My next resolution is directed to the expenses of the judicial department of the government:

"*Resolved*, That the expenses of the judicial department have, of late years, been greatly increased, and ought to be diminished."

In this department, also, there has been a vast augmentation of the expenses, and such an one as calls for a thorough investigation. The amount of the appropriation for the judicial department has sprung up from $209,000, which it was in 1824, to $471,000, at which it stood for the year 1840. Can any man believe that this has all been fairly done? that that department actually requires the expenditure every year of nearly half a million of dollars? I have no doubt that the district judges and the marshals, who have the control of the expenditure of the fund, and the clerks, ought to be held responsible for this enormous increase. Without any intention to indulge in any invidious distinctions, I think I could name a district in which great abuses prevail, and the expenditures are four or five times greater than they are in any other district throughout the country. I hope this whole matter will be thoroughly investigated and that some necessary restraints will be imposed upon this branch of the public service. I am truly sorry that in a branch of the government which, for its purity and uprightness, has ever been distinguished, and which so well merits the admiration of the whole country, there should have occurred so discreditable an increase in the expenses of its practical administration.

The next resolution asserts—

"That the diplomatic relations of the United States with foreign powers have been unnecessarily extended during the last twelve years, and ought to be reduced."

I will not dwell long on this subject. I must remark, however, that since the days of Mr. Adams' administration the number of foreign ministers of the first grade has nearly doubled, and that of ministers of the second grade has nearly tripled. Why, we have ministers abroad who are seeking for the governments to which they are accredited, and the governments are not to be found! We have ministers at Constantinople and Vienna—and for what? We have an unprecedented mission to Naples—and for what? There was at the last session an attempt to abolish this appointment, but it unfortunately failed. One would think that in such a one-sided, unreciprocated intercourse, if it be not a sinecure, it did not prompt us to discontinue the relation, national pride would. In like manner, we might look round the coasts of Europe and of this continent, and find many other missions which we seem to be no earthly utility in retaining. But I forbear.

On the subject of mileage, I hope there may be an effort to equalize it justly, and render it uniform, and that the same rule shall apply to the mileage of the same distance travelled, whether by land, by water, or by steam route, or whether the distance be ascertained by horizontal or surface measurement. I think the former the best way, for it leads to rule in a simple and simple inquiry, and leaves no open door for abuses. I hope, therefore that we shall adopt it.

The next resolution of the series reads thus:

"*Resolved*, That the franking privilege ought to be further restricted, the abusive uses of it restrained and punished, the postage on letters reduced, the mode of estimating distances more clearly defined and ascertained, and a small addition to postage made on books, pamphlets and packages transmitted by the mail, to be graduated and increased according to their respective weights."

The franking privilege has been most direfully abused. We have already reached a point of abuse, not to say corruption, though the government has been in operation but a few years. Yet this it has taken Great Britain centuries to attain. Blank envelopes, I have heard it said, ready franked, have been enclosed to individuals at a distance, who openly boast that their correspondence is free of charge. The limitation as to weight is now extended, I believe, to two ounces. But what of that if a man may send under his frank a thousand of these two-ounce packets? The limitation should be to the total weight included in any single mail, whether the packages be few or many. The report of the postmaster general, at the last session, states the astounding fact, that, of the whole amount transported in the mails, *ninety-five per cent.* goes free of all duty, and letters of business and private correspondence have to bear the expense of the rest. It is monstrous, and calls loudly for some provision to equalize the charge. The present postage on letters is enormously high in proportion to the other business of the country. If you will refuse to carry those packages, which are now transmitted by mail, simply because, in that mode, they can travel free of cost, you will greatly relieve the business interests of the country, which now bear nearly the whole burden for all the rest. This it is your duty to do. Let us throw, at least, a fair portion of the burden on those who receive, at present, the whole of the benefit. Again. The law is very loose and uncertain as to the estimation of distances. Since the introduction of steam-travel, the distance travelled has, in many cases, been increased, yet the postage nominally has been shortened. Take, as an illustration, a case near at hand. The nearest distance from here to Frederick city, in Maryland, is forty-four miles; but if you go hence to the depot on the Baltimore road, and thence take the train to Frederick, you arrive sooner, but the distance is increased to one hundred miles. Now, as letters are charged according to the miles travelled, I hold it very wrong to subject a letter to this more than double charge in consequence of adopting a longer route in distance, though a shorter in time. Such cases ought to be provided against by specific rules.

I come now to the last resolution offered, which is as follows:

"*Resolved*, That the secretaries of state, of the treasury, of war, and of the navy departments, and the postmaster general, be severally directed, as soon as practicable, to report what offices can be abolished, and what retrenchments of public expenditure can be made, without public detriment, in the respective branches of the public service under their charge."

We all know that, if the heads of departments will not go to work with us honestly and faithfully, in truth and sincerity, congress, thus unaided, can effect comparatively little. I hope, then, I may enter with us on this good work of retrenchment and reform. I shall be the last to express in advance any doubt of our upright intentions in this respect. The only thing that alarms me is, that two of these departments have come to us asking for appropriations far beyond any that have heretofore been demanded in time of peace, and that with a full knowledge of the fact of an empty treasury. But I still hope, when they shall see congress heartily, in earnest, engaged in retrenching useless expenditure, and reducing estimates that cannot be complied with, that they will boldly bring out to view all abuses which exist in their several spheres of action, and let us apply the pruning-knife so as to reduce the national expenditure within some proper and reasonable amount. At all events, they are, of course, most familiar with the details of the subject as it relates to their respective departments of administration. Among other items there are several useless items which only operate to waste the public money. A friend, occupied in investigating this subject, has told me that out land in N. Orleans has already cost the country half a million of dollars for getting ready to coin bullion not yet dug out of the mine!

[Mr. BENTON here spoke across something not heard by the reporter, in reference to the mint at Dahlonega, which excited much mirth in the neighboring part of the chamber.]

While every piece of coin made by these useless establishments just as well be coined by the central mint at Philadelphia.

And now, having gone through with all the details of this important resolution, which, I thought it my duty to notice, allow me, in drawing to a conclusion, of these remarks, to present some of the advantages which it appears to me should urge us to adopt the system of financial arrangement contemplated in the resolutions.

And first. The government will, in this way, secure to itself an adequate amount of revenue, without being obliged to depend on uncertain and delinquentable expedients, and thus preserve the public credit unsullied—which I deem a great advantage of the plan. Credit is of inestimable value, whether to a nation or to individuals. Without it, what would a country with which we may one day again come in conflict—though it gives me pleasure to say that I cannot regard the present "breach of war" in the political horizon—owes her greatness, her vastness of power, pervading the habitable globe, mainly to her strict and uniform attention to the preservation of the national credit.

2. The next thing recommended is retrenchment in the national expenditure, and greater economy in the administration of the government. And do we not owe it to this bleeding country, to ourselves, and the unparalleled condition of the time, to exhibit to the world a fixed, resolute, and patriotic purpose to reduce the public expenditure to an economical standard?

3. But a much more important advantage than either of those I have yet adverted to is to be found in the check which the adoption of this plan will impose on the efflux of the precious metals from this country to foreign countries. I shall not now go into the causes by which the country has been brought down from the elevated condition of prosperity it once enjoyed to its present state of general embarrassment and distress. I think that those causes are as distinctly in my understanding and memory as any subjects were ever impressed there; but I have no desire to go into a discussion which can only revive the remembrance of unpleasant topics. My purpose, my fixed purpose on this occasion, has been to appeal to the patriotic and political sides of this chamber to come out and make a sacrifice of all lesser differences in a patriotic, generous, and general effort for the relief of their country. I shall not open these bleeding wounds which have, in too many instances, been inflicted by brothers' hands—especially will I not do so at this time, and on this occasion. I shall look merely at facts as they are. I shall not ask what have been the remote causes of the depression and wretchedness of our once glorious and happy country. I will turn my view only on causes which are proximate, indisputable, and immediately before us.

* It is but justice to those officers to say that the most extravagant increase in the contingent expenses of congress is in the muscle of printing, for which they are not responsible.

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One great, if not sole, cause is to be found in the withdrawal of coin from the country to pay debts accrued or accruing abroad for foreign imports, or debts contracted during former periods of prosperity, and still hanging over the country. How this withdrawal operates is not difficult to be understood. The banks of the country, when they are in a sound state, act upon this coin as the basis of their circulation and discounts; the withdrawal of it not only obliges the banks to withhold discounts and accommodations, but to draw in what is due from their debtors, at the precisely time when they, sharing in the general stricture, are least able to meet the calls. Property is then thrown into the market to raise means to comply with those demands, depression ensues, and, as is invariably the case when there is a downward tendency in its value, it fails below its real worth. But the foreign demand for specie to pay commercial and other debts does operates directly upon the precious metals themselves, which are gathered up by bankers and brokers and others, obtained from these depositories, and thence exported. Thus this fortunate metal has a double operation, one upon the banks, and through them upon the community, and the other upon the coin of the country. Gentlemen, in my humble opinion, are deceive themselves in attributing to the banking institutions all the distresses of the country. Doubtless the erroneous and fraudulent administration of some of them has occasioned much local and individual distress. But this would be temporary and limited, whilst the other cause—the continued efflux of specie from the country—if not arrested, would perpetuate the distress. Could you multiply every bank in the Union, and burn every bank note, and substitute in their place a circulation of nothing but the precious metals, as long as such a tariff continues as at present, two years would not elapse ere you would find the imperative necessity of some paper medium for conducting the domestic exchanges.

I announce only an historical truth when I declare, that during and ever since our colonial existence, necessity has given rise to the existence of a paper circulation of some form in the country, in all its extent, and there was a perpetual struggle between the crown and royal governors on one hand, and the colonial legislatures on the other, on this very subject of paper money. Sir, if you had no paper circulation consisting of nothing but the precious metals, they would leave you as the morning dew leaves the fields, and you would be left under the necessity of devising a mode to fill the chasm produced by their absence.

I am ready to make one concession to the gentlemen on the other side. I admit that, if the circulation were in coin alone, the inconvenience of monetary fluctuations would not rise as high or fall as low as when the circulation is of a mixed character, consisting partly of coin and partly of paper. But then the fluctuations themselves, within a more circumscribed range, would be quite as numerous, and they will and must exist so long as such a tariff remains as forces the precious metals abroad. I can only repeat the assertion that, could you annihilate to-morrow every bank in the country, the very same description of embarrassment, if not in the same degree, would still be found which now pervades our country.

What, then, is to be done to check this foreign drain? We have tried free trade. We had the principles of free trade operating on more than half the total amount of our comforts for the greater part of nine years past. That will not do, we see. Is but recall to the recollection of the senate the period when the protective system was thought about to be permanently established. What was the great argument then urged against its establishment? It was this: that, if duties were laid directly for protection, then we must resort to direct taxation to meet the wants of the government—every body must make up their minds to a system of internal taxation. Look at the debate in the house of representatives of 1824, and you will find that that was the point on which the great stress was laid. Well, it turned out as the friends of protection told you it would. We said that such would not be the effect. True, it would diminish importation, as it did; but the augmented amount of taxes would more than compensate for the reduced amount of goods. This we told you, and we were right.

How has free trade operated on other great interests? I well remember that, ten years ago, one of the most gifted of the sons of South Carolina, (Mr. Hayne,) after drawing a most vivid and frightful picture of the condition of the South—of fields abandoned—houses dilapidated—overseers becoming masters, and masters overseers—general stagnation and approaching ruin—a picture which, I confess, filled me with dismay—cried out to us, abolish your tariff—reduce your revenue to the standard of an economical government—and once more the fields of South Carolina will smile with beauty—her embarrassments will vanish—commerce will return to her harbors, labor to her plantations; augmented prices for her staples, and contentment and prosperity and universal happiness to her oppressed people. Well, we did reduce the tariff, and, after nine years of protection, we have had nine years of a descending tariff and of free trade. Nine years (from 1824 to 1833,) we had the protective policy of a high tariff, and nine years (from 1833 to 1842,) we have the full operation of free trade on more than a moiety of the whole amount of our imports, and a descending tariff for the residue. And is the condition of South Carolina at this day? Has she regained her lost prosperity? has she recovered from the desolation and ruin so confidently imputed to the existence of a high tariff? I believe if the gentleman from South Carolina could be interrogated here, and would respond in candor, unbiassed by the delusions engendered by a favorite but delusive theory, he would tell us that, in the years succeeding the promised prosperity which was dwelt upon with so much eloquence by his fellow citizen. How is it in regard to the great staple of the south? how stand the prices of cotton during these nine years of a descending tariff and the prevalence of free trade? How do these years compare with the nine years of protection and high tariff? Why, if the case of cotton, instead of, as we were told it would, by the talented South Carolinian? It has happened that during the nine tariff years the average price of cotton was from 1824 to 1833 higher than during the nine years of descending tariff and free trade; and at the instant I am speaking, I understand that cotton is selling at a lower rate than has been realized since the war with Great Britain. Yet, the same fallacious theorists adhere to a favorite theory, and search out for imaginary causes of results before their eyes and deny the true. I am not going into the land of abstractions and of metaphysics. There are great, great, leading, incontestable facts, which gentlemen must admit: first, that a high tariff did not put down the prices of staple commodities, and, secondly, a low tariff and free trade have not been able to save them from depression. These are the facts: let casuists and theorists, and the advocates of a one-sided paradise from the South, and of a paradise elsewhere to the world, and our blighted and paralyzed and dead side toward our own people, make of them what they can. At the very moment that England is pushing the receipts of duties, and, among the fields of India, and even contemplating the subsidizing of Africa, for the supply of her factories with cotton, and to the importations from India have swelled from 200,000 bales to 580,000, we are told that there are to be no restrictions on free trade.

Let me not be misunderstood, and let me entreat that I may not be misrepresented. I am not advocating the revival of a high protective tariff. I am for abiding by the principles of the compromise act; I am for doing what no southern man of a fair or candid mind has ever yet denied—giving to the country a revenue which may provide for the economical wants of the government, and at the same time give an incidental protection to our home industry. If there be here a single representative who will deny fairness and propriety of this, I shall be glad to see and hear who he is.

This check on the flow of specie abroad, to pay either a commercial or a public debt, will operate by the imposition of duties to meet the wants of the government—will keep the precious metals at home to a greater extent than it has now passed—I hope that we shall learn to live within our own means, and not remain so dependent as we now are on the mere good pleasure and domestic policy of foreign governments. We go for revenue—for an amount of revenue adequate to an economical administration of the government. We can get such revenue nowhere else than from a tariff on importations. No man in his senses will propose a resort to direct and internal taxes. And this arrangement of the tariff, while it answers this end, will at the same time operate as a check on the efflux of the precious metals, and retain what is necessary for the purposes of exchange and circulation.

The fourth advantage attending the adoption of the system proposed will be, that the states will be left to the undisturbed possession of the land fund secured to them by the act of the last session, and which was intended to aid them in the embarrassments under which some of them are now laboring.

And the last is that which I have already adverted, viz: that it will afford, indirectly, protection to the interests of American industry. And the most bitter and persevering opponent to the protective policy I ever met with, has never denied that it is both the right and the duty of government so to lay the taxes necessary to the public service as to afford incidental protection to our own home industry.

But it is said that, by the adoption of one fixed arbitrary maximum of ad valorem duty, we shall not derive that measure of protection which is expected; and I admit that there may be certain articles, the product of the mechanic arts—such, for example, as shoes, hats and ready made clothing, and sugar, iron and paper—some or all of which may not derive the protection which they need under the plan I propose. On that subject I need only say, as I said at the time of the passage of the compromise act, if some few articles shall not prove to be sufficiently protected beneath the established maximum rate, I should hope that, by the exercise of economy and economise, additional duties, above that rate, sufficient to afford reasonable protection to those few articles, by general consent, would be imposed. I am not, at present, prepared to say what that rule I have suggested will afford adequate protection to these particular interests or not; I fear it may not. But if the subject shall be looked at in the spirit of patriotism, without party bias or local influences, it will be found that the few articles alluded to are so distributed or are of such a nature as to furnish the grounds of a friendly adjustment. The interests of the sugar of the south may then be set against the iron of the centre and the productions of the mechanic arts, which, although prevailing everywhere, are most concentrated at the north. Without pretend to have, without reference to any general system of protection, they have been at all times protected. And who that has a heart, or the sympathies of a man, can say or feel that the hats and shoes, and shoemakers, should not be protected against the rival productions of other countries? Who would say that the shoemaker, who makes the shoes of his wife—his sister—his sweetheart—his daughter, being the last woman in the parish that is supplied with hers—shall not be protected?—That the tailor, who furnishes him with a new coat, or the hatter, who furnishes him a new hat, his pew in church, to attend a wedding or christening, or to visit his neighbor, shall not be adequately protected?

Then there is the essential article of iron—that is a great central interest. Whether it will require a higher degree of protection than is afforded under such a system as I have sketched, I have not sufficient information to decide; but this I am prepared to say, that question will be with the representatives of the states which are chiefly interested, and, if their iron is not sufficiently protected, they must take the matter up and make out their case to be an exception to the general arrangement. When I speak of the representatives of these states, I mean their entire delegation, without regard to political denominations or distinctions. They must look into the matter, and if they take it up and bring forward their propositions and make out a clear case of exception to the general rule, I shall be an humble follower of their lead, but I will not myself take the lead in any such case. If those states are not certain interests interested, they must send delegates here who are prepared to protect them. Such a state cannot reasonably expect senators from other states, having no direct, local, or pecuniary concern in such interests, to force on her the protection of her own interests against her own will, as that will is officially expressed by her representatives in congress. I again say, I am ready to follow, but I will not lead.

With me, from the first moment I conceived the idea of creating, at home, a protection for the protective system, I intended to imply the western man, up to this moment, it has always been purely a question of expediency. I never could comprehend the constitutional objection which to some gentlemen seems so extremely obvious. I could comprehend to be sure, what these gentlemen mean to argue, but I never had the least belief in the constitutional objection which slept from 1788, (or, rather, which reverse the doctrine of 1798,) till it suddenly waked up in 1820. Then, for the first time since the existence of the constitution, was the doctrine advanced that we could not legitimately by afford any protection to our own home industry against foreign and adverse industry. I say that with me it always was a question of expediency only. If the nation does not want the revenue, I certainly would vote for no tax upon the nation: but, viewing it as a question of expediency wholly, I have not hesitated heretofore, on the broad and comprehensive ground of expediency, to give my assent to all suitable measures proposed with a view to that end.

The senate will perceive that I have forborne to go into detail, especially in regard to the urgency of reform and retrenchment, with one or two exceptions. I have presented to it a system of policy embodied in these resolutions containing those great principles in which I believe that the interest, prosperity, and happiness of the country are deeply involved—principles the adoption of which alone can place the

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finances of the government upon a respectable footing, and free us from a condition of servile dependence on the legislation of foreign nations. I have persuaded myself that the system now brought forward will be met in a spirit of candor and of patriotism, and in the hope that whatever may have been the differences in the senate in days past, we have now reached a period in which we forget our prejudices and agree to bury our transient animosities deep at the foot of the altar of our common country, and come together as an assemblage of friends and brothers and compatriots met in common consultation to devise the best mode of relieving the public distress. It is in this spirit that I have brought forward my proposed plan; and I trust in God—invoking as I humbly do the aid and blessing of his Providence—that the senators, on all sides of the chamber, will lay aside all party feelings, and more especially that habitual suspicion to which we are all more or less prone, (and from which I profess not to be exempted more than other men), that impels us to reject without examination, and to distrust whatever proceeds from a quarter we have been in the habit of opposing. Let us lay aside prejudice: let us look at the distresses of our country, and these alone. I trust that in this spirit we shall examine these resolutions, and decide upon them according to the dictates of our own consciences, and in a pure and patriotic regard to the welfare of our country.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

March 10. The *president* of the senate laid before the body a communication from the navy department, in compliance with a resolution of the 18th ultimo, calling for the number of appointments made by that department since 4th March, 1841.

Also, from the war department, showing the expenditures of the military establishment for the year 1841.

Also, resolutions of the legislature of Wisconsan, asking the extinguishment of the Indian title, and the removal of the Indians.

Mr. *Linn* introduced, on leave, a bill to indemnify Major General Jackson for losses sustained by him in the discharge of his official duty.

This bill having been read for the second time by its title, Mr. *Linn* moved its reference to the committee on claims.

Mr. *Graham* suggested that the appropriate reference would be the judiciary committee.

The question was taken on reference to the committee of claims; and the vote stood for the reference 12, against it 16.

Mr. *Linn* then yielded the point, and the bill was referred to the committee on the judiciary.

The senate then proceeded to consider the bill to amend the act entitled 'an act to appropriate the proceeds of the sales of the public lands and to grant pre emption rights," approved September 4, 1841; when Mr. *Smith*, of Indiana, spoke in reply to Mr. *McRoberts*, who yesterday addressed the senate at length upon the proposed amendments. Mr. *McRoberts* had attacked the propositions in the land bill which Mr. *Smith* showed by the record were moved and sustained, not by the friends of the administration, but by its opponents, and having closed, the bill was on motion of Mr. *Clay*, laid on the table.

The senate then proceeded to the discussion of the special order, being the retrenchment and tariff resolutions; when Mr. *Woodbury*, rose and addressed the senate at considerable length, affirming part of the resolutions, and denying the validity of others; and contending that it was first necessary to have all the reports on retrenchment before fixing the sum on which the government was to be administered.

Mr. *Simmons* rose to reply, but the hour being late the subject was postponed.

And, on motion of Mr. *Tallmadge*, the senate then proceeded to the consideration of executive business; and, after some time spent therein, adjourned.

March 11. The *president* laid before the body a communication from the navy department, in compliance with a resolution of the 4th instant, stating that a suitable agent had been selected to procure American water-rotted hemp for the use of the navy, and suggesting further legislation on the subject.

The following memorials and petitions were presented and appropriately referred:

Mr. *Wright*, from the sureties of Samuel Swartwout, late collector of New York, asking to be allowed to compromise with the government.

Mr. *Buchanan*, from the city and county of Philadelphia, asking government to refund the amount of the fine imposed on Major General Jackson. Mr. B. said he took great pleasure in presenting the memorial to the body.

Also, from manufacturers of Pittsburg, Pennsylvania, complaining of the effects of the compromise act, and charging the present evils to that act, and asking that protection may be extended to home industry.

Also, two other memorials, asking for protection on manufactures.

Mr. *Berrien*, from the committee on the judiciary, reported a bill to provide for the furnishing of full reports of the supreme court.

The senate then proceeded to the consideration of the special order, being the retrenchment and tariff resolutions, &c. when Mr. *Simmons* rose and addressed the senate at great length, chiefly in reply to the remarks of Messrs. *Wright* and *Woodbury* of a previous day. In the course of his observations, he alluded to the neeessity that existed to protect the home industry of the country, maintaining that as that was done, so would the prosperity of the country be enhanced, and after some incidental remarks from Messrs. *Calhoun* and *Woodbury*, the senate went into executive session, and, after some time spent therein, adjourned to Monday.

March 14. Mr. *Clay* presented the following memorial from Mrs. Margaret Blennerhassett, the widow of Mr. Herman Blennerhassett, who some years since lived on an island in the Ohio river bearing his name, and who was supposed to have been connected with the famous enterprise of Col. Burr, in 1805 or 1806. This lady, whom he saw with her husband in 1805 as they passed through Lexington, Kentucky, was at that time the most beautiful and accomplished of her sex. She was an Irish lady, and, besides her personal merits, had the advantage of being connected with the Emmet family of Ireland. Her husband was a man of great learning and eminence, and, from his natural disposition, was wholly unfit for the transactions with which he was charged in connection with Col. Burr. The property purchased and family were broken up and driven from their home; and the island, which had been beautified and adorned by them, he (Mr. *Clay*) saw, for the last time, in the spring of 1805, when then exhibited some remains of beauty, ornamental grounds, and gravelled walks, shrubbery, and flowers; and the house and every thing exhibited a wonderful taste and elegance, but at the same time bore testimony of dilapidation. It appeared, according to the petition, that in consequence of the charge of a connection of Blennerhassett with Burr, a military force of 40 or 50 to 100 men took possession of the island; and it was proved by the testimony of Morgan Neville and William Robinson, who were young men of good character, and knew Burr intended to engage in his enterprise, that the soldiery seized all the stores which had been laid up for the family, and also injured the island to a very great extent. This lady, the petitioner, was in extreme indigence, and had come from Ireland lately and was now residing in the city of New York, where she was supported by the charity of her countrymen. She had a son, but he was wholly helpless, and was incapable of rendering her any assistance. She had foreborne to present this claim because of the prejudice she supposed to exist against her husband, who died several years since in a foreign land. She had now come forward and brought her claim, which was founded on the depredations committed upon her property on the island. For these injuries she was entitled to the redress of the government; and the only difficulty would be as to the amount to which she should be indemnified. After the delay which had occurred, and in the injured condition of the island, view the condition of the petitioner, he hoped that his friends who had the charge of claims would take up this case, and, at the earliest opportunity, do ample justice to this suffering lady.

Mr. *Buchanan* presented the proceedings of a large and respectable meeting, without distinction of party, held in Lebanon, Pennsylvania, in which they state that a remedy for the existing evils consists, not so much in the establishment of a board of exchequer, a national bank, an independent treasury, or the compulsion of specie payments by the banks, as in a judicious tariff.

Also, two petitions from Pennsylvania, asking protection for the iron interest, and a petition from the county of York, in the same state, adverse to the compromise act, and praying for a revision of the tariff; also, two memorials from the city and county of Philadelphia, asking congress to refund the fine imposed upon General Jackson in 1815 by the district court of Louisiana. The memorialists observe that "the shadows of the grave are fast gathering their curtains around him; yet ere they shall hide him from the view of the country for which he so generously risked all that was dear to him in life, we would most earnestly call on you to remove the stain from the bright escutcheon of his glorious fame. Let not its painful remembrance sadden the last moments of the departing patriot, or throw its blight on the laurels won by his devoted heroism. Shall the venerable head whose locks have been whitened in the storm that perilled his country's safety, sink into the cold tomb ere your records declare him innocent of spot or stain—whose name, like that of our first political savior, will be held as a talisman to our 'last test poverty? Forbid it, American honor—forbid it, American gratitude."

Mr. *Tallmadge*, from citizens of Vermont, asking congress to adopt the exchequer plan with such modifications as they think proper to make. The memorialists represent themselves as belonging to both parties which now divide the country, and some of them state that they have heretofore voted for a national bank, and others that they have advocated the independent treasury; and they pray that, as a measure of relief to the country, congress will adopt the plan recommended by the president of the United States.

Also, from Chemung county, New York, praying congress to take suitable measures for the establishment either of a high court of nations for the adjustment of all national disputes without a resort to the sword, or that the government will, in all its treaties with other nations, secure the insertion of an article to accomplish this praiseworthy object.

Mr. *Smith*, of Indiana, a memorial from Henry county, Indiana, remonstrating against the annexation of Texas to the United States.

Mr. *Wright*, from Broondaga, New York, praying congress to pass a law to reduce the per diem of members of congress to five dollars.

After the transaction of some minor business the senate adjourned.

March 15. A number of reports were presented from committees—principally on private claims.

Mr. *Huntington* presented four memorials from different parts of Connecticut, all very numerously and respectably signed by persons in all the various occupations in life, asking that such adjustment of the tariff be made as will secure to all the branches of American industry proper protection.

The resolution proposed by Mr. *Allen* on the 17th January last, calling upon the secretary of the treasury for information and his opinion as to the necessity of extending the time of the distribution of money directed under the distribution act to be distributed to the states—was taken up, and Mr. A. addressed the senate thereon until the special order of the day was announced, when the senate proceeded to the consideration of the resolutions proposed by Mr. *Clay* relating to retrenchment, the tariff, &c.

Mr. *Miller* rose and delivered his views at very considerable length in favor of all the leading points of the resolutions.

The following house bills were then read a third time and passed:

The bill to authorise the judge of the district court for the eastern district of Pennsylvania to hold a special session, and the bill to enable the U. States courts of Pennsylvania to select jurors.

The bill from the house, entitled "an act to extend the time for selling the lands granted to the Kentucky incorporated asylum for the deaf and dumb," was read by its title, and referred to the committee on public lands.

And the senate adjourned.

March 16. After the presentation of some petitions in favor of protection to the iron interest, and one or two reports on private cases, the senate took up the bills for the relief of Mary Snow and Thankful Reynolds and ordered them to be engrossed for a third reading.

Mr. *Clay* then occupied the floor on the retrenchment and tariff resolutions until near four o'clock, P. M.

The senate then proceeded to the consideration of executive business, and after some time spent therein adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, March 10. Mr. *Fillmore*, of N. Y., moved that the house be resolved into committee of the whole for the purpose of considering the question which has now been pending in the house for five weeks past. No opposition was made, and Mr. *Briggs*, of Massachusetts, resumed the chair in committee.

Mr. *Gentry*, of Tennessee, was entitled to the floor, Mr. G. was in favor of the reforms which had been proposed. The whigs were pledged to them, and he wished to see them enforced. He thought that if the house waited for the action of the executive in these matters, they would wait in vain. He was not only for talking about abuses, but for having them corrected. Mr. G. said he was for having all of the contingent expenses stricken from the bill. He would then consent that the bill should pass, and he would

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then have the contingent expenses referred to the committee of the whole, and there debated.

Mr. *Wise* said he would consent to have all these matters referred to a select committee for investigation.

Mr. *Gentry* was gratified at this, and was proceeding to reply to the remarks of Mr. *Wise*, when the chair called the member from Tennessee to order for irrelevancy.

Mr. *Cushing*, of Massachusetts, was in favor of bringing the committee to some result in reference to the bill under consideration, and was not disposed to say any thing which would prolong the debate. He wished that the house might be brought to a vote upon the bill. He wanted a vote. He would compromise with gentlemen, and if they thought proper to divide the contingencies from the salaries and to make two bills of the one under consideration, he had no objection. The question under consideration was not who were the peculiar friends and peculiar enemies of the executive, but whether congress would or would not execute its trust to the United States.—It was complained here that the president had a press of which he should be dispossessed, and yet congress had its printer and its press, and no one thought of dispossessing congress of them.

Mr. *Giddings* concurred with gentlemen that a vast saving might be made in these contingencies, and he was ready to co-operate heart and hand in this object. His object in addressing the committee was to call attention to some items charged in the contingent expenses of the state department during the last congress. At the 183d page of the blue book, under the head of "Miscellaneous," the state department had charged to the government contingent fund two or three times for pay for advertising compensation for slaves. He wished to inquire of the chairman of the committee of ways and means if he could explain this item.

Mr. *Giddings* said that on having his attention drawn to this item, he had called at the state department, and made inquiry about it, where he had been informed that it was the compensation paid to owners of slaves on board the Comet and Encomium that the compensation for them had been received from the British Government at the state department. Mr. G. charged the compensation as being a violation of the fundamental spirit of the constitution itself, as understood at the time of its adoption by the different states in the formation of this federal government. And, for the purpose of making himself understood, it became necessary to look back at the circumstances of the different states at the time of the formation of the constitution—at how the different states stood in relation to each other, and what were the different views entertained on the subject of slavery. He briefly glanced at the measures that had then been taken by Massachusetts, New York, Pennsylvania, and Vermont, severally, in relation to the emancipation of their slaves. He held that to take the funds of the nation to appropriate, in any respect, to aid in the recapture of fugitive slaves is unconstitutional; and he assigned as his reasons that this subject was never delegated by the several states to the general government. The several states of this union had never consented to grant any power to the federal government by which it was to maintain, support, or abolish slavery in any state—by which it was to support it by the appropriation of one dollar. He was proceeding to illustrate this position by reference to the state of South Carolina, when—

Mr. *Triplett* called the gentleman to order.

Some discussion ensued as to order and confusion ensuing, Mr. G. brought his remarks to a conclusion; he said his object was to perform a duty which had been conferred on him by ten thousand citizens of the United States, who had sent petitions to him solemnly remonstrating against this violation of their rights. His constituents most solemnly protested against taxation of this kind. They had sent these petitions here against it, and, while this house refused to receive them, or to bear their representative, he had now discharged his duty to them. He was mistaken in the *Law Parliamentary* which governed this house. He had supposed that they who were solemnly called here under oath to give their votes might assign their reasons for the unconstitutionality of measures. Insuperable he was mistaken in it, and, as he had discharged his duty in attempting to present the views of the petitioners and his own, protesting against this decision, he resumed his seat.

Mr. *Wise* now withdrew his amendment, and Mr. *Caruthers* moved to strike out the whole of the 15th item and the proviso annexed thereto.

Mr. *Everett* moved to reduce the appropriation from $25,000 to $12,500. Decided affirmatively 68 to 66. The motion of Mr. *Caruthers* was then decided, 87 yeas to 54 nays.

So the whole clause appropriating for the contingent fund of the state department was stricken out.

A motion was now made that the committee rise, and the committee rose and reported progress, and the house adjourned.

Friday March 11. Mr. *Wise* asked leave to offer the following resolution, which was read for information:

Resolved, That a select committee be appointed, whose duty it shall be to consider and report upon the expediency and propriety of separating the patronage of the government from the private and public funds of the country, and upon the best and most efficient and economical mode of effecting that object.

No objection being made, the resolution was received, and, without division or debate, was adopted.

On motion of Mr. *Wise*, the committee was ordered to consist of five members.

Mr. *Ingersoll* introduced the following resolution:

Resolved, That a committee on the judiciary be instructed to inquire into the expediency of reporting a bill to provide for the selection and return of jurors for the courts of the United States in any of the states where they have not been able to conform the designation and empanneling in substance to the local laws and usages.

And, without debate or division, the resolution was adopted.

The house resolved itself into committee of the whole on the state of the Union, (Mr. *Briggs*, of Massachusetts, in the chair,) on the bill making appropriations for the civil and diplomatic expenses of the government for the year 1842. And the following item being under consideration:

"No. 17. For the contingent expenses of said building, including fuel, labor, oil, and repairs, $3,350."

The same was, on motion of Mr. *Caruthers*, and in pursuance of notice to that effect given yesterday by him in relation to all contingent items, stricken out.

"No. 18. For pay of the secretary of the treasury, $6,000," was passed over without amendment.

"Item No. 19. For compensation to clerks and messengers in his office, $20,000."

Mr. *McKeon* moved to amend it by striking out the sum of "20,000," and inserting "$14,000." Mr. *Bronson* asked the mover of the amendment, whether we should pay the clerks what was due them. The question being taken, Mr. *McKeon*'s amendment was rejected.

The following items were passed over without debate:

"No. 20. For the salary of the first comptroller and the compensation of the clerks and messengers in his office, $20,600."

"No. 21. For the salary of the second comptroller and the compensation of the clerks and messengers in his office, $15,250."

The following item being under consideration:

"No. 22. For the salary of the first auditor and the compensation of the clerks and messengers in his office, $18,900"

Mr. *Stanly* moved that it be stricken out.

Debating and discussion thereupon ensued until on motion of Mr. *Linn*, the committee rose and reported progress, and the house adjourned.

Saturday March 12. Mr. *Fillmore*, on leave given reported from the committee of ways and means, amendments to the loan bill, which (without being read) were laid on the table and ordered to be printed.

The *speaker* announced the regular business to be the motion to print the report (in part) made on a former day from the committee on the judiciary recommending it inexpedient to amend the bankrupt law so as to include associations and corporations issuing notes or bills for circulation as money.

Mr. *Rencher* was entitled to the floor. He was understood to express his desire that the arrangement entered into yesterday between the gentleman from Ohio, (Mr. *Giddings*) and the chairman of the committee of ways and means (Mr. *Fillmore*) should be carried out. And, that he might not appear to act in bad faith as to that arrangement, he would cheerfully waive his right to the floor for the morning hour of this day.

Whereupon the house, on motion of Mr. *Giddings*, and by common consent, passed to the special orders of the day, being the consideration of private bills. After which on motion, the house adjourned.

Monday, March 14. Mr. *Barnard*, from the committee on the judiciary, reported a bill to provide for the selection and return of jurors for the courts of the United States where they have not been able to conform the designation and empanelling in substance to the local laws and usage.

This bill after undergoing the usual routine of half dozen previous questions and calls of yeas and nays, was brought to a final question and passed.

Mr. *Mallory* asked leave to make a report from the committee on naval affairs. Objected to.

Petitions and memorials were then called for in the order of the states, (commencing where it was suspended on the last petition day;) and they were presented by a number of members: amongst which,

Mr. *Cave Johnson* presented five petitions praying the suspension of the operation of the bankrupt law, and offered a resolution instructing the committee on the judiciary to report a bill suspending the operation thereof until the 4th of March, 1843.

On this the previous question was called but not sustained. It lies over for debate.

Mr. *Turney* offered the following resolution, which was adopted:

Resolved, That the committee on public lands be instructed to inquire into the expediency of reporting a bill authorizing the legislature of Tennessee to sell the lands set apart for the use of schools in said state.

Mr. *Sprigg* offered the following resolution, which was adopted:

Resolved, That the committee on naval affairs be, and they are hereby instructed to inquire into the propriety of bringing in a bill to allow of advances being made from the treasury to such persons as may contract with the navy department to supply the department with water-tested hemp for naval purposes.

Mr. *Andrews* asked the house to offer a resolution granting the use of the hall on Wednesday evening to the colonization society. Mr. *Snyder* objected.

Mr. *Triplett* offered the following resolution, which was adopted.

Resolved, That the committee on foreign affairs be, and they are hereby required

ous parts," and that the committee report what action, if any, of this house, or congress, is necessary on the subject of any such grievances.

Mr. *White* raised the question of reception, and moved to lay the question on the table; but withdrew the motion to lay on the table.

Mr. *Briggs* signified his intention to debate the subject; and, after some conversation on points of order, in which Messrs. *J. Campbell, Wise, Morgan, L. W. Andrews, Gordon, Arnold, Rayner* and the speaker participated, the question of reception was laid over for debate.

Among the petitions presented were the following:

By Mr. *Childs*, a petition from citizens of Pittsford, New York, in favor of a tariff, from Penfield, from Rush, N. Y. on the same subject.

Also, from citizens of the town of Monroe, asking the revival of the law of 1838 pensioning widows of revolutionary soldiers.

Also, from inhabitants of Wayne, county, N. York, asking an appropriation for a harbor at Pultneyville, on Lake Ontario.

The petition of 567 citizens of Wyoming county and other parts of Western New York, against enforcing the late amended treaty with the Seneca Indians.

By Mr. *Maynard*, the petition of James P. Allaine and 159 others of New York, in favor of protecting American labor and products.

Mr. *Rumsey* said that the petitions were from a very large number of females, who stated that they had heretofore supported themselves (and the families of such of them as had any) by making clothing; but that, in consequence of the valuation of duties under the compromise act, ready made clothing was extensively imported, and they were thrown out of employment and deprived of support; and they therefore pay for protection, and gravely ask congress speedily to determine whether our tailor shops in future are to be at home or in Europe. Mr. R. moved the reference of the petition to the committee on manufactures.

Mr. *J. M. Russell* presented the petition of 103 other citizens of Bedford county, Pennsylvania; also three petitions from Hancock county.

Also, one of John Patterson and 56 other citizens of same county, of a similar tenor.

And one from Henry Walter and 141 others, citizens of Somerset county, Pennsylvania, of similar tenor.

Mr. R. said the memorialists represent generally the evils felt throughout the country in the want of employment and encouragement of industry, and the difficulties arising from the disastrous condition of the currency; attributing those evils mainly to the operation of the act of congress commonly called the compromise act, and anticipating more destructive consequences if the operation of that act be not arrested. They particularly refer to the manufacture of iron in that section of the country, and state their firm conviction that it will be impossible to sustain the domestic fabric against the foreign competition which it must necessarily encounter under the provisions of the act referred to. They apprehend material injury before the aid of congress can be extended to them.

The memorialists pray that congress may take the whole subject into their immediate consideration, and establish a new tariff, embracing the principle of discriminating duties, for the encouragement and protection of domestic manufactures, and with a view to secure to country the balance of trade.

By Mr. *Bidlack*: sundry petitions from numerous citizens of Northern Pennsylvania, asking for the levying of such discriminating duties upon all articles of import as will secure adequate protection to American industry.

Also, petitions from citizens of Columbia county, Pennsylvania, for the re-adjustment of the tariff, with a view to the encouragement of the important interest of the manufacture of iron.

By Mr. *Henry*: the petition of 103 citizens of Beaver county, Pennsylvania, praying for an increase of duty on iron, woollen goods and silks, and all other articles that are manufactured in the U. States.

A petition of a number of citizens of Beaver county, remonstrating against the annexation of Texas to the United States.

Also, a petition of citizens of Genesee county, New York, praying that congress will publish a statement giving a comprehensive view of duties imposed by foreign governments upon products of this country exported, and upon goods from foreign countries imported.

Also, a petition from citizens of New York city, asking protection against the reductions of the compromise act without re-exportation of the goods on hand.

He also presented three other petitions from the same source, one praying the abolition of slavery in Florida, one in the District of Columbia, and one to prevent the transportation of slaves by vessels; all of which coming under the 21st rule, were refused to be received.

Mr. *W. W. Irwin* presented the following, viz:

Memorial of Samuel P. Darlington and divers other merchants and manufacturers of iron, nails, &c. citizens of Pittsburg, setting forth the injurious effects upon the American manufacturer of the late revenue law and of the compromise act, in changing the duty on imported steel from a specific to an ad valorem rate, and praying a restoration of the old established specific rate of $1 50 per 112 pounds.

Memorial of Rush & Muhlenburg and diver other manufacturers and merchants of Philadelphia, to the same effect.

Memorial of Messrs. Bakewell & Co. and divers other manufacturers of window glass and flint glass, and other individuals interested in such manufacture, citizens of the city and state aforesaid, representing the injurious consequences to that branch of industry from the ultimate operation of the compromise act, and praying congress to avert such consequences by fixing a specific duty on window glass, to be not less in amount than the actual duty was previous to the reduction of the 31st December, 1841.

Six memorials very numerously signed by the farmers, laboring men, merchants, manufacturers, mechanics, artisans, &c. of Alleghany county, in said commonwealth, praying congress to arrest the progress of the compromise act, and to establish a new tariff embracing the principles of discriminating duties for the encouragement and protection of domestic manufactures and home industry; and praying further that said tariff be framed with a view to secure to our country the balance of trade.

By Mr. *Morgan*: The petition of citizens of Cayuga county, New York, asking for a reduction of pay of members to three dollars per day after the 1st of May. Of the same, praying for a congress of nations to settle national disputes. Of William O. Duvall and others, citizens of Mississippi, asking the state debt of Mississippi, and to eject that state from the union. Mr. M. in presenting the petition asking congress to reduce the pay of members to $3 per day, stated that the petition was signed by many of his most respectable constituents, without reference to party. The gentleman to whom it was directed declined presenting it. Mr. M. concurred with the views of the petitioners, and believing that the sessions of congress, now unnecessarily long, would be materially shortened by granting the prayer of the petitioners, he had instructed the select committee, with instructions to report a bill reducing the pay of members to three dollars per day after the 1st of May.

By Mr. *W. B. Campbell*: a series of resolutions of the legislature of the state of Tennessee, on the subject of the tobacco interest, which had been presented on a former day by one of his colleagues and ordered to be printed. He asked no bulk but asked that they again be printed, but he would make such a motion as would conform in some degree to the views of the legislature. Every effort to reduce the duties on tobacco to foreign countries, by negotiation, has heretofore failed, and it is now more than probable that nothing will be done on that subject by treaty until this government shall resort to a system of countervailing duties, as pointed out by the legislature in their resolutions. The committee on manufactures have the whole subject of the tariff and the propriety of an increase of duties on imports now under consideration. He would therefore move that these resolutions be referred to that committee.

Also, the resolutions of the legislature of Tennessee, inquiring into the propriety of the immediate admission of Texas into the union of the U. States of America, which, on motion of Mr. *C. H. Williams*, were referred to the committee on foreign affairs, and ordered to be printed.

Also, resolutions of the legislature of Tennessee, instructing her senators, when she shall have any, and requesting her representatives in congress, to vote for the repeal of the bankrupt law, which were ordered to lie on the table and be printed. And the house adjourned.

Tuesday, March 15. Mr. *Stanly*, on leave, offered the following resolutions:

Resolved, That the postmaster general of the United States be directed to inform this house whether, in his opinion, any further provision by law is necessary to secure the post office department from loss arising from the transmission of letters by private persons coastwise from one port of the United States to another.

Resolved, That the secretary of the treasury be directed to inform this house whether, in his opinion, any further provision by law is necessary to secure the American owned ships and vessels the coasting trade of the United States, and also the conveyance of passengers from one port thereof to another.

Mr. *Betts* said that he had in his drawer a resolution connected with this subject, which was not embraced in the resolution of the gentleman from North Carolina, (Mr. *Stanly*,) and which he would be glad should be passed upon now. The resolution was as follows:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the navigation laws as to prevent interference or competition on the part of foreign steamers with the revenue laws of the United States, for the transportation of letters from one port of the United States to another.

And, without debate or division, the question was taken simultaneously on all the resolutions, and they were adopted.

The bill "to extend the time for selling the lands granted to the incorporated Kentucky asylum for treating the deaf and dumb," was passed.

Mr. *Mallory*, from the committee on naval affairs, reported the following bills, which were severally read twice by their titles, and committed:

A bill to authorise the construction of a war steamer for harbor defence, accompanied by a report in writing.

A bill to authorise the construction of a depot for charts and instruments for the navy of the United States, accompanied by a report in writing.

Mr. *Adams* rose and said that on the 27th day of August last a resolution from the committee on foreign affairs had been adopted, instructing that committee to inquire into the expediency of reducing the expenditures of the diplomatic department of the government, by reducing the number of ministers and diplomatic agents abroad. No report has been made at that session, and he now moved that the resolution be again referred to that committee.

A long time was spent in contesting this movement, which Mr. *Cushing* opposed, on sundry points of order,—but the resolution was ultimately adopted by nearly a unanimous vote.

A report confirming the deed of D. Levy, was made by Mr. *Barton*, from the majority of the committee on elections, and a counter report, by Mr. *Halstead*, from the minority, also a majority of the same committee, declaring Mr. Levy to be an alien, and therefore, not entitled to a seat as a delegate in that house.

The house then proceeded to the consideration of the *general appropriation* bill, in which considerable progress was this day made. The details are entirely too voluminous for our space. The house then adjourned.

Wednesday, March 16. Mr. *Halsted*, of N. J. from the committee on elections, asked for the accompanying upon the report of the committee declaring that Joshua Lowell was entitled to a seat.

Mr. *Randall*, of Maine, took issue with the report. He showed that Mr. Lowell's majority was less than twenty votes, and that twenty-three of the votes were illegally returned.

The house did not concur with him, and sustained the previous question which was moved. The report was then adopted and Mr. Lowell placed secure in his seat by a vote of the house.

Mr. *Fillmore*, in consideration of the exhausted condition of the treasury, felt called upon as chairman of the committee of ways and means, to move that the house resolve itself into committee of the whole on the state of the union, for the consideration of the bill proposing an extension of the time for subscribing to the unsubscribed portion of the loan authorised at the extra session of congress. The yeas and nays were ordered and the house refused to suspend the rules (required) 116 to 69, to go into committee of the whole.

The house then went into committee of the whole. The chairman of the committee, Mr. *Briggs*, of Mass., called for action upon the general appropriation bill.

Mr. *Fillmore* called for the consideration of the loan bill. The chairman decided that the motion was not in order. An appeal was taken, and the decision of the chair reversed.

The loan bill sometime since reported by the committee of ways and means was then read. A question of time arose as soon as the bill was taken up in committee of the whole.

Mr. *Wise* moved fifteen years instead of twelve years, as recommended by the president and secretary of the treasury.

Mr. *McKeon*, of New York, advocated a repeal of the land bill of the extra session of congress. He was, for a return to the government equitably.

Mr. *Smith*, of Va. was for extending the time for three years, and increasing the rate of interest. He would not consent to have the time run on for 14 or 15 years.

Mr. *Adams*, sustained the motion of Mr. *Wise*, and gave his reasons.

Mr. *Smith's* and Mr. *Wise's* motions were rejected. After some further discussion the committee rose and the house adjourned.

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CHRONICLE.

BANKS. After an extraordinary course of legislation, the government of Pennsylvania at length passed a law requiring the banks of that state to resume specie payments forthwith. The latest information from that state however renders it extremely uncertain how far the law will or can be complied with. The Sun says: "Although it was expected that the banks of Pennsylvania would comply immediately with the law of the state on Monday, yet we perceive by our Philadelphia exchanges that not a single bank in Philadelphia or elsewhere paid specie. Some of the banks designed continuing the law."

The Girard bank has made an announcement of all its effects.

On the 16th the banks of Philadelphia refused to take the notes of Penn Township bank, which constituted a large portion of the currency of the city. This produced an immediate run upon that bank, which after sustaining for some hours, at length compelled the directors to close their doors.

The distress in the business community is represented to be beyond any thing since the revolution. *Money is not to be had even at four per cent. per month.* Many heavy failures are announced.

The banks of Maryland appear to be making every dispositon to comply with the law of the state requiring them to resume specie payments on the 1st of May. They now pay specie in small sums, and it is believed will be able to fulfil the objects of the law.

The legislature of Virginia have not yet finally decided upon the provisions of the law which they have long been debating, requiring the banks of that state to resume. A motion to substitute the 1st June for the 1st November as the period, was lost in a tie vote on Tuesday last. A motion to substitute the 1st May, was negatived, ayes 51 nays 61.

BALTIMORE AND OHIO RAIL ROAD ORDERS are now down to fifty cents in the dollar. Contractors have decided not to receive them any longer in payment of taxes or city debts.

DR. CHANNING ON FREE TRADE. "Allow me to say a word to the merchants of our country on another subject. The time is come when they are particularly called to take yet more generous views of their vocation, and to give encouragement to universal free trade, on the principles which are gaining ground on the subject of free trade, and to the growing disposition of nations to promote it. It is a noble vocation, a noble duty and plan interest of the human race. To level all barriers to free exchange; to cut up the system of restrictions root and branch; to open every port and sell every product, this is the office of enlightened humanity.—To this a free nation should especially pledge itself.—Freedom of the seas, freedom of business in intercourse of nations free as the winds; this is not a dream of philanthropists; we are tending towards it and let us hasten it. Under a wiser and more Christian administration shall look back on our present restrictions as we do on the swaddling bands by which, in darker times, the human body was compressed. The growing freedom of trade is another and glorious illustration of the tendency of our age to universality."

COTTON MARKET—Liverpool, Feb. 18. The markets has been very dull and heavy throughout the week, the trade have been almost the only purchasers, and, though, no decided decline can be quoted in either American or Surat descriptions, the tendency has been strongly in favor of the buyer, with a great abundance of cotton offering. The imports the week amount to 27,034 bags, and the sales, including 500 American taken on speculation, and 100 American, 60 Maranham, and 100 Surat for export, to 19,630 bags, including 350 Sea Island Georgia, 10[d] to 16[d]; 20 ordinary Upland do. 4[d] to 6[d]; 1,120 Alabama and Mobile, 5d to 5[d]; 8,100 New Orleans, 4[d] to 7[d]; 740 Pernambuco, 6[d] to 7[d]; 200 Pabia and Macoia, 6[d] to 7[d]; 680 Maranham, 6[d] to 7d.

CORN LAWS. The New York Courier and Enquirer, in speaking of parliamentary movement, says: "In addition to the great corn law question, the ministers have proposed resolutions in regard to the colonial customs duties, similar to those brought forward last winter by the former administration. These, it is believed, will afford considerable relief to the West Indies and North American colonies. The admission of grain and flour into the colonies, at a duty of three shillings on the quarter of wheat, and two shillings on the barrel of flour, is looked upon as an important auxiliary to the modifications of the corn laws, and an opening for the admission of flour into England from the United States, through Canada, at a fixed rate of duty."

CREOLE CASE. A cabinet meeting, we learn, was held at Washington, on Monday, to take into consideration the important despatches received at the state department, transmitted from our minister in England, by the Acadia. The executive, it is said, will not recede from the stand taken in the Creole case. [*Ledger.*

DISASTER AT SEA. The Sailor's Magazine contains the following list of vessels known to have been wrecked at sea during the past year. About 650 lives have been lost, and nearly $15,000,000 worth of property. Of the whole number 94 were English vessels; ships, 65; barks, 47; brigs, 130; schooners, 246; sloops, 31; steamboats, 5; unknown, 40—Total, 857.

ELECTION. The New Hampshire state election has resulted decidedly in favor of the Van Buren party: particulars not yet ascertained. Hall's N. H. Patriot then declares his representative elected so far as heard from; radicals, 56; anti-radicals, 53: whigs, 47; no choice, 16: the radical majority, 3. Barton is beaten in the Rockingham counciler district by a large majority.

INDIAN COUNCIL. A letter from a Mr. Phares, clerk of Barry county court, Missouri, states that he has information from an intelligent *Delaware Indian*, that a great Indian council to consist of chiefs and head men of the Seminoles, Choctaws, Chicasaws, Creeks, Seuecas, Quawpaws, Osages, Shawnees, Cawa, Tuwanoes, Sioux, Sacs, Foxes, Pankeshaws, Kaskaskias, Weyandotes, &c. &c. &c.; are to assemble *in two moons from that time* (16th February), *to confederate* the Indian tribes of the Cherokees—of which Ross is the talented head man, and who has recently returned from Washington. It is supposed, that the ostensible object is to oppose any further emigration of the whites west, to prevent the erection of any more forts in their country, and never more to part with another foot of their land, either by force or treaty, at the peril of their lives and the total extinction of their race. *The Delaware* informs our correspondent that by the confederacy the Indian tribes will be enabled to bring a force of 40,000 warriors into the field.

MEXICO. The New Orleans Bulletin of the 3d inst. contains accounts from Mexico brought by the schooner Independence, which left Tampico on the 4th inst. on motion made of the Texan prisoners. The papers assert that the treaty proposed by Yucatan is entirely inadmissible, and that Mexico will never agree to any such terms with one of its states. The Tampico Sun is particularly severe upon the Louisiana legislature and the U. S. government generally, for the interest manifested in behalf of the Santa Fe prisoners. They say.—

"The Mexican government will respond to such outrageous demands in a way consistent with the honor of the republic. For our own part, we hope the supreme chief of the nation, who has so fully realized the desires of the whole people, will not hesitate to call the United States an evidence of firmness, spurning so insulting a demand. We do not presume that in case of war, Mexico will be able to maintain a contest on equal terms; but it would be far more honorable to be buried under the ruins of our country than to submit to the insolent proposeres of such a humiliating demand. The result of a conflict be what it may, however disastrous, it will be much more tolerable than to suffer the insolent pride of this modern Carthaginian—these descendants of slavery—these worshippers of the silver god—and who desire to impose the yoke upon a people who more deserve to be free than a whole world of Anglo Saxon slaves."

NAVAL. The frigate Constellation, commodore Kearney, and sloop of war Boston, commander Long, were at Singapore on the 23d of Nov. J. C. Richardson, of Louisville, a midshipman, was on board the Constellation, of fever, on the 29th of Sept.

PENNSYLVANIA ASSESSMENT. From the report of the auditor general to the legislature on the 1st March, 1842. The assessed value of real estate, houses, &c. as assessed for county purposes is $361,401,494

The assessed value of offices, posts of profit, trades, professions $24,495,463

The assessed value of mortgages, debts, stocks, watches, &c. 44,387,391

Whole amount of state as assessed in fall of 1841 531,582

Nine counties having a population of 310,245 are not included in the assessment, and consequently have not been returned.

The assessed value of real estate of Philadelphia city was $78,318,474: of offices, trades &c. 12,476,643; of mortgages, stocks &c. 18,969,011; state tax in fall of 1841, $162,232. The assessed value of real estate of Philadelphia county was $80,516,935; of offices, professions &c. 2,923,925; of debts mortgages, stocks &c. 5,365,152, state tax in fall of 1841, $71,287.

PRINCE DORNITZLE was pronounced, by a royal ordinance of 23d January, sole bank of Prussia.

RIGHT OF SEARCH. The treaty among the five great powers of Europe, touching the suppression of the slave trade, is one of great importance to this country in the present aspect of our affairs. And the recent refusal of France to confirm all of its provisions, gives additional consequence to the subject. The subjoined letter to the editor of the U. States Gazette, dated Paris, Jan. 27th is from a gentleman long and successfully conversed with the diplomatic affairs of the country abroad, a close observer of our foreign relations.

My dear Chandler: You were doubtless as unprepared as myself for the joint treaty of the five great European powers, touching the suppression of the slave trade, by the concession of the mutual right of search. English ambition, concealed under the disguise of philanthropy, is at the bottom of this business. The object of Great Britain has been to interpolate the right of search into the law of nations, under the sanction of the united authority of those European powers, who take upon themselves to make and interpret European public law. Her real objects, as well as the means which she has intended to put into practice for their attainment, have been concealed from the associate parties to this treaty. Her primary aim has been to legalize her sovereignty of the seas, and then to force the minor powers, the United States among the rest, to respect this new authority for her insolence and boundless ambition for maritime power. Happily we have here an able and influential minister. As soon as he was informed of the existence of the treaty, he hastened to unfold its objects to the French ministry, and through that, and other channels of influence, to the awakened France to a proper and excited feeling of the danger to the principles and interests which she has hitherto defended, contained in the treaty—and France has at last refused to give her final sanction. I have my doubts whether the treaty will be ratified; but after the interpretation given to it by the minister of foreign affairs, evidently the result of his interviews with General Cass, it will be powerless in the hands of Great Britain, by the use she intended to apply it against our vessels, or secondary powers. Mr. Guizot said, in the chamber of deputies, that an attempt to apply the treaty to us, or to other powers who prefer not participation in it, would be a justifiable cause of war. Now had the treaty been ratified without the commentary from this high source, Great Britain would have pressed, that to make the treaty efficacial, it must apply to all flags; and that the only object in getting the united signatures of the five powers, was to enforce the right of search as the law of nations, in the paramount interest of humanity. But the declaration of the French minister, and the universal hostility of the chamber of deputies, and of the press, to the treaty, have changed the whole aspect of the matter. The instrument is now a nullity in the hands of its negotiators. The feeling of France must be the feeling of the continent; and England instead of having made another, and the longest step of all, to universal power and domination, in her long and unremitting encroachment, abandoned, on the instant, by the allies whose moral force she had counted on to enable her to carry out her monstrous purpose. The Cass and Guizot case has lately produced a pamphlet setting forth the true import and dangers of this treaty. It will be read by every statesman in Europe, and added to the general Parisian indifference here, will effectually turn the tables on England. The country owes the general much for his reasonable and effectual exertions on this important subject.

STEAMBOAT EXPLOSION AND LOSS OF LIFE. We learn from the Mobile papers, that on the 1st inst. the steamboat North Star, burst her boilers, about twelve miles from Tuscaloosa, Ala., and some sixteen persons were instantaneously killed.

THE ORANGES. A letter from an officer on board the U. S. schooner Grampus, hence, 14th ult. states that the gale on the 5th of Feb. in which continued with great violence for nearly three days, the deck most of the time so flooded, that the port holes barely afforded a sufficient vent for the water. Her rigging overloaded the vessel, lost stern boat, and had the quarter boat stove, &c.

[*Boston Mercantile Advertiser.*

TOBACCO MARKET, *Liverpool, Feb.* 18. Tobacco continues in good general demand, and since the commencement of the month the sales amount to 754 hhds. comprising 426 Virginia leaf, and 92 stemmed, 109 Kentucky and 120 manufactured. Of these 238 hhds. were taken for export, 214 for Ireland, 13 for Scotland, 80 on speculation, and the remainder on 221 hhds. by the trade. The sales of the manufactured and Virginia leaf have advanced about 1[d] per lb., and the market generally is firmer.

The mail brought by the steamship Unicorn, was the largest that has arrived in the United States. The number of letters was about 40,000, and there were 40 bags of newspapers. The postage on the letters for New York amounted to $3,000; Philadelphia, $650; Baltimore, $200; Albany (city or distribution) $500.

WHEAT MARKET. *Liverpool, Feb.* 15. A very limited trade in free wheat to-day, at a decline of 1d. to 2d. per 70 lbs. compared with last week. Holders are gaining in the bonded market except a parcel of U. States sweet flour which changed hands at 27s. per barrel.—Free flour sold at 26s. 6d. to 28s. 6d per barrel.—Oats were 1d per bushel lower.

Feb. 19. Since our last report this week and up to this date, business in any free article of the trade appears to be literally suspended. At this day's market likewise, unaccountable dullness pervaded every branch of the corn trade, and rendered sales difficult of effect. Grain scarcely more than nominal. Of wheats, however, the low retail sales effected were at a decline of 1d to 3d per 60 lbs. and oats might have been purchased at full 1d per 45 lbs. below the rates last noted. Oatmeal, in the absence of country buyers, receded 6d per 240 lbs. Flour was take off very sparingly, and although prime brands, duty paid, are not plentiful, there was a disposition to sell on rather lower terms. Until the question of the corn laws, is decided, we look for no change, we look for very little if any improvement in our demand.

London, Feb. 18. We have to note large arrivals of English barley, and foreign barley, but the supplies of other grain, although only moderate, are more than sufficient for the present demand. Every article is most depressed, buyers continuing to exercise the greatest caution in their purchases, and reducing their stocks to the lowest point. In the absence of demand, we continue our previous quotations, but less money must have been taken to force sales of either wheat, barley or oats

Quotations—American flour, free 25s.28s. in bond 29s.32s. duty paid, free 34s.36s.

London average prices of grain for the week ending Feb. 15.—Wheat, 2,406 qrs. 60s. 1d.; barley, 6,328 qrs. 33s. 3d. oats, 22,827 qrs. 20s. 6d.; rye, 78 qrs. 38s. 6d. beans, 1,290 qrs. 33s. 1d.; peas, 1,280 qrs. 33s. 1d.

NILES' NATIONAL REGISTER.

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TRADE AND COMMERCE.
RIGHT OF SEARCH—Gen. Cass' pamphlet.
CONGRESSIONAL PROCEEDINGS.

☞ AGENTS. C. W. JAMES and TH. F. EAYTON are the only agents now authorised to collect *Niles' National Register*, in the states and territories north and west of, and including Ohio.

FOREIGN ARTICLES.

The ship Delhi at New York on 20th inst. from Macao on 29th November, brings nine days later information from China, but nothing important. Ningo Chusan, &c. are in quiet possession of the British.

In a circular, of 3d October, of Sir Henry Pottinger, in announcing the capture of Tinghaye, (the capital of the Chusan group) says: "Under no circumstances will Tinghae be given up, until the whole demands of England are not only complied with, but carried into full effect."

Since the Acadia, with London dates to the 18th Feb. there has been no later arrival from Europe.—The debates in the house of lords on the Cerealc case as reported in our last took place on the 14th February. The decision of the French chambers against the ratification of the quintuple treaty as expressed in the debate on the reply to the kings speech, was made in consonance with the general voice of the nation on the 24th January. The debate on the subject of the address was brought to a close on the 25th. The pamphlet from Mr. Cass appeared on the 1st February. The treaty had been signed in London on the 20th December and its ratification was expected in London on the 20th February. The information of its non ratification in its precise terms by the French ministry and their proposition for modifications reached London on the 16th February. Public opinion in France though already awakened seems to have been more decidedly drawn to the importance of the subject by the position maintained by the United States as expressed in the president's last message and in the diplomatic correspondence of Mr. Stevenson with Lords Palmerston and Aberdeen which accompanied it. The Times, ministerial paper, of the 5th January, remarked that "the five powers which signed the late treaty for the suppression of the slave trade will not allow themselves to be thwarted in the execution of their engagements by the capricious resistance of the cabinet of Washington. A single war with Great Britain sho (the United States) has already tried; a war on her part with all Europe, will be a novelty!" The same journal on the 14th February says:

"There is no one law which is faster gaining ground in Europe than the right of every country to command the military services of its native born in its defence. This law has become sacred in France, Germany and Spain—more sacred in proportion as each country progresses in strength, civilization and freedom. It is a law, of which the American states will fully feel the necessity one day, though it be to their interest to efface it at present. At all events, it is not only England's interest, but her right, to insist on this universal law. And in so doing, England cannot but have the support of all European states. General Cass may still regard the principle of man's allegiance to his country to be a mere "feudal notion." Let him ask his French friends, who certainly have got rid of feudal notions, whether they consider this to be one or not."

As for France, its press and public voice has already replied to the Times, and the treaty still remains unratified. In the discussion in the chamber of deputies, M. Guizot said with emphasis:

"England claims, in the vessels of the United States, a right of impressment; England maintains that, where, for any reason whatever, she has the right to examine any American ship, she has the right to seek for English deserters, to take them and send them to England. She does not claim the right to enter the American vessels *with this special object*. No, she does not go so far; but she contends that whenever *she enters an American ship, for any purpose whatever, she can exercise the right of impressment* upon all the English sailors she may find on board. Here is the great motive of the energetic resistance of the Americans to the English right of entry, under whatever form and under whatever pretext it is presented, *and in my opinion the Americans are right.* If the English claimed to come to seek English sailors on board French vessels, certainly we should resist like the Americans."

The Irish orator, now Lord Mayor of Dublin, would seem to be "on the fence" upon the subject.

O'CONNELL ON THE RIGHT OF SEARCH.

FROM A SPEECH RECENTLY DELIVERED IN DUBLIN.

He was, he thought it was in the *Freeman's Journal* of Tuesday last, a letter from an American, that in London, who attacked him for having entered on a discussion of the "right of search" question then pending between England and America. He did him (the lord mayor) great injustice for he had not said one word on the subject. He was free to declare his opinion, as he had already done before, of slavery and its horrors, that he was, now that the Americans sympathy thus given the more highly. He was ready to declare that no man of any color, cast, or creed, should be a slave, and while he had increased in affection to America, he did not diminish his dislike of slavery wherever it existed (loud cheers.)—He valued their sympathy, because they all knew he was a decided enemy of slavery in every quarter of the globe; and with regard to the question of the right of search, he was convinced it was one which would have been easily settled (hear, hear). The Americans unquestionably had a right to resist any search made on their own ships, but they had no right to make or suffer that flag to be made the cloak for a committal of pirney on the high seas, or to carry on a traffic in the odious system of slavery (hear, hear). The difficulty existed in distinguishing between the real and fictitious flag, but he thought that if a mixed tribunal, half Americans and half British, were formed they would be able to decide what ship sailed under the real American flag, and adjudge the parties entitled to compensation (hear, hear). The Americans had no right to permit piracy, or a traffic in slavery to be carried on under their flag, and they had no right to give parties engaged in that piracy a fictitious protection, and they don't want to do it; but why, he would ask, were they so very stringent in their refusal to allow any meddling with vessels sailing under their flag?

Oh, England ought to read a lesson from the circumstance! In the last war she acted with the most atrocious barbarity towards the American vessels.—She trampled their flag under foot—insisted on the right of search—insisted on the right of British subjects to go on board American vessels, and act as they thought proper. England was then in the insolence of her power—she committed the grossest outrages on the rights of the American people; those outrages irritated and provoked them in the highest degree, and that irritation continued to the present hour (loud cries of hear, hear). Oh! England ought to recollect that while she had the power—that while it was safe to insult, she did so; but a day of retribution may come (cheers) and if ever England America in the plenitude of her power—in the zenith of her prosperity—is now willing, and not only willing, but implorng of America not to have recourse to hostilities—nay, she is sending out her *millions-mire* to beg and entreat not to push their undoubted right of self-protection farther than was absolutely necessary (cheers and laughter). The insolence of toryism was frightful to contemplate, and he, for one, should most heartily wish to see it checked (loud cries of hear, hear). The rule with the tories of England was, that as long as they could oppress, they continue to do so, but to shrink from it when they find it cannot be done with safety (hear). That was a lesson which the tories had given for many years: but English insolence at present, with its 'united breath' drawn, and making her humble obeisance, was reduced to the necessity of sending out Lord Ashburton to interfere with the Americans, and to request that they would not be too violent in their assertion of a right (a laugh).

He (the lord mayor) assured the Americans, that as far as the protection of American property went they had the sympathy of Ireland, but as far as the slave trade was concerned, it had their utmost reprobation (hear, hear and cheers). They had no oom' promise to make with those who were engaged in that nefarious traffic. They respected American independence, but they abominated the system of dealing in human beings as a matter of trade, and could not endure the thought without horror of a child being torn from its parents, or a wife from her husband, to be thrown into filthy dungeons, with the chance of being drowned, or poisoned by the bad air of the horrible prison in which they were too often unfortunately confined, and the bad provisions which they received (hear, hear). He regretted that the traffic in human beings should be continued; but he was not very sorry at seeing the chartered insolence of England put down (hear, hear and cheers). The matter would, of course, be compensated, they could not go to war; and as far as right was with the Americans, they should, as he had already observed, obtain the sympathy of the Irish people. But as regarded the question of slavery, it met with their most decided reprobation. He (the lord mayor) felt it his duty to make these express declarations, that they might see the expression of America had kindled towards Ireland, and lest that might be held out as a reason to calumniate those who had already taken a strong part on the question of slavery (hear, hear). Upon one new that his opinion on that question was unaltered and unmoved; but at the same time he could not regret to see the just regard which was meted out to England for her by-gone insolence, particularly to Ireland, and the degradation which that state of things brought upon the tory faction. (cheers).

TEXAS AND MEXICO.

From the New Orleans Picayune, of March 10.

The following is translated from the "Diario del Gobierno de la Republica Mexieana," the official organ of the present administration of Mexico:

Mexico, February 20, 1842.

The two following letters have been recently received by his excellency the president of the republic—the one from James Hamilton, general, of the United States, and agent of Texas, and the other from Mr. Bernard E. Bee, Texian chief, holding property in the United States. We give also in sequence the answer of each of these, which his excellency has thought proper to communicate, in order that our readers and the entire republic may learn how far presumption and audacity have carried away the usurpers of our territory; since, already by alternate threats and promises, they attempt to drive us Mexieans to a renunciation of our rights, and to the abandonment of a territory which they have seized upon like bandits, at a time when our domestic disturbances unfortunately disabled us from defending our frontiers. But the accompanying answers will sufficiently inform them what they are to expect from Mexico, and most persuade them that they will never obtain tranquil possession of that which never belonged to them, and is still the property of the Mexican nation.

We may add to what the worthy chief of our republic has so patriotically expressed, that, if the present generation, by some fatality, be unable to reconquer the territory, our sons or our grandsons will undoubtedly gain the victory; for nations have a long life, and those who know their power and their rights will never submit to dishonor and infamy.

New Orleans, December 27, 1841.

MOST EXTEEMED SIR: The present position of Mexico requires wisdom and firmness. You possess both these qualities in a high degree, and will exercise them for the benefit of your country; therefore am glad to see you at the head of Mexican affairs. The expedition of Santa Fe affords you an opportunity to discuss again the question of Texas—a difficult question, which should be disposed of as soon as possible. Affairs cannot remain in their present position. It is necessary to make choice between peace and war. You are fully aware of the advantages to be derived from the former, and of the evils which must result from the latter. Never will you be able to conquer Texas, except (to use your own expression) in defiance of the United States and of the laws of nations. All the inhabitants of the valley of the Mississippi will march upon Texas—they are familiar with fire-arms, and their aim certain. Thousands of them will pass the Sabine as soon as they hear that Texas is invaded; the knot should, then, be at once cut, as I told general Victoria at the

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interview which I had with him at Vera Cruz. I do not entertain the slightest doubt of your determination, when I reflect upon the knowledge of the facts which you possess, and the experience you have acquired during your voyage through a part of the U. States. My principal object in addressing to you this letter is, to speak of the prisoners taken in the expedition to Santa Fe. I firmly believe that you have ordered them to be well treated, and I have given public assurance that such would be your course in the matter. Would not the present be a good opportunity to submit the whole question of Texas to the decision of your government? If you think that the mediation of the United States or of England would exercise a beneficial influence, you may rely upon its being tendered; and I will communicate to me (confidentially) your ideas upon this measure. Please answer me as soon as possible. I recommend the prisoners to your care. I entertain friendly relations with many of them. The object of the Santa Fe expedition was never made known to me at Washington; and I know of it only what appeared in the public prints. I remain, sir, with great respect, &c. BERNARD E. BEE.

To his excellency Gen. Santa Anna,
president of the republic of Mexico.

ANSWER.

Palace of the general government of Mexico,
February 6, 1842.

MY DEAR SIR: I have received with pleasure your letter of the 27th of last December, written from New Orleans; because I remember with gratitude the generous actions which your kindness exerted in my behalf during my stay in Texas, and my voyage to the United States. I would rejoice were fate to grant me an opportunity of reciprocating the kind and good intentions which you manifested to me, like a gentleman who esteems properly the respect due to great misfortune suffered for a noble cause. Would to God that our relations could be renewed with these limits, that I might manifest to you, without restriction or embarrassment, my just gratitude.

But in the letter to which I refer, you lay not before Lieutenant Santa Anna, but before the president of the great Mexican republic, the question of Texas, ungrateful in its recollections, important in its results, and worthy of fixing the attention of the man who properly over the destinies of a great nation. Too surely to give it the consideration to which its gravity entitles it, both wisdom and decision are eminently necessary; and you, the generously good me the one and the other, likewise know that I fully appreciate how important to Mexico is the preservation of Texas, and how weighty are the consequences which would result from the abandonment of our rights to this territory, actuated by an infamous and reprehensible cowardice.

The expedition to Santa Fe recently vanquished by a generous effort of that city, has brought confirmation to the suspicions and fears which I had long since conceived of the ambitious designs entertained by the usurpers of the Mexican territory. Hardly had they commenced to enjoy the tranquillity and rest granted to them by an imbecile and careless administration, which neglected to put into action the elements of power abounding in the Mexican republic, than they had passed beyond their first limits and converted themselves into conquerors of territories never included under the name of Texas. This act, as unjust as it is scandalous, has confirmed the ancient conviction that the separation of Texas, the creation there of an independent government, and the abandonment of Mexico, would occasion our ruin and disgrace, and make the Mexicans, on the surface of the country which we have conquered with our valor and our blood, the valiant race who so foolishly thinks itself vilified and degraded. Mishap may overtake a people (good or ill is destiny) but the nation who foresees the entire extent of her danger, with the consciousness of her rights, her dignity and her resources, is enabled to prevent misfortune or retard her overthrow by the exercise of her energies and her constancy. Such is the use of decision; and you may rely upon finding that of the Mexicans unanimous to defend their honor, and I will exhaust the energies of my soul to give new proofs that the glorious standard of my country shall not be outraged unavenged.

To the luminous (tumultuaria) population of the valley of the Mississlppi, with which you permit yourself to threaten me, we will oppose the population of our valleys and our mountains, of our towns and our large cities; that is, an aggregate population of eight millions of inhabitants, who form a nation by so many titles respectable. I am astounded that you should announce to me so openly (sin embozo) the hostility of a people friendly to Mexico, and bound to us by relations whose intimacy would forbid such aggressions. The civilized world will not learn without scandal that the inhabitants of the United States, infringing their own laws and violating the most sacred international rights, support for a second time a usurpation which they have commenced and constantly supported, abusing and mocking the generosity with which the Mexicans bestowed upon their countrymen rich and coveted lands, and invited them to enjoy the benefit of their institutions. If Mexico should receive such hostility from those who call themselves her friends, she will treat them as enemies in the field of battle. She will repel force by force, and she will appeal to the judgment of the universe against such an aggression, as unjust as it would be violent.

Like every philanthropic man, I appreciate the blessings of peace, and I admit that war has its disasters, its vicissitudes, its uncertainties; but a peace, bought at the expense of the dignity of a nation, is an inadmissible peace, and to it we must prefer war, which may save our honor, whatever may be the results it may entail upon us. I fully appreciate the problematic condition of Texas; and I have before me the entire series of its consequences. I believe war to be necessary. I believe it to be a measure indispensable to the existence of Texas, and that her government will not faithfully perform her duties, if she does not strain her resources to the utmost boldly to enforce a full confession of her justice.

You have yourself seen that an unexpected and surprising freak of fortune alone prevented the total ruin of the remains of the Texan army, which had already lost the greater part of its territory depending upon its defence. Still greater efforts than those attempted at that period can still be made, and shall be, for I have the will and the power, resources which Texas and the Mexican people have given me, to establish solidly the honor of the nation I govern.

If the mediation of the governments of Great Britain and the United States had for its object any reasonable adjustment in which were not compromised the incontestable rights of the nation to a territory usurped under the name of an independent nation, I would not refuse to admit it, as well on account of my respect for these governments, as from a due consideration of the interests of humanity; but if this principle is to be brought into question, we Mexicans prefer the fate of war, unjustly forced upon us, and provoked it; and we will appeal to the Supreme Judge of the social world to support the justice of our cause by a triumph which we will not pervert to oppression and a tyrannical use of it.

The prisoners from Santa Fe have been treated according to the usages in cases of prisoners of war; for, as such, humanity requires us to consider them, without, however, dispensing prudent measures of security. I have ordered the youths, Van Ness and Comita, to be placed in absolute liberty, through consideration for the respectable families in the United States to which they belong, and to give testimony that the Mexican government knows how to temper the severity of its justice by measures of leniency and commiseration.

From Mr. Samuel Houston, from yourself, and from two or three more Texians, I have received many kind attentions. So far as my delicate duties as chief of the nation will permit me, I shall be most happy, as a private individual, gratefully to repay them in whatever misfortune inconstant fate may prepare for them. You, sir, are fully able to appreciate the extent of my obligations; you know my personal character, and I flatter myself you will accept the sincere protestations with which I repeat myself your obedient servant,

ANTONIO LOPEZ DE SANTA ANNA.

Mr. Barnard E. Bee.

CORRESPONDENCE.

January 13th, 1842, on board the steamer Forth, on its voyage between Havana and New Orleans, from England.

[*Confidential.*]

"To his excellency general Santa Anna, president of the Mexican republic.

"SIR: Although I am a citizen of the U. States, the government of Texas has commissioned me to obtain the recognition of its independence, by the European powers, and to transact certain fiscal operations. For whose successful termination I am now returning to Texas, to obtain the ratification of its government.

"I am induced to take this step, not from any fear that Mexico should break hostilities with the government or people of Texas. I take the liberty of proposing to your excellency, (if you think it consistent with the honor and interests of Mexico) that a treaty of peace and limitation should be entered into, with Texas, upon the basis of an indemnification of five millions of dollars, which I can place in London, for this object, within three weeks after receipt of the agreement, together with two hundred thousand dollars, which will be secretly placed at the disposal of the agents of the Mexican government.

"If your excellency desires peace at this price, address to me your answer at New Orleans, under cover of the English consul, by return of the steamer.

"I am, sir, with the greatest consideration, your very obedient servant,

(Signed) "J. HAMILTON."

"*To his excellency general Santa Anna.*"

"Your excellency may address your letter to Gen. James Hamilton—I have written with great haste in order not to lose the present opportunity.

"Your excellency will have the goodness, if you answer this letter, to do it in English in order to avoid the translation of a confidential letter, in which character I will consider your answer."

"*Palace of the government of Mexico, February 18th, 1842. Mr. J. Hamilton.*

MY DEAR SIR: Mr. Packenham, minister of her Britannic majesty, placed in my hands in due time, on the letter of the 18th of last January, which had reached him by the steamer Forth, and I at present acknowledge its receipt after the delay required by the grave matter on which it treats.

"A letter written without previous acquaintance with me, either official or personal, by a man whose very arts stamp him an enemy of my country, could not fail to surprise me, and the more so, from the want of tact and delicacy with which certain propositions are addressed to one, who knows how much is due to his eminent position, and to his dignity and honor, which have placed me, at, under the necessity of being very explicit and severe, because I cannot consent that you and the partisans of your cause, should deceive themselves concerning the final resolution of Mexico, in the question of Texas, nor can I omit the expression of the profound disgust which you have excited in me, by so rudely coming forward, to propose to me, the sale of Texas, and the acquisition of an infamy.

"You commence by acknowledging yourself a citizen of the United States, and at the same time agent of Texas, for the recognition of its independence, by the European powers, and for the well known and unfortunate negotiations for loans. I do not conceive how you can preserve the title of citizen of a nation at peace, harmony and friendship with Mexico, and at the same time, you endeavor to do her all the harm in your power, and to cut off from her a part of its territory, by means which you have employed with such singular activity. This system of conduct that your countrymen first commenced the war, introduced disorder into Texas and still maintain with such scandalous violation of the treaties which should, in good faith, unite the two nations. But leaving this examination to the criticism of the civilized world, which is ignorant neither of the origin, nor the tendencies of the usurpation of Texas, I will quickly show you, that you are mistaken, and that too greatly, in supposing Mexico deficient either in strength or the will to maintain her incontestable rights.

"We have fully weighed the actual and the possible value of the territory of Texas, the advantage accruing to Mexico by retaining it in possession, and still more by the precarious situation to which she would find herself reduced, were she to permit a colossus to arise within her own limits, always ready to advance, and evolve, to obtain new acquisitions by the trite title of theft and usurpation; but even were the soil of Texas a mere desert of sand, unproductive sare of thorns to wound the foot of the traveller, this place, useless, sterile and unproductive, should be defended with energy and constancy, under the conviction that the possession of a right imposes upon a nation the necessity of never abandoning it with shame and disgrace to her name. If you are acquainted with the statistics of Mexico, you cannot be ignorant of its population and its wealth, and if you have read history, you will remember that the race which now peoples the American continent, is the same which on so many memorable occasions, has given signal proof, not only of constancy, but even of obstinacy in the defence of their lands; their hearths and their national individuality.

"Eleven years of a bloody and mortal strife, to conquer our independence, will serve perpetually to prove that strong passions agitate our hearts, and nerve our arms in a great crisis; and this very prolonged series of civil wars, has formed here a population as warlike as they are patient, and eminently capable of action under all the stimulants of glory when controlled by a government which respects itself, and enforces respect for the people, whose welfare is confided to it. You must clearly remember,

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that in the beginning of 1836, Texas found itself subjugated, and that only a freak of fortune, the unexpected conduct of the general who succeeded me in the command, withdrawing imperiously the Mexican army, and other causes which, even at present, appear incomprehensible, annulled the immense and definite results of the rapid succession of victories gained by this same army under my orders and direction. Greater and more powerful efforts than those can still be made, and, sir, you must not doubt that they will be made, for with the knowledge of my duties, I unite a consciousness of the power and the resources at my control. One of the most grave and vehement charges preferred by the nation against the government which has just disappointed my office, was the apathy and criminal neglect with which it conducted the affairs of Texas, and I am not the man who will incur so just a reproach, or will sanction by silence, or inactivity, one of the most scandalous robberies of the present century.

"Feeling as I do, all the merit and importance of Texas, all the basis of my country's rights, and the important results of their remembrance, I cannot ever contribute to the recognition of her fatal independence; I will say more, never will I permit any one to dare do that which the nation will not sanction, and he, whoever he may be, shall be considered and published as a traitor to the rights, the name and the glory of Mexico.

"Your proposals of five millions of dollars for the immediate cession of Texas, is a mischievous and an act of audacity; permit me sir, to add to you, that your offer of two hundred thousand dollars for the secret agents of the government of Mexico, is an insult and infamy unworthy of a gentleman.

"Perhaps you have ventured upon this imprudence, yielding to the illusion that my return to power gave some probability to the hope of an arrangement favorable to Texas; if such was your opinion, you like many others, have been deceived, for I have changed neither my convictions, nor my resolutions, nor am I bound by any pledge or promise whatever, that could give possibility to so unjust a suspicion.

I promised in Texas, beneath the rifles of the tumultuary soldiers, who surrounded me, that I would procure a hearing for their commissioners from my government, and would employ my influence to prevent for the time being a fatal struggle; and this promise, whose object was to secure, without molestation, the retreat which the Mexican army had already commenced, and which I learned with the greatest sorrow from Gen. Wall, naturally remained without effect, from my sad condition as prisoner, because the commissioners of the Texians removed even the possibility of lightening the evils of war, and because they failed themselves, in their promises; they annulled the resolutions of him whom they called their enemy, and caused me violently to disembark from the schooner Invincible; and abandoned me to the excited passions of one hundred and thirty recruits just arrived from New Orleans. I was saluted by the grace and insults of this undisciplined soldiery; many of the prisoners of Goliad, who were among the most excited, were immediately charged with my custody; projects to murder me in some barbarous manner succeeded one to another. I was handcuffed to an iron bar for more than fifty-days, and on the 30th June I was ordered to march and to be shot, on the same spot where Fanning and his men were executed; this wicked plan was frustrated, thanks to the kind offices of Stephen Austin. Now, that you announce to me your intention of proceeding to Texas to you may, in the theatre itself, of my suffering, verify substantially and minutely the cruel, unworthy and inhuman treatment, of which I became the butt, after the nominal agreements of the 14th of May. In those I did not compromise myself, nor could I more than as a private individual, to make representations to my government; but even this weak and isolated agreement lost its validity so soon as they commenced to treat me as in former days it was customary to treat slaves, in the regions of Barbary. I send with this letter the protest which, on the 5th of the same June, I directed, in the port of Velasco, to Mr. David G. Burnet, who then acted as president of the so called republic; read it, sir, without prejudice and in cool blood, and confess, that I be very much pained who were so anxious for my death, I openly threw the accusation of infidelity and inconsistency; and I proved to them that my pledges had been annulled entirely by their own fault.

"Messrs. E. Austin and Samuel Houston saved my life; they alleviated my lot as far as was possible to them; they made me an object of their compassion and most gentlemanly commiseration. Mr. Houston distinguished himself by obtaining for me my liberty, without requiring from me any retribution. Now great are my obligations for this act. Ever will I be grateful for actions so worthy of Christians and sensible men. Ever will I strive to reward them, under all possible contingencies. I will publish their deeds to their honor and praise; for such acts invariably secure the sympathy and admiration of the whole human family. But even these considerations cannot bind me down to lukewarmness in the affairs of the great nation which I govern; more particularly when they involve her major interests. The Mexicans army has again taken a position of offence, and she will not vary her attitude till she plants her eagle standard on the banks of the Sabine.

"Circumstances with which I suppose you are well acquainted, have contributed to maintain the affairs of Texas in *statu quo*; and the last Mexican administration did neither what it could or should have done to protect, at least, those whom their apathy and carelessness convinced of their definite safety. Then followed an appearance of prosperity, which deceived the speculators of some nations, and even their governments; but time has removed these deceits, and things appear now as they actually exist, unadorned by the prismatic colors of novelty. You have just returned from a tour in Europe, and I refer to yourself for confirmation of those truths.

"In a different point of view, the question of Texas involves another of the greatest importance to the cause of humanity, and of slavery. Mexico, who has given the noble and illustrious example of renouncing the increase of her wealth, and even the enlistment of her fields, that she may not see identificated with the cause of her wrongs and the tears of the African race, will not retrocede in this course; and her efforts to recover a usurped territory will be blessed by the nations of Europe, and by all natural and imperscriptible rights of the human species.

"Texas might yet find great advantage by covering herself anew with the Mexican flag. You, sir, who possess the office of a statesman, think seriously of this step, which is applauded by philosophy; and if by its triumph you should be convinced, you may rely upon the facilities which I offer you, and the friendly consideration of your obedient servant. Signed, ANTONIO LOPEZ DE SANTA ANNA."

The reply to the above letter, from Gen. Hamilton, dated Charleston, S. C. March 21, 1842, appears in the Mercury of the 23d. Information from New Orleans states that a Mexican army of 15,000 men has invaded the republic and San Antonio had fallen. Gen. Houston has called his countrymen to arms. [See Chronicle page.]

Mobile, March 12.

The New Orleans Picayune has issued an extra, containing the latest news from Mexico, brought by Mr. Lumsden, the editor of that print. There has also been an arrival at New Orleans with later dates.

Santa Anna has issued a decree, forbidding the payment of all debts by the national treasury except the English claim, and what is called the tobacco fund. Foreign functionaries, so far as their nations are interested in this matter, have protested, and Santa Anna has requested the ministers resident to furnish him with plans for filling his treasury. The expenses of the government are 24 millions, and the annual receipts 6. The president has stopped the payment of interest on all debts at home and abroad, amounting to some 26 millions. The government bonds scarcely bring 30 per cent. of their value.

Nearly all the cabinet have resigned. The loss of Gen. Tornel is a blow to Santa Anna. Gen. Valencia has been removed on the pretence of his being engaged in a conspiracy. It was predicted he would be shot.

Santa Anna has appointed Joachim Velasquez de Leon, colonel of engineers, charge de affairs of Mexico at Washington city. The colonel was one of the board of commissioners who had the examination of the claims of our citizens against Mexico.

Mr. McRae, bearer of despatches to Mr. Ellis, has returned. The N. O. Advertiser says of his mission, it appears that Santa Anna refuses to surrender Mr. Kendall, on the ground of his being an enemy, and an abettor of the Texians, whom he places in regard as invaders of the Mexican territory. It would appear, further, that the evidence of Mr. Kendall's having a passport, and of its destruction by the Mexican authorities, was wanting in the statement of the Mexican consul at New Orleans, that he had not granted Mr. Kendall one.

Mr. Lumsden had full intercourse with Mr. Kendall for a period of two days, but at last was prohibited from communicate with him. No communication was permitted with any of the prisoners, after the 20th of February. Those of them who were detained in the city of Mexico, huddled together every night in St. James church, and with chains on their limbs, were forced to work in the streets and sewers during the day. They kept their health well. Among the sick were Mr. Kendall and Dr. Whitaker. They were in the St. Lazarus Charity hospital. Mr. K. was labouring under the measels. Eighty-two of them were at Puebla working on the roads. The only Americans released were Combs and Van Ness, and that as a favor to their connexions in the United States. The proof that Mr. Kendall had a passport, is strong, notwithstanding the denial by the Mexican consul. (*Register.*

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Surveyors-general.

Silas Reed, in Illinois and Missouri.
Valentine P. Conway for Florida.
Solomon Clarke reappointed receiver of public moneys at Pontotoc, Mississippi.
Elias H. Haines reappointed collector of the customs for the district of Sandusky, Ohio.
David V. Culley reappointed register of the land office at Indianapolis, Indiana.

Postmasters.

John Lorimer Graham, city of New York.
Justus McKinstry, Hudson, New York.

THE ARMY.

FLORIDA. By an officer just arrived in town, says the Savannah Republican of the 10th inst. we learn that *ab-sym-ocis*, with the whole party, consisting of 21 warriors and 57 women and children have come in and surrendered to Major *Belknap*. This is very agreeable information.

The St. Augustine News says: We have the gratifying intelligence that that worthy and indefatigable officer, Major Plympton, has succeeded in capturing the notorious chief *Short Grass*, together with his son-in-law and their families. They were captured near Dunn's Lake.

GENERAL ORDERS, NO. 13.

Head quarters of the army, adj. general's office, Washington, March 17, 1842.

Promotions and appointments in the army of the United States by the president, by and with the advice and consent of the senate, since the 1st of January, 1842:

I. *promotions—second regiment of artillery.*

1st lieut. John C. Casey, to be captain 4th January, 1842, vice Zantzinger, deceased.

2d lieut. Lucius Pitkin, to be 1st lieut. 4th January, 1842, vice, Casey, promoted.

Brevet 2d lieut. Samuel S. Anderson, to be 2d lieut. 4th January, 1842, vice Pitkin, promoted.

Fourth regiment of artillery.

2d lieut. Joshua H. Bates, to be 1st lieut. 31st January, 1842, vice Thomas, resigned.

Brevet 2d lieut. Robert S. Garnett, to be 2d lieut. 31st January, 1842, vice Bates, promoted.

Third regiment of infantry.

Major Ethan A. Hitchcock, of the 8th infantry, to be lieutenant colonel, 31st January, 1842, vice Vose, promoted.

1st lieutenant Henry Swartwout, to be captain, 31st January, 1842, vice Belknap, promoted.

2d lieutenant Stephen D. Dobbins, to be 1st lieutenant, 31st January, 1842, vice Swartwout, promoted.

Brevet 2d lieutenant W. T. H. Brooks, to be 2d lieut. 31st January, 1842, vice Dobbins, promoted.

Fourth regiment of infantry.

Lieutenant colonel Gustavus H. Vose, of the 3d infantry, to be colonel, 31st January, 1842, vice Cummings, deceased.

Sixth regiment of infantry.

1st lieutenant W. S. Ketchum, to be captain, 10th February, 1842, vice Hutter, negatived by the senate.

2d lieutenant Benjamin C. Edes, to be 1st lieutenant, 10th February, 1842, vice Ketchum promoted.

Brevet 2d lieutenant Anderson D. Nelson, to be 2d lieut. 10th February, 1842, vice Edes, promoted.

Eighth regiment of infantry.

Major Henry W. G. Belknap, captain of the 3d infantry, to be major, 31st January, 1842, vice Hitchcock, promoted.

II *appointments—pay department.*

David Hunter, to be paymaster, 14th March, 1842, vice Rector, deceased.

Fifth regiment of infantry.

Anthony Drane, formerly a 1st lieutenant in the 5th regiment of infantry, to be captain in the same regiment, to rank from 31st October, 1836, and take place in the army register next below captain Marie Scott.

III. *cancellies—resignations.*

1st lieutenant George C. Thomas, 4th artillery, 31st January, 1842.

2d lieutenant Robert D. Stephen, 3d infantry, 30th February, 1842.

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Deaths.

Colonel Alexander Cummings, 4th infantry, at N. York, 31st January, 1842.

Brevet major R. A. Zantzinger, 2d artillery, at St. Louis, Missouri, 4th January, 1842.

Brevet major Delafayette Wilcox, 5th infantry, at Pilatka, Florida, 3d January, 1842.

IV. The officers promoted and appointed will join their proper regiments, companies, and stations without delay: those on detached service, or acting under special orders and instructions, will report by letter to the commanding officer of their respective regiments. By command of Maj. Gen. Scott:

R. JONES, *adjutant general.*

THE NAVY.

We understand that the secretary of the navy has ordered three of the vessels belonging to the "Home Squadron" to be despatched to the coast of Africa, for the purpose of suppressing the slave trade, as far as it may be carried on in American vessels, and to *prevent* the "right of search," on our vessels, by the British, or any other cruizers. We regard this as a judicious measure, and would be glad to see the force still increased, by the addition of two or three of the gun brigs, now being built, and we would suggest whether it would not be advisable to make the coast of Africa a regular naval station, and add to the force one of the sea steamers lately built, as the "flag ship"—a regular supply of coal might be kept up for her on the coast of Africa by two transports, or store ships, of fifty or six hundred tons each. [*Balt. Pat.*

Promotions.

Passed midshipman George W. Chapman, to be a lieutenant, from the 8th Sept. 1841.

Passed midshipman William P. McArthur, to be a lieutenant, from the 8th Sept. 1841.

Passed assistant surgeon Ninian Pinkney, to be a surgeon from 27 Oct. 1841.

Marine corps.

Major and brt. lt. col. Samuel Miller, to be lieutenant colonel, Oct. 6, 1841, vice Wainwright, deceased.

Captain John Harris, to be major, Oct. 6, 1841, vice Miller, promoted.

First lieutenant Alvin Edson, to be captain, Oct. 6, 1841, vice Harris, promoted.

Second lieutenant Edward Floyd West, to be a first lieutenant, Oct. 6, 1841, vice Edson promoted.

Appointments.

John D. Simms, jr. to be a second lieutenant in the marine corps from the 7th Oct. 1841.

J. Vincent Browne, to be an aye agent for the port of Boston, for four years from the 20th Sept. 1841.

ORDERS.

March 7—Lieut. S. F. Hazard, leave 6 mo's, with permission to visit island of Cuba.
Chaplain W. G. Jackson, leave until Sept. 1, 1842, then to report to commander of Mediterranean squadron for duty.

March 8—Lieut. C. W. Morris, depot of charts, &c.
Mid. F. A. Parker, receiving ship, Norfolk.

March 10—Lieut. John Carroll, schr. Boxer, N. Y.
Lieut. C. B. Poindexter, del'd from schr. Boxer,

March 11—Lieut. W. Chandler, steamer Mississippi, Norfolk.
Mid. H. K. Davenport, rec. vessel Phila.
Mid. C. W. Hays, do. do.

All officers who have been in command of or attached to navy yards and shore stations, for three years or more, have been notified that they will be relieved.

March 12—Preparatory orders have been issued to the following named officers to hold themselves in readiness for subsequent orders:

Captain W. A. Spencer, command of the Columbus 74.

Capiain E. R. Shubrick, command of frigate Constitution.

Captain P. F. Voorhees, command of frigate Congress. [*Army and Navy Chronicle.*

The U. S. sloop of war *Warren*, Charles L. Williamson, commander, arrived at Pensacola, on the 1st, from Norfolk.

The U. S. sloop of war *Levant*, Andrew Fitzhugh, commander, arrived there on the 3d, from the Bay of Honduras.

RECRUITING SERVICE. The number of recruits enlisted in the U. S. army, from the first of October, 1840, to the 30th of September, 1841, was four thousand nine hundred and twenty-two.

THE ALLOWANCE OF A PER DIEM to General Scott, as commissioner for the removal of the Cherokees, has, as our readers know, been recently made a matter of inquiry in the house of representatives. The answer to the call for information has disappointed any unfriendly motives, if such there were, for the call. This answer, with the documents, as printed by the house, is now before us, and the result is shortly this—for in the crowded state of our columns, we have not room for the documents: On the 11th April, 1838, President Van Buren, under his own sign manual, constituted him "a commissioner" to carry into effect the provisions of the treaty by which the emigration was stipulated. The commission runs thus: "For these purposes, and to meet the contingency referred to, you are hereby appointed and authorized to conclude and execute an arrangement of the nature herein described with the said Indians, subject to the approbation or rejection of the senate."

Having executed his duty, and being in Ohio on other duty, in December, 1838, General Scott wrote to the secretary of war, asking that the amount of the usual allowance to a commissioner of 8 per *diem*, should be placed to his credit, as he would have occasion for the money; and aware both from his own experience and the practice in respect of others, that the uniform practice was to make such compensation, he sent so voucher, but a simple statement of the time he was employed as commissioner.

Mr. Poinsett, the secretary of war, referred the account to the commissioner of Indian affairs, who, under date of 12th December, 1838, reports that it is inadmissable—1st, because there is no appointment on record of General Scott as commissioner; and second, because, as he supposes, to be only acting in his capacity as a military officer, the law of March 3d, 1835, forbade any extra allowance. In this view, Mr. Attorney General Grundy concurred, and for the reasons stated by the commissioner of Indian affairs.

These reasons were at once set aside by the production of the original commission, signed by Mr. Van Buren, but of which it seemed no record had been kept in the proper department.

But the pride of consistency would not permit the secretary general to change his opinion, and he still insisted that the law of March, 1835, forbade any allowance. So Mr. Poinsett, in February, 1839, asked Mr. Senator Wright to insert an item in the estimates to cover the claim of Gen. Scott—a flag in his letter to Mr. W. "General Scott is richly entitled to this compensation for his valuable and important services, and I beg leave earnestly to request that you will use your endeavors to have inserted in the appropriation bill an item to that effect."

Mr. Wright demurred, because of the law of 1835, unless there were a reason previously made. Mr. Poinsett replies on 1st March there was no such contract, but that by the usage of the war office, prior to 1835, he would, as commissioner, have been entitled to the *per diem*, but that he being constrained to extend to the case, the department was compelled to ask the allowance from congress.

The session closing on the 4th March, nothing was done in the matter.

The supreme court of the United States having, in January, 1841, in the case of *Minis* vs. *the United States*, decided that the restriction in the act of March, 1835, applied only to the appropriations made at that session of congress, even Mr. Grundy's last objections could no longer be deemed tenable—and accordingly, Gen. Scott presented his claim anew; but, owing to having mislaid the original commission from Mr. Van Buren, it was not done till after Mr. Bell had resigned his office as secretary of war. At such time it was presented, with the original commission, and the transcript of the decision in the case *Minis*, all difficulty was cleared away, and the case was allowed, and the money paid, in conformity with the standing usage of the war department. [*N. Y. American.*

STATES OF THE UNION.

MARYLAND.

THE CHESAPEAKE AND OHIO CANAL. The unfortunate disagreement between the two houses of the legislature of Maryland, in relation to amendments to the bill for completing this stupendous work to the coal and iron regions of Allegany county, which alone can bring the work into profitable operation, will have the inevitable effect of suspending all operations for the year, and leave the unfinished work to certain dilapidation, the contracts subject to expensive litigation, and the state saddled with the interest accruing upon seven millions of dollars invested in the undertaking,—and this is the more to be regretted, because the bill contemplated no new demand upon the treasury, arrangements having been negotiated by which it is understood that capitalists, contractors and engineers would undertake to finish the work to the mines, provided the state would agree to postpone its preference to the proceeds of the canal until the claims for advances now required to complete it, shall be satisfied. We think the defeat of the bill may be fairly be attributed to a want of a full view of the real position of affairs, and to the hustle which the closing of a session of a legislature always produces when important matters remain postponed to the last moment. So disastrous are likely to be the consequences of the delay of the work, especially to the upper counties of the state, that large meetings are convened and calls are making upon the Governor to convene an extra session of the legislature with a view of adopting a measure that would not only divert the catastrophe,—but bring to our aid the vast resources that are now almost within our grasp.

NEW YORK.

MEETING AT THE EXCHANGE. Pursuant to the call published in the morning papers, a very large number of persons assembled in the large room in the Exchange yesterday afternoon, to consider the propriety of urging upon our representatives in congress the necessity of prompt and decisive action upon the great questions of interest and importance to the whole country.

The meeting was organised by the appointment of the following officers:

BENJAMIN STRONG, *chairman.*

Vice-Presidents.

ANSON G. PHELPS, HENRY WYCKOFF,
N. T. HUBBARD, WM. CHURCHILL,
HENRY SUYDAM, JOHN THOMAS,
HIRAM KETCHUM, "

Secretaries.

SCHUYLER LIVINGSTON, WM. B. DEAN.

The meeting was addressed by Hugh Maxwell and Hiram Ketchum, esqs.; but want of space compels us to omit any further mention of the proceedings, except to say that the annexed resolutions read by Mr. Maxwell, were unanimously adopted, and on motion of Gen. Talmadge, a copy was ordered to be sent to both branches of the legislature of this state, as being equally amenable to public censure with congress.

Whereas, the present condition of our country as exemplified in the general derangement and depreciation of the currency; in the deep distrust and difficulty which prevail in the business community; in the consequent suffering and distress of nearly all the industrious classes; in the continued fall of public and corporate securities—and in the deplorably dishonored credit, not only of state governments, but also of that of the federal Union—cannot fail to the patriotism, pride and intelligence of Americans as a self-governed people.

And whereas, the condition of our country is rendered yet more urgent by the ominous cloud which impends over our foreign relations, and by which our domestic embarrassments may speedily become aggravated into frightful obstacles to our national security and honor.

Therefore, we, the merchants, traders, and other citizens of New York, here assembled, with a solemn sense of the momentous interests and considerations, involved in the present crisis, and of the duty which devolves upon us as citizens of the common metropolis of the republic, have

Resolved, That a crisis has manifestly arrived in which the indulgence of mere party feelings, and the achievement of mere party purposes, can afford no remedy for the imminent evils, under which the country labors; but having probably contributed them are calculated to enhance and prolong them.

Resolved, That such objects, ever ignoble in comparison with the prosperity, happiness and dignity of the whole people, are, at the present juncture, especially unworthy of the high functions of our national legislators; and in open conflict with the interests, opinions and wishes, of the people whom they represent.

Resolved, That as republican citizens, and as members of both the great political parties, meeting here upon the common ground of the commonwealth, without compromising our distinctive political opinions upon other questions, we cordially unite in deprecating all factious opposition to the administration of our government in the hands of those to whom the people under the constitution have committed it, as unjust and degrading in itself—as calculated to embarrass the necessary operations of the government—retard the fulfilment of its legitimate obligations, and impair its timely vigor and usefulness, at a period of great public emergency, when the expectation of millions is concentrated upon the wisdom and success of its policy.

Resolved, That the proposition emanating from that administration, now pending before congress, and

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recently favorably reported on by committees of the house of representatives and the senate, for the establishment of a government exchequer, recognising as it does, both the power and duty of the federal government, to provide a sound currency for the people, is entitled to the candid consideration of all who appreciate the importance of a sound national currency to the present wants and future prosperity of the country.

Resolved, That viewing the financial condition of the country in relation to the proper dignity and efficiency of our republican government, we consider our congress now assembled, to be under the solemn responsibility of promptly imposing such duties upon imports as shall not only put an end to the miserable and expensive policy of borrowing from year to year for ordinary expenditures, but also provide means for the punctual payment of such a debt as present exigencies may compel us to contract for the purpose of putting the country in a state of self-protection and defence favorable to the fair adjustment of existing difficulties with foreign powers.

Resolved, That we deem it the duty of congress to give this indispensable measure their first and highest consideration—suffering it neither to be resisted by false principles of economy, which the future ever shows to be the most improvident, nor deterred by frivolous and humiliating controversy; and further, that any attempt, whenever it may originate, or whatever purpose designed to postpone the great currency question to future sessions and to mingle such measures questions of national dignity and honor with future political struggles, will receive, as it will deserve, the unqualified reprobation and universal indignation of the people. And finally, we invoke the spirit of forbearance, of concession and of patriotism to preside over the deliberations of congress, and to secure such results as will strengthen the bonds of union, restore quiet to our harassed and suffering people, and set at work those elements which, unrestrained by factious designs, would restore our beloved country to its former prosperity.

[*N. Y. Courier, March 19.*

LEGISLATURE. Both houses have agreed to a resolution to close the session on the 11th April.

THE GOVERNOR FOR THE CONVENTION to convene at Albany yesterday, at 12 o'clock. Present, the chancellor, and 26 senators. The chancellor moved that the court hold a special session at the capitol on the 4th of June, to consider of a quorum. Mr. Peck moved to insert "City Hall in New York," in the place of "the capitol in Albany," which amendment was adopted after debate by a vote of 18 to 13. The court then adjourned till 12 o'clock, Tuesday of April. [*Albany Argus.*

FLORIDA.

Florida, February 28, 1842.

Twenty-three settlers, with their baggage and slaves, and one with his family, have crossed the Withlacoochee on their way to the *Ahnatchliga hammock* to open a settlement. More are to follow, some probably to Clear Water harbor, west of Tampa, where Fort Harrison was located. This is the first time a settler has advanced south of the new noted Withlacoochee since the fall of 1835, the commencement of the war. This is planting a settlement in the ancient and once formidable stronghold of the Seminole. These men go prepared to encounter straggling Indians and to occupy the country, as the pioneers of this nation have always done, the plough in one hand and the rifle in the other. A blockhouse is to be built for them by the troops at such a point as they may select in the hammock, and thus will form a rallying point for their operations. They go with their eyes open, and know that this enterprise is one which will place them in the neighborhood of some of the Indians, but they are aware that if nothing is risked nothing will be gained in such a country.

This is an important movement. It is a beginning of the end. They go to a point within striking distance of the once redoubtable Wahoo and Cove of the Withlacoochee, with the favorite haunts of the Honossapa near them on the gulf side.

Such an armed occupation and settlement is a harbinger of good. It is truly pleasant to see the apparatus of the pioneer advancing to subject to the use of civilization those fertile hammocks, blessed with a climate so mild and salubrious. The western coast on or near the gulf possesses a blander climate than on the eastern side of the territory. The sea breezes from the ocean on the Atlantic coast are much ruder and colder than on the western side, where the east winds from off the Atlantic are tempered by passage over land, and the gulf breezes are never as raw as those from the broad ocean. These regions must, at some future day, become a place of resort to those afflicted with pulmonary complaints.

[*Savannah Republican.*

Col. WORTH. The legislature of Florida have passed resolutions expressive of their gratitude for the services which Col. W. J. Worth has rendered that territory as commander-in-chief of the military forces in that quarter. They speak in a manner highly complimentary of the skill and ability with which he has conducted the military operations antrusted to his charge, and state that he has been instrumental in ridding the territory of nearly seven hundred of her murderous foes.

TRADE AND COMMERCE.

BRITISH POLICY.

From the Boston Atlas, of March 15.

SHALL AMERICA EVER BE TRULY INDEPENDENT?—"Never," said the eloquent Marshall, so long as our men labor and our industry are left unprotected—never, so long as the darling object of our own government to dash down the enterprise of those it should protect and foster." The truth of this is most painfully brought home to the heart of every American bosom, that pulsates with true American feelings, by the present disastrous condition of his country, and its gloomy prospects for the future, rendered even more gloomy by the intelligence just received from Europe. While our own congress, with the most shameful and culpable indifference to its duties, is wasting most precious time in idle and contemptible squabbles about paltry questions of reform in reducing the salaries of clerks and door keepers, and is looking idly on while our specie, the very life-blood of the country, is steadily and rapidly withdrawn from the country, and nothing is left to supply its place, the parliament of Great Britain, on the other hand, are preparing to strike still deeper blows at the very means of our existence. We have already spoken of the defeat of the motion of Lord John Russell, for a fixed duty on foreign corn, by a majority so overwhelming, as to leave no hope that the present parliament will do any thing, in the least degree calculated to open a market there for American wheat. While the criminal negligence of our own national legislature is permitting our country to be inundated with the products of Great Britain, draining us of our specie, and leaving us no permanent or enduring substitute, our own wheat fields are doomed to lie idle and unproductive, and our wheat to decay in our store houses, for the want of a market.

Nor is this all. Not only does England refuse to open a market for our wheat, our flour and other provisions, but THE EXCHEQUER MINISTER HAS ACTUALLY INTRODUCED A BILL, WITH THE CERTAINTY OF ITS PASSAGE, TO LAY A HEAVY TAX UPON WHEAT, FLOUR AND ALL OTHER PROVISIONS IMPORTED INTO CANADA!—So that, not only are we to be shut out from all prospect of a market in England, but we are to be deprived of that which we already enjoy in Canada. Some idea of the value of this market to the United States, may be learned from the following table, showing the amount of exports into Canada of some of the more important articles upon which it is proposed in the bill of Mr. Gladstone to lay a heavy tax, taken from the commerce and navigation table of congress for 1840. The amount for 1841 cannot be ascertained, but they are estimated as more than three times as much:—

Beef,	3,777 bbls.
Hides,	74,742
Horned cattle,	3,430
Pork,	28,863 bbls.
Hams,	138,611 lbs.
Lard,	102,771 lbs.
Hogs,	4,668
Butter,	303,951 lbs.
Cheese,	145,786 lbs.
Wheat,	1,066,694 bushels.
Flour,	433,358 bbls.
Indian corn,	130,747 bushels.
Meal, rye and Indian oats and other grain,	98,193 bbls.

Total value of exports, $4,296,405.

This market is principally improved by the states of Ohio, New York, Michigan, Illinoes, and Indiana, and besides the indirect advantage derived from it by our shipping on the lakes, yielded a direct income to the country the last year, of upwards of *ten millions of dollars, in specie and its full equivalents!*—This market we are soon to lose. The market for cotton will go next, and whether we are then to look for any thing to pay for the food gates of foreign importations which are to be let loose upon us, heaven only knows. The whole nation seems drifting fast down the current to certain beggary and destruction, unless congress shall at once come up to the work of salvation in the true spirit of patriotism. Nothing now can save us from impending ruin but such a revision of the tariff as shall put an immediate stop to the excessive importation of goods, such as we can produce at home. Let us never import that which we can better afford to make, and let congress see that foreign manufactures do not compel us to take them, by forcing their goods upon us, whether we will or no. It is a startling and most alarming fact, that has recently been brought to light, that of the importations into the port of New York, during the last year, no less than *eighty-three per centum has been done on account of foreigners! Congress only can stop this by SPECIFIC DUTIES!* Ad valorem duties are no good for such purposes. They are more than useless. THEY INVITE FRAUD!

And not only must congress protect Americans from being thus virtually robbed and pillaged by fraudulent foreigners, but they should legislate with the view of forcing open, by retaliatory duties, the ports which are now hermetically sealed, to our pork, tobacco, flour, wheat, &c. and which soon will be to our cotton.

As to the bill introduced in behalf of the British ministry in the house of commons by Mr. Gladstone, one of the ministry, entitled a bill to regulate colonial customs' duties, it is sufficient to say, there can be no doubt of its passage, from the fact that it was strongly supported by the leaders of both parties—Mr. Gladstone, Sir Charles Doughlass, Sir Robert Peel, Mr. Stuart Wortley, on the part of the ministry, and Lord John Russell, and Mr. Labouchere, both members of the former ministry, on the part of the opposition.

In the course of his speech, Mr. Gladstone said:

"The principal exemptions he proposed to remove, were those of four, and wheat flour and salt meat provisions. He believed that it was the general desire of the people of Canada, that a tax should be imposed upon all provisions coming in from America, whether of the kinds already mentioned. The theory of the law was to give an advantage to Canadian produce in the British market. A distinction should be made in favor of the Canadian farmer."

Again:

"He would, therefore, propose a duty of 2s. a bbl. upon fish dried or salted, 3s. upon pickled fish, upon butter 8s. per cwt. upon cheese 5s. per cwt. &c. He would not propose more than a quarter upon wheat coming from the United States. This would be done principally in reference to the fact that Canada had already sent considerable quantities of grain and flour to other parts of the empire, and she was likely to send much greater supplies when her capabilities were developed."

It will undoubtedly be passed to a law, and the wheat, flour, pork, butter, cheese, &c. which finds a market, to the amount of ten millions, will be left a drug upon the hands of our western farmers. When will the nation fully realize the necessity of protection, nay, of self preservation? How much longer will southern cupidity and short-sightedness compel us to remain colonial vassals to England?

OUR COMMERCE. The following letter is from a most respectable and creditable source. The statement which it contains, as our readers will see, are of great public importance at the present moment.

DEAR SIR: Believing that any information relating to the commerce of our country will be acceptable to you, the undersigned, a mercantile firm of Savannah, interested in vessels that are employed in the freighting business, respectfully beg leave to ask your attention to the enclosed price current, containing a list of vessels at the port of Savannah, on the 25th ultimo, by reference to which you will observe that the aggregate of tonnage there registered and enrolled was at that time 18,389 tons—

	Tons.
Of which were English,	14,929
American,	3,196
French,	265
Total,	18,389
To wit: 14 English ships,	9,750
2 American ships,	749
12 English barques,	4,928
1 American barque,	369
1 French barque,	265
1 English brig,	250
9 American brigs, employed principally in coastwise freighting	2,178
Total	18,389

The amount of English tonnage at other southern ports is also usually large, and has been for some time constantly increasing. It is the opinion of many judicious persons acquainted with the subject, that nearly if not quite one-half of the cotton crop of the United States will be exported in British and other foreign vessels.

We have taken the liberty, sir, of inviting your attention to this subject, because we deem it of great importance to our commercial interests, as the present state of things is in our judgment the principal

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obstacle to the success of American freighting vessels, the business of which at the present time is laboring under very great depression, arising, as we think, in a great degree from the large number of foreign vessels that are allowed to compete on equal terms with our own. [*Nat. Intel.*

THE RIGHT OF SEARCH.

The ratification by *fiee* of the principal powers of Europe, of a TREATY, the stipulations of which have been concocted mainly by the British government, and probably with especial view to the position of the United States as one of their most formidable rivals for trade, commerce, and enterprise, and the hesitations of the French government at our last dates to ratify that treaty, renders the topic at this moment of the most serious import. The moment the provisions of the treaty were announced, the French press, almost without exception, denounced the measure, and the spirited speeches which were delivered in the chamber of deputies, adverse to the ratification, induced the ministry themselves to offer a modification of the provisions of the treaty, without which it is certain that they will not venture to ratify it. It was on the 1st of February that a pamphlet was issued at Paris, attributed to the pen of our vigilant and talented minister at the French court, Gov. CASS, which, places the question in so striking a light, that we do not hesitate to exclude other matter in order to furnish the pamphlet entire in this number to the readers of the Register. It was translated and widely circulated in French, and will command great attention in Europe as well as in America.

For the remarks of a British ministerial paper relative to the treaty, see our foreign head.

The ulterior object of the British government in pressing the provisions of this treaty upon the principal powers of Europe may be unfriendly to the United States, but we have no idea that they will *at present* compromit the peace of the world by attempting to carry out its provisions as their ministerial papers intimate. The United States must be left free to adopt such a course in the case, as her interests, weighed in a large and liberal scale shall indicate. A treaty was ratified by several of the European powers long since, containing somewhat similar provisions, and one for the same purpose was submitted by the then president of the U. S. to the senate for ratification by this government, but was by that body rejected. The rejection did not disturb the harmony existing between the two continents for one moment. England will try many a diplomatic measure before she will sacrifice the profit she derives from the United States as a *customer*, for the sake of the *right of search* on the coast of Africa. As to the right of *impressment* on the deck of an American vessel, she knows full well we hope, that all argument was exhausted thirty years ago upon that topic. Whenever Great Britain shall decide to have a war with this country, she has only to attempt again to *exercise* that "right." There is no division of parties—no sectional difference,—no two opinions amongst Americans, on that subject.

THE CASS PAMPHLET,

AS PUBLISHED IN FRANCE.

An examination of the question, now in discussion, between the American and British governments, concerning the right of search. By an American.

"When we doubted, we took the trick."

London Times, January, 1842.

The right of maritime search, now in discussion between the British and American governments, is a grave question, practically interesting to all nations, to whom the freedom of the sea is dear; if not in its application to the subject, which has been the cause or the pretext of its assertion, at any rate, from the consequences to which its use or abuse may lead. Its connection with the African slave trade is but incidental, and the nature of this traffic which no where finds advocates, cannot affect the nature of this question: nor the right of a state nor of a combination of states to make an interpolation into the law of nations, which shall become a part of that great public code. Great Britain professes to push this point, in order to destroy the yet existing relics of that trade. We do not question her motives; that is no part of our purpose. But in all general discussions, we must take human nature, as it is, with the good and the bad blended together; and we may, without offence, fairly follow out the application of a principle, and seek its consequences to the parties. And we are at liberty, without violating any of the courtesies of a liberal controversy, to assume, that neither can be indifferent to its bearing upon their interests, whatever motive of general benevolence may have led to its assertion. The United States is eminently a maritime and commercial nation, and the history of her naval progress, during the last century and a half, is pregnant with lessons for all the people interested in the freedom of the sea. She has marched steadily on to her object. Naval superiority she has acquired, and naval supremacy she seeks. We say this in a spirit of truth, not of offence. Human ambition is every where in some form or other, in ceaseless action; and upon sea and land, the history of the past is but the warning of the future; and nations will strive, as they have striven for power. It is impossible, that the intelligent government and people of Great Britain should shut their eyes to the effect of this claim of a right of visitation, and the consequences of philanthropy may have led to its first suggestion. To their flag it will give the virtual supremacy of the seas. We say virtual supremacy, because it would be found in practice, that where one vessel of one hundred, it would be her cruisers which would search the vessels of other nations.

During twenty-five years, the British government has urged the government of the United States to consent to this measure. The application has been steadily repelled, and pertinaciously repeated. In the maritime treaties of Great Britain, at various intervals, between Great Britain and some other nations, establishing a mutual right of search, and regulating the principles upon which it shall be exercised, Britain has obtained, from five of the first powers, two of which have few vessels upon the ocean, and probably not one on the coast of Africa, have reciprocally made themselves parties to a similar stipulation. Some of the English, as the London journal, "The Times" has managed by great exertions to accomplish this object. We do not judge, if the expression is rightly chosen. It is certainly very significant. And it is not difficult to see the right of search, in a time of peace, heretofore never claimed as a question of right, and so, solemnly decided by the English admiralty judge, Lord Stowell, but sought as a conventional compact, for the first time, since the last general war in Europe, and established by treaties with several powers, as a matter to be adjudged by themselves, as claimed by Great Britain to be a part of the laws of nations, which she has both the right and the will to carry into effect, as a sort of custos morum for all the maritime powers of the world. "All governments contends for," says the Times "is the mere right to act as constables in boarding suspicious ships, bearing the American flag." And who made England the great prefect of police of the ocean, searching and seizing at pleasure? And the United States, who have so long been asked to yield this point by convention, are now told that it is established without them, and in spite of them, and the great ministerial English journal, "*The Times*," in a leading article of its number of January 5, 1842, after this interpolation into the law of nations, says, that the European powers, parties to the last treaty, will not bow to be thwarted by any ordinary restiveness. It thus significantly concludes. "A single war with Great Britain (she the United States) has already tried, a war on her part with all Europe will be a novelty."

There is certainly no want of frankness here. While the special ambassador, Lord Ashburton, goes into the professed objects of peace and conciliation, we are told in effect by this leading journal, that the United States have but one course to adopt, in order to avoid a war with the European world; and that is, submission to the demand of England. There are powers, parties to the last treaty upon this subject, which we shall not believe will make themselves parties to a war with the United States, until we actually hear the sound of their guns. Does the "Times" speak by permission, or by command, or by neither? Is this declaration a prophecy, as well as threat?

As to the suppression of the slave trade, it is a question which meets no opposition in the United States. The American government, if not the first, was among the first to give the example to the world of a legal prohibition of this traffic. As early as March 22, 1794, they commenced their legislative measures for its repression, and in subsequent laws, passed 10th May, 1800, 28th February, 1803, 2d March, 1807, 20th April, 1818, and 3d March, 1819, they extended and enforced the provisions and penalties upon this subject, and rendered liable to heavy fines, and among other punishments, to an imprisonment of seven years, those who should be engaged in this oefarious pursuit. Their armed cruisers have permanent instructions to examine all the American merchant vessels they meet, and which they have reason to suspect of illegal intercourse, and these repressive laws with as much promptitude and impartiality, as those of France or England enforce similar laws. That violations may occasionally occur, and that the American flag may be sometimes abused, we feel no disposition to deny. Not by the introduction of slaves into the United States, for that traffic is unknown, and would be impossible. We may venture to assert, that not a slave has been imported into the United States for thirty years. We would not be guilty of deception upon this subject, and if there is a single exception to this statement, we have never learned it. If American interests are connected with this traffic, it is in the transportation of slaves to Brazil or to the Spanish colonies. But even this is much rarer than is supposed, and what has given occasion to the imputation of its frequent occurrence is the fact, that the sharp Baltimore schooners, well known for their speed, are often sold to the Spanish and Portuguese merchants, and are then fitted out for the slave trade. Every practical sailor knows them at once, and as they are American built, they are supposed to be American property, and from their international character is changed. But any candid intelligent man will at once see and acknowledge, that in a scandalous traffic like this in human beings, condemned by the public opinion and by the laws of the United States, and watched perpetually by one of their squadrons upon the coast of Africa, revolting to humanity, afflicting to all Christians, and reprobated by the civilized world, the pecuniary interests of a few degraded men, who covertly pursue it, by associating their capital with the regular slave dealer of other nations, would not weigh as the small dust of the balance with the American government, in any consideration, connected with this matter. This miserable motive has been hinted at, rather than distinctly charged, by the author of the pamphlet, and we shall not attempt to refute the charge. No administration in the United States, giving the least just grounds for such an imputation, could resist the public indignation. No, we do not believe, that the United States will wish to encourage. It is, as we shall see, by and by, American slavery, the slavery of American sailors, they seek to prevent.

But after all, a crusade of benevolence cannot be carried on against any nation, because its laws are sometimes violated and its flag abused. If its government contives at such measures, then indeed it is justly liable to the reproach of christendom. But against the United States there is no pretence for such an imputation, and the question now under discussion must be judged, independently of these accidental evasions, which are common to all nations and to all codes.

As to a right of search in time of peace, no one pretends it has heretofore existed. The well known English admiralty judge, Sir William Scott, afterwards lord Stowell, whose disposition to enlarge, rather than to restrain the maritime pretensions of England, no one, who knows the course of his decisions during the last general war, will doubt, recently decided, that such a right was unknown to the law of nations. This decision, in the case of a French vessel, seized upon the coast of Africa absolutely puts down all this pretension in the most authoritative manner.

"No nation can exercise a right of visitation and search upon the common and unappropriated parts of the ocean, except upon the belligerent claim. No nation has the right to force their way, for the liberation of Africa, by trampling upon the independence of other states, on the pretence of an eminent good, by means that are unlawful, or to press forward to a great principle, by breaking through other great principles, which stand in their way."

But it may be asked, as the object, for which this measure is now demanded, is just, why does not the American government assent to the propositions, which have been made. Is this reciprocal power more injurious or less honorable to the U. States, than to other nations who admitted its obligation? The question is a fair one, and ought to be fairly met. If this cannot be done, we shall not deny, that the motives of the United States may be fairly suspected, and their conduct arraigned at the bar of christendom.

In the first place, we would remark, that there is a natural indisposition in the human mind to yield to applications, which are accompanied with threats of

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the consequences. The sentiment is common to nations, as well, as to individuals, and in fact forms part of the dignity of human nature. English pertinacity in demanding has been met by American pertinacity in resisting: and now, when the United States are summoned to give their adhesion to a new principle of public law, against which they have uniformly protested, since the first promulgation, and actuled by Lord Aberdeen, that the concession of English government is taken, and that this claim will be enforced, with the taunt that, "it is for the American government to determine whether it will be due to a just regard for the national dignity and national honor," no generous people can fail to find in the present position that just resistance to dictation, without which there can neither be self-respect at home, nor honorable estimation abroad.

But besides, where would end this doctrine of interpolation? Who can tell the extent to which it may be pushed, or the purposes, to which it may be applied. It is by progressive steps, that many a pretension, hostile to the best dictates of reason and humanity, has urged its way to recognition, and taken its place in the code of maritime law. Belligerent powers are always ready to break down the feeble barriers, with which public opinion has endeavored to protect the rights of peaceful traffic, and in the "Times" of the eighth instant, this process is described and defended with equal frankness and coolness. The lessons of the past are lost upon him, who does not read in this avowal, the contemplated transformations, which the great maritime code is destined to undergo. An act of violence of yesterday, so pronounced by the duke of Wellington and lord Stowell, becomes the doctrine of today, and to morrow finds itself firmly established, to be defended by jurists, enforced by cannon, and applied by courts of admiralty.

"And the same kind of general proscription, since attempted by Napoleon against ourselves, has equally failed to gain admittance into the international code. In all this, history, justice and expediency have alternately triumphed, *but each has been the result of a struggle* (the italics here and elsewhere are our own), such as is now pending between ourselves and the United States. *Law has to work its own way.*" Significant words these, and as true as they are significant. When force more and more usurps the place of justice, *law works its own way*, and it goes on branching out, before it finally ripens into fruit, the decisions of judges and the rights of the world.

But apart from these general considerations, applicable to all changes in the maritime code of nations, there are cogent reasons why the United States should refuse their assent to this measure, some of which are common to them and to all other states, which do not seek to exercise the police of the seas, or as the Times says to be the constables of the seas, and others, which are proper to them only, arising out of the peculiar relation, which a community of language, manners and institutions, exerts between them and England.

Looking to this right of search, as a measure affecting the commerce of the ocean, it is arbitrary, vexatious, and not only liable, but necessarily liable to serious abuse.

It is arbitrary, because it constitutes a naval officer, whatever may be his rank, the judge to decide upon serious questions, and upon grave interests. A pendant in foreign, under the pretext of settling the national character of a vessel, and the objects of her cruize, to indulge his antipathies or his love of gain, by seizing the ship and cargo, and imprisoning the crew, would be subjecting to a tribunal (so-called for examination) and all this without any practical redress against the wrong doer.

It is vexatious, because it will know any thing of the course of boarding ships and boarding officers, under similar circumstances, know, that the search is pursued with little regard to justice or forbearance. There is power on one side, and weakness on the other. The American vessels, during the long period of lawless domination, which the belligerent powers exercised over the high seas for many years, at the close of the last century, and at the commencement of the present, were too often the victims of a similar search, instigated frequently by cupidity, and conducted in the most injurious and offensive manner, to leave any doubts respecting the course which would be taken, should this claim be recognized. In this condemnation, we speak now of what is history. We stop not to examine the value of the pretensions by which these aggressions were sought to be justified; that the antagonist party had commenced this work of violence; nor the truth of the charges, thus respectively preferred.

And the vessels of France, of the United States, and of the Barbe towns, have already had a foretaste of what will occur, when a few years more shall have consecrated the present doctrine, as an acknowledged principle of international law. The crews will be paraded and examined, perhaps by a young midshipman, and this offensive operation will be rendered more offensive, by that kind of insolence, which is very where the sure accompaniment of unchecked responsibility. This tendency to abuse cannot be better described, than it has been by the London Son, and as its views, upon this question, are more authoritative, we shall quote from them. It says, that arbitrary habits "are engendered and maintained in our naval officers by the mode employed to procure men for the navy, and these habits make them treat foreign vessels in an arbitrary manner." So far as respects the treatment of merchant vessels, this is true to the letter. And one establishes the right of search, on the scenes of violence, which engendered the ocean for twenty years, will again be renewed. The hatches will be broken open, the cargo overhauled, property dilapidated, and many articles will be taken, as they have been taken, without permission and without compensation. This has often happened, and is an abuse, inseparable from such proceedings. Prohibited and deplored, no doubt, by all honorable officers of a foreign ship but, where might makes right, easily effected, and not easily detected and punished.

The annals of American voyages abound with similar instances, in the years preceding those stormy periods. And the complaints were not confined to the conduct of one of the belligerent powers, though one from the number of its cruisers, if for no other cause, was much more injurious to the American commerce than the other.

We speak of all this as an historian, but we speak of it as an historian dwelling on the past, warning, and predicting that the future will bring with it the same consequences, if the same causes are put in operation. The Journal the "Sentsman" is perfectly correct in the representation of the American feeling, when it says, "We have little doubt, that the arrogant and indefensible right of search, claimed by Great Britain in the last war, lies at the bottom of the authors hostility, and is the cause to the reasonable propositions of our government."

But again, this claim is liable to serious abuse, because there are strong temptations, both national and individual, to pervert the original objects of the search into others, which, though not avowed, are apparent; and because the remedy is distant, expensive, and doubtful.

The commerce of Africa is already important, and is becoming more so every day. The very suppression of the trade in human beings will tend obviously to turn industry and capital into other branches of employment. English adventurers explore the interior of that great continent, and with her intercourse with the native tribes, and preparing of new means of communication, will can doubt, but that English cruisers, stationed upon that distant coast, with an unlimited right of search, and discretionary authority to take possession of all vessels frequenting those seas, will seriously interrupt the trade of other nations, by sending their vessels for trial under very slight pretences, and in fact under no real pretexes whatever. For we must not lose sight of the many other elements in all this controversy; which is, that the mere appearance of a merchant ship in those regions is *ipso facto* suspicious. This is the very groundwork of the English pretension, and it is on this that government now contends, to ascertain by actual examination, the true character of every vessel found in "certain latitudes," which are assumed to be suspicious; as the mere appearance of a merchant ship in those regions be always pestiferous. Under these circumstances, a boarding officer, stimulated by that reward which a successful capture always brings with it, and by a determination, which might not be uncharitably charged to him, of favoring the trade of his own country, and of discouraging that of another, will readily believe or affect to believe, not that there is just ground to suspect the destination of a vessel, that her very appearance upon his cruizing ground forfeitures, agreeably to these new institutes; but that the predominant circumstances about her are not sufficient to establish that her cruise is a lawful one, or that she is entitled to the national character she claims; and that she must be sent to a court of admiralty, to be condemned, if those circumstances be swallowed up so many American ships, during that period when there was no right upon the ocean but the right of force. The vexation and interruption of voyages, the result of this system, are easily understood.

A trade, carried on under such unfavorable circumstances, cannot contend with the trade of a favored nation, and who may be harsh or lenient, as her prejudices or interests may dictate. It must be abandoned, as some of the Paris journals of the 8th inst. announce that the French vessel the "Sophie" has just changed her destination, rather than subject herself to the vexations which another French ship, the "Marabout" had experienced from the English cruizers upon the coast of Brazil. As to the indignity to which this proceeding will expose the officers and crews of the merchant ships, that must be left to every nation to appreciate for itself. It is not probable that the pretension will be rendered less offensive to the minds of its exercisers.

But beyond all these objects, applicable in common to every maritime nation, there is another, far more powerful, and peculiar, and which, from the peculiar relation of language, manners and institutions that exist between the United States and Great Britain, renders this measure, not only obnoxious, but to the last degree contemptible to the people. We would not impute unworthy motives to a great and intelligent people, and Great Britain has done enough to command for herself her full share of the admiration of the world. But we must take human nature as we find it, and the code of political ethics is a loose system, where there is much, both of good and evil. Amidst many gradual meliorations in the constitution of England, she has adhered with wonderful tenacity to certain pretensions, arising out of feudal notions, and among others, to one, by which she claims, that every person born under her government is forever a British subject, and that if he is by profession a seaman, he is liable to be taken, wherever he can be found, and forcibly compelled to serve an unlimited period on board her vessels of war. This is not a conscription, which operates equally upon all, subjecting all to the same chance, and requiring their services, upon established conditions, and for fixed periods. It is a system, which, in a mutual reciprocal regulation, other nations have no concern with its justice or policy, except as a subject of general speculation. But unfortunately for the duration of harmony between the United States and Great Britain, but this pretension is a subject of fearful importance. The British government claims the right of impressing seamen on board the merchant vessel of the United States, and there is not a child of knowledge, who this right on board the Chesapeake frigate, after an action in profound peace, when the American ship was compelled to yield to superior force. The conduct of the commander was however disavowed, but his zeal was rewarded by promotion.

It is now a matter of history, that for many years, the British government regarded the American vessels, wherever they found them upon the ocean, and seized their crews, incorporating them with their own, and compelling them to fight the battles of a foreign power, and that against their kindred and ultimately after the commencement of the war to which these aggressions gave rise, to fight against their own country. In theory, indeed, the British government did not contend that it had the right to impress native citizens, unless those citizens had been born British subjects. In that case the new character, with which they were invested, gave them no protection against this pretension. But in practical operation, the power was exercised with a general disregard of the character of the American crews, the boarding officer being the final judge, and the cruizer being almost always in want of able seamen. A midshipman entered an American vessel with absolute power, mustered the crew, declared that such and such persons were British subjects, selected them, and transported them to his own ship, to be released by death, or by a general peace.

Vain were the protestations of these unhappy victims of lawless aggression; and the opposition of the American government, the proofs, furnished by papers, His Britannic majesty's ships wanted seamen, and seamen they took. During many years, a warm diplomatic correspondence was carried on between the two governments, but the argument being exhausted, and the abuse continued, an appeal was finally made to arms.

The British government said, our seamen seek protection in the United States, and enter into their marine, and thus escape from the duties they owe to their own country. We have a right to their services, and we have also a right to take them wherever we can find them in merchant ships on the high seas, having first entered these ships for another purpose.

To this, the American government answered, we deny the doctrine of perpetual allegiance. Our country is open, and if foreigners come here, after a certain number of years, and compliance with certain established formalities, they may be invested with the character of American citizens, and then it is our duty to protect them. You adopt the same principle, and follow the same practice; you naturalize by special acts of parliament; you naturalize all persons, who reside a certain number of years in your colonies; and you naturalize all seamen, who have served a short term in your navy. At the mo-

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ment the governors of some of your colonies are compelling emigrants from the United States to bear arms against us.

We have just turned to M'Culloch's Dictionary of commerce to ascertain how far the American government were borne out in their assertion, respecting the naturalization of foreign seamen by the British law, and there we find page 1011, that among other means of naturalization, a foreigner who has "served on board her majesty's ships of war, in time of war for the space of three years, is entitled to British seamen." "But his majesty may, by proclamation during war, declare that foreigners, who have served *one* years in the royal navy during such war, shall be deemed as British seamen."

The act of congress, respecting the employment of seamen in the American service, provides that no person shall be employed in the public or private vessels of the United States, who is not a native or naturalized citizen. Another act on the subject of naturalization provides, that "no person can become a citizen of the United States, who shall not, for the continual term of five years next preceding his admission, have resided within the United States, without being at any time during the said five years, out of the territories of the United States." No one can come country a foreigner can enter into the marine service without the probation of a moment; and after serving three years, he becomes *ipso facto* a British seaman. Into the marine service of the United States but a native can enter, till he shall have actually lived five years in the country, without departing from it.

In the whole history of human inconsistencies, few chapters can be found more striking than this.

But the United States were anxious to avoid a war with Great Britain. They were willing to concede much to avert this extremity. They exhausted the catalogue of arguments and of offers. Thus speaks the president of the United States in his message of June 13, 1812, recommending war: "It is practicable," that of impressment, "is so far from affecting British subjects alone that under pretence of searching for these, thousands of American citizens, under the safe guard of public law, and of the national flag, have been torn from their country, and from every thing dear to them, have been dragged on board the ships of war of a foreign nation, and exposed under the severities of their discipline, to be exposed to the most distant and deadly regions, to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away the lives of their own brethren."

Against this crying enormity, which Great Britain would be so prompt to avenge if committed against herself, the United States have in vain exhausted remonstrances and expostulations; and that no doubt might be wanting of their conciliatory disposition, and no pretext left for a continuance of the practice, the British government was formally assured of the readiness of the United States to enter into an arrangement, such as could not be rejected, if the recovery of the British subject were the real and sole object. The communication passed without effect."

We return to the point maintained by the American government in the correspondence, to which we have referred. Independently, said they, of these obvious considerations (the same we have already presented) there is another which covers the whole question. Your right by your own confession, is not an absolute one. It yields to our right of sovereignty. You do not claim to come upon our soil, and there to seize your sailors. Where do you find the right to seize them in our ships covered by our flag, which is exclusive of your jurisdiction except in certain prescribed cases in time of war, as the territory of the United States? If you suffer your citizens to escape, and to come under our sovereignty, your claim to their services must yield to our superior claim to national immunity. Like many other rights or pretensions in society, if this cannot be exercised without violating the privileges of another party, it must be abandoned.

The British jurists of that day, who administered, and often made the maritime law, were endowed with sufficient subtlety to discover new principles to suit new circumstances, and her statesmen had sufficient firmness to adopt and maintain them. But we doubt, if in the whole progress of that warfare, between orders in council and impressment, which so long vexed neutral commerce, and outraged the common sense of mankind, a bolder invasion was made into the region of maritime metaphysics, than in the promulgation of that doctrine, which was to reconcile the exercise of this right of impressment, with those principles of public law, that had been so long and too clearly established to be directly controverted. Who was the discoverer of this, till then, terra incognita we know not; but its revelation was announced by great authority and from a high place. It is to be found in a declaration of the prince regent of Great Britain, dated July 9, 1813, made in answer to the manifesto of the American government, recapitulating the causes which had driven the United States to war. And it is there gravely maintained that "his royal highness can never admit, that in the exercise of the undoubted and hitherto undisputed right of searching neutral merchant vessels in time of war (alluding to the ordinary right of search, recognized by the law of nations) the impressment of British seamen, when found therein, can be deemed any violation of a neutral flag. Neither can he (the prince regent) admit, that the taking such seamen, wherever found, can be, or ought to be considered by any neutral state, as a hostile measure, or a justifiable cause of war."

And thus speaks the executive of England. The right to extract an American ship for the purpose of impressment is clearly disclaimed; but having entered for a lawful purpose, then the boarding officer has the right to take any British subjects he may find; that is to say, to seize every American sailor, and place him upon the deck of a British cruiser. We shall not go back to the history of the monstrous abuses, to which this pretension gave birth, and which drove the United States to war. They would have become a by-word among nations, had they tamely submitted to see their seamen dragged into this worst of slavery. But it is not the object of this article, to investigate the claims of the past. A seaman, on board an American ship, is protected by his national flag. No British officer can enter, for the purpose of tearing him from that protection, but that having entered for one object he may execute another. Certain belligerent rights are given to him, and he may board all vessels upon the great highway of nations, in order, to ascertain, whether, by fraud, force, or affected to do this, he may then turn round, and pervert his right of entry to a totally different object. He may exhibit his commission, and claim that power, by giving effect, not to the code of international law, but to the mere municipal regulations of his own country; and under the most arbitrary and offensive circumstances, he may, by the mere authority of power, determined to attain its object, and seeking to justify itself. There is no such right of conversion. No just claim to demand one thing, and do another. Such a pretension shocks the common sense of the world.

Argument would be lost in its refutation. The analogy of the English law would lead the British government to a far different conclusion. If a person has a right of entry for one purpose, and perverts it to another, he renders himself a trespasser as an error. He finds no convertible justification, by which his real object can be attained, while he covers himself with a professed one.

According to this right of conversion, when the British forces entered the state of New York to burn the "Caroline," having got within the American territory, for what they contended to be a lawful purpose, they might have then violated the national soil, and carried off as prisoners all the citizens they found, who had been born British subjects, and transported them into Canada. And why not have seized their American debtors, if they had any, or done any other act, which would be lawful in a hostile frame, as they claim to enforce their municipal laws upon the vessels of the United States. This claim can only be supported upon the ground that these laws sanction those of the United States, wherever British power plants itself; even for the shortest period and for whatever purpose.

But another *high authority, the Times*, has recently laid down the same doctrine, more distinctly indeed, and quite *ex cathedra*, showing how rapidly these maritime pretensions gather strength from time and use. We cannot, at this moment, refer to the number, which contains this article, but it must have been that of the 6th or 7th of January and will be found in Galignani's Messenger of 10th January, extracted from the London Journal. After laying down the right of search for enemy's property and articles contraband of war, the Times continues, "It is also, we believe, confessed, that, if in the course of search, we find the goods and persons of our enemies, such conduct on our part may be made lawful prizes and prisoners; the law however being punctilious (!) enough to require in the former instance, that the captors shall pay freight to the neutral carriers, of whose cargo they possess themselves. Now during our wars with France, we exercised this uncontested and incontestable right against America and all the other neutrals, with this not very unnatural corollary (!) that as we might take the persons of the king's enemies (a right given by the law of nations) we might take the persons of the king's subjects, who had deserted their duty (meaning thereby all speaking the English language) and were serving in foreign ships," (a right totally unknown to, and unrecognised by the law of nations.) We shall continue our quotations from the *Times*, because nothing we could say, would more forcibly describe the intolerable abuses of this pretension, and because, from the position and character of that journal we have the best assurance, that those abuses are not exaggerated.

"In the practical enforcement, however, of this right or wrong, for on that point it is not now necessary to pronounce, the searching party being, from the nature of the case, the strongest, and, moreover *ordinarily speaking, persons of summary habits*, were apt to be somewhat *arbitrary* in their judgments of who was American and who was English: "when they doubted half an eye, the Trick" at sea so thought and said the Americans, and any one may remember, that once taken and lodged in an English mom of war, by right or by wrong, it was not a very easy matter to get out of it: and accordingly the American had to stay, with just as good a chance of being cut off by a French cannon ball, before he could get his right again, as any of his English fellow sufferers." We pardon the frivolity of manner, with which this grave subject is treated, in consideration of the frankness of the journal, in the open avowal of principle, which cannot fail to excite general reprobation, since the unnatural excitement of a long and bitter war has passed away.

A nation, which should tamely submit to such pretensions would be infamous; nay surely, it would receive, the contumely of the world.

The Times adds, "that this dispute (of impressment) now sleeps, though it will have to be revived, at latest on the next occasion, when we find ourselves invested by a war with the right, of which it is the consequence; and indeed it might be raised upon the contemplated treaty, giving a mutual right of search for the prevention of the slave trade, unless provided for, as it easily might and probably would be, by special articles."

But here is the true key to much of the reluctance of the American government to become a party to any arrangement, which shall add to the category of the right of search; whether it is likewise the key to pertinacity, with which the British government presses this matter, we do not pretend to judge. Will now the right of search has been a belligerent right, belonging only to a state of war——. Here is the first formal claim to exercise it in time of peace. Impressment is a belligerent right, depending, as say the English jurists, upon the mutual relation of allegiance and protection, and the duties which these reciprocally create. Ordinarily it is exercised in time of war only; but the government might authorise its exercise at all times, as the conscription is operative, as well in peace as war. And surely many cases may occur, where such exercise might be necessary to man a fleet, before hostilities were actually declared, but while they were considered impending. Under such circumstances, this new right of search, bringing a British boarding officer legally on board an American ship, for a defined object, would enable him very conveniently, after satisfying himself she neither sought nor contained slaves, to seize her crew and reduce them to a worse state than African bondage; because to all their other miseries might be added the obligation to fight against the flag of their own country.

The "Scotsman" is not less frank than the "Times;" "the object of one" says the former journal, alluding to the right of search as heretofore practised "was to discover British sailors in American vessels, and practically, gave our naval officers a power to impress seamen from the ships of another state."

So, having already maintained, under various circumstances, the right to seize American sailors in time of war, as a consequence of her belligerent right of search, if the present pretension is established, Great Britain can then seize them in time of peace, as a consequence of her parole right of search, called Visitation, and thus the marine of the United States will be an inexhaustible fountain, whence in peace and war she can seek her force.

But it seems to be said, and indeed the suggestion as we have seen, is in the "Times," that it is in the power of the American government to frame a convention, which shall exclude this process of impressment, and therefore the fear of its occurrence ought not to prevent the adoption of this check to an odious traffic. To this suggestion the answer is easy. The United States can enter into no stipulation, which can be tortured into a recognition of this doctrine of impressment. They cannot provide for its restriction nor regulation. They can only accept a general declaration from the British government, that their flag shall protect their seamen, at all times and under all circumstances; and there is little reason to hope, that the counsels of justice will so far prevail over those of interest, as to lead to such a measure.

Were it however adopted by the British govern-

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ment, as the regulation of its future conduct, it would be hailed in the United States as the harbinger of a brighter day, as the cause and the precursor of an indefinite peace, between two nations, having so many reasons for union, and so few for separation.

In such an event, there would be little hazard in predicting, that a satisfactory arrangement might soon be made, by which the fullest co-operation of the United States would be obtained towards the suppression of the slave trade. The great difficulty being removed, a mutual spirit of conciliation would soon do the rest. But till then, the United States cannot, in any arrangement giving reciprocally the right of search, with a professed view to the extinction of the slave trade, admit the claim, that the doctrine of constructive entrance should not apply, and that their seamen should be safe from seizure. Such a stipulation would soon be construed into an admission of this claim, under other circumstances, and to this the American government and people will never submit. With them it is a question of life and death. They went to war to oppose it, thirty years ago, when comparatively young, and weak, and now, after having advanced in all the elements of power, with a rapidity unknown in human history, they will not be found wanting in courage and honor in the day of trial. An American, at home or in Europe, may safely predict, that the first man impressed from a ship of his country, and detained, with an inroad of the right, by order of the British government, will be the signal of war. A war too, which will be long, bitter and accompanied, it may be, with many vicissitudes. For no citizen of the United States can shut his eyes to the power of Great Britain, nor to the gallantry of her fleets and armies. But twice the republic has come out honorably from a similar contest, and with a just cause, she would again hope for success. At any rate, she would try.

In the preceding discussion, we have spoken generally of the right of search, without laying aside by any distinction, founded upon the purposes, real or avowed, of those who exercise it. We have done so, because so far as regards the most obnoxious consequence to the United States, the liberty of their seamen to impressment, it is obvious, and so indeed says the TIMES, that the exercise of this pretension, though not forming a just cause of entry, yet being its necessary result, it is upon the principle, in its practical operation, whether the eval judge, "clothed with brief authority" but deciding summarily upon human liberty, boards the peaceful trader to ascertain her national character, or to inquire the objects of her voyage. But besides this fundamental objection, it is evident, that no vessel can be liable to examination without some indication, in all such cases, there may be gross abuses, and that in many these abuses will occur. The boarding officer will judge if her papers are regular, or if they are simulated, and if the accidents of the voyage and the nature and appearance of the cargo and equipment confirm these papers, or render them suspicious. Here is latitude enough for arbitrary vexation, and for interruption, which may drive an otherwise profitable commerce into less troubled channels. And these considerations are abundantly powerful to justify the United States in refusing their consent, both to the conventional arrangement proposed for the right of search, to ascertain the object of the voyage, and to the new doctrine now first promulgated, of right of search to ascertain the proof of the vessel's nationality are sufficient to justify her title to the flag she bears.

We cannot better describe the little difference, in its practical operation, which would be found between the right of search to ascertain the object of her voyage, than we find it done to our hands in the LONDON SUN. One may be called a search and the other a visit, both will be found equally vexatious violations. The passage of the Sun is striking and we shall quote it:

"The Americans may very properly object to our right of search, and may still have a great reluctance to suppress the slave trade; but of the two evils, we have no doubt, but the Americans would prefer the eternal existence of the slave trade, to allowing their ships to be overhauled by our cruisers, if they sanction the examination, for the mere purpose of ascertaining if a vessel bearing the American flag is *bona fide* an American vessel, they sanction a right examination of the vessel herself. The pretext may be simulated. How is that to be proved? By examining the crews; by ascertaining that the cargo of the vessel corresponds to the manifest, by tracing her route in the log book; in short by subjecting her to a complete search. If that be not done, papers will be at once produced to correspond to the flag, and merely to prove that they do not correspond, will be of no use whatever. The Americans are well aware of the insults and injuries they would subject themselves to, by admitting this claim to visit their ships, and the Morning Chronicle does them egregious injustice, when it represents their resistance to that claim as grounded in unrighteousness."

The correspondence with the British secretaries of state for foreign affairs, just published by the American government, comes marvellously in support of the remarks of the Sun, though published since those remarks were written. It gives to them almost the chapter of prophecy. The search of five American vessels is complained of by the American minister, the Douglas, the Pearl, the Hero, the Mary and Susan. And in four of these cases, serious complaints are also made, that the crews were treated with indignity, and the property wrongfully injured, and various articles taken away. As Lord Palmerston in his answer to Mr. Stevenson, gives a summary of the complaints of that gentleman, in the case of one of those vessels, we shall quote the passage, as an illustration of the practical effect of this new claim, not having, unfortunately, Mr. Stevenson's letter on this subject within reach. And we embrace with pleasure this opportunity of thanking that gentleman, the able American representative, for the spirit, ability and dignity, with which he maintained the rights of his country, during the arduous correspondence he carried on with Lord Palmerston and Lord Aberdeen.

But to the summary: "In these two communications, says Mr. Stevenson to Lord Palmerston, "it is stated that on the 21st of October, 1836, Lieut. Seagram boarded the Douglas, while she was pursuing her voyage, on the coast of Africa, examined the papers of the country, demanded, without leave, to open the hatches, hauled down the American flag, and seized the vessel as a slaver; that he kept possession of her eight days, namely, from the 21st of October to the 29th, during which time the officers and men of the Douglas became ill from exposure to the sun, and that in consequence three of them died, and the Douglas was left in ill health." It appears by another letter from Lord Palmerston, that the boarding crew was charged with consuming the stores and provisions of the Douglas.

And in a third letter to Lord Palmerston, which relates to the Mary, the chiraeter of the occurrences on board, may be judged by this remark, proceedings which, in Mr. Stevenson's opinion, seem to want dignity and decorum. The conduct of the officer displayed rash and daring outrage, and very little, if any thing to sink them into an act of open and direct piracy."

Lord Palmerston then proceeds to justify or deny all these charges, and there they sleep the sleep of death.

As to the ill treatment of the crews, and the free use of the provisions and stores of the vessels, and frequently the unwarrantable seizure of more articles, (in one of these cases money, a chronometer and a watch are stated to have disappeared), all this is but an old story in the history of vessels, boarding and boarded on the high seas, and nothing to observe. How indeed can it be otherwise in the constitution of human nature, and in the position of the parties? There is no check for the present, no responsibility for the future. The subaltern with little discipline and the best disposition could not prevent abuse, where a party of sailors enter the vessel of another nation, in the exercise of a power, which allows them to open, break up the hatches, overhaul the cargo, and feel themselves at free quarters, almost in an enemy's country. And when the disposition of the officers is bad, and the discipline low, the abuses are fearfully augmented. In the catalogue of naval wrongs, endured by the United States, during the long period of belligerent oppression, to which we have referred, the injuries and abuses inflicted by boarding, bulk figure in the first rank. What will they be hereafter, when this doctrine of universal search, under the guise of an inquiry into the nationality of vessels, becomes consecrated by time and usage, and is exercised, as well in peace as in war?

But after all, what is this distinction, which Lord Palmerston and Lord Aberdeen have discovered, and which is now to give British officers the right, in a time of profound peace, to enter and search American ships? We are distinctly told by both these statesmen, that the commander-in-chief of the American ministers, that they do not assert this claim of search with a view to ascertain the objects of a voyage, and to seize the vessel, if found engaged in the slave trade. Both admit in terms, that the American character being once established, her cargo, whether men or merchandise, is beyond the reach of the armed cruiser; and that she must be permitted to prosecute her voyage, however nefarious her object may be. But both equally contend, that the flag at the mast head, or the piece of bunting, as Lord Palmerston rather contemptuously styles this emblem of sovereignty, furnishes no evidence of national character, and shall furnish no protection against the entrance of British force. That they have a right to board all vessels upon the ocean, examine their papers, and satisfy themselves respecting their nationality. Lord Aberdeen, consoles the government of the United States by the assurance, that their vessels are not entered as THEIR vessels. "Nor is it as American, that such vessels are ever visited." Poor consolation this. If Tom is knocked down in the street, it is little comfort to him to be told, I did not knock you down as Tom, I knocked you down as Jack. The answer to all such pretensions is very simple, and cannot have escaped the sagacity of the British statesmen, who have resorted to this strange process of justification. You commit the act at your own hazard. If you enter a ship or knock down a man, believing that the ship or man is not what appearances indicate, and your suspicions being correct, if the law, international in one case, national in the other, gives you the right to use this violence, then you may avow the act, and justify it. But if you err in these premises, you are responsible for the consequences.

The municipal law of every country is filled with illustrations of this principle. It is common sense, applied to the affairs of men in their social relations, as members of an organised community. Applied to the affairs of nations, in their commercial intercourse with one another, upon the ocean, it is the same common sense, then called public law. If a father or master meet his son or servant, he has a right to examine him, to ascertain if he is violating his orders. This we call the visitation of persons—The right cannot be denied. Now, the son or servant may disguise himself, and assume the appearance and dress of the son or servant of a neighbor, it may be, his livery. But does this disguise give a slave or to the superior the right to stop in the street all persons he may choose to suspect, with or without cause, to be his son or servant? And even in violating the laws of the country, but his own domestic law, it is clearly not. If he examine forcibly, he does so at his peril. Borne out by the result, he is but in the exercise of his right, if mistaken, he is a trespasser, and responsible for his conduct.

We consider it unnecessary to pursue these illustrations further. It would be but a work of supererogation.

What then is the process, by which this new principle is attempted to be justified and maintained?—Lord Palmerston thus lays down the doctrine, which is henceforth to become a part of the maritime law: The United States flag or bunting, as he lordship calls it, shall exempt no vessel, (whether American or not), from search except "when that vessel is provided with papers, entitling her to wear that flag, and proving her to be United States property, and navigated according to law." And with a view to ascertain if she is entitled to the flag she bears, and if she is sailing according to law, a right to enter is claimed for every British cruiser into every American vessel, wherever they may meet. And this right of entry is called not a search, but a visit.

Lord Palmerston, it will be remarked, lays down as a part of the principle, that the vessel must be sailing according to law, that is, for a purpose not prohibited by law. Lord Aberdeen who shows more regard for busting than Lord Palmerston, concludes, that "doubtless the flag is PRIMA FACIE evidence of the nationality of the vessel." A strange conclusion, that by the bunting, a national pavilion, and we had almost said a profane one, is hoisted by an English statesman, the minister of a country, whose MERCHANT FLAG is associated with so many glorious recollections, and apotheosised in so much glorious poetry. And after all, this emblem of sovereignty and accompaniment of victory is but a piece of bunting! Alas! for the prestige of great names, when reduced to this matter of fact standard.

It will not be denied, that this is the first solemn occasion upon which this pretension has been put forth to the world. No elementary writer has advanced it; no jurist has asserted it; no judge has ruled it. The universal exemption of all vessels in time of peace, from "search or visitation," the very words, as we have seen, of Lord Stowell, has heretofore been an uncontested and incontestible principle of the law of nations; and he added the authority of his distinction to the opinion of his predecessors, the commentators upon the great code of maritime law. When therefore the two British statesmen, who have assumed, or upon whom has fallen, the task of interpolating into our principle into that code, or as the Turks would express it, who are working the way for the new law, undertake to justify this pretension, by argument, preparatory to its being maintained by force, we may fairly call upon them to establish their position by undeniable proofs, or by the clearest illustrations. The burthen of discussion is cast upon them while the nations of the earth, at the same time judges and parties, are watching the progress of the controversy, anxious, it may be, to see, if this new

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war, as the "Times" may well term it, is to be attended with a new struggle, and if both are to be gained, as so many have been gained before them.

In carefully analysing the correspondence, the arguments in support of this claim may be briefly summed up as follows. Without if flags may be sometimes abused. Without it, English cruisers may sometimes be prevented from boarding their own vessels, and thus the stipulations of England may be violated. Without it, the treaty stipulations for the suppression of the slave trade cannot be so well executed, as with it. And the traditions of the British navy, and Lord Aberdeen believes, of other navies, are in favor of its assertion. This is a brief summary of the defence of this measure.

As to what may be termed the quarter deck law, we shall dismiss it with a very cursory examination. Mr. Stevenson calls in question the exactitude of the fact, at any rate to the extent to which it must reach, in order to support such a claim as this. That vessels may have been overhauled and entered in time of peace, under peculiar circumstances, we do not doubt. But it is evident, that this practice has never prevailed in any considerable degree, most certainly not sufficiently so, to constitute a precedent, or other wise it would have given rise to examination and consideration among the elementary writers, and to discussion among the governments, which, from time to time, have been affected by it. No trace of this appears, and the conclusion is inevitable, that its use has never been established, nor its abuse sufficiently prevalent nor serious, to render it the subject of diplomatic intervention. If Great Britain had, as she has not, in the exercise of her naval strength, pushed this usage beyond the point we have indicated, certainly it would be with a bad grace, and bad claim to plead, that violence should be written down in the law of nations, and constitute the rule for their future government. We go further, and we will no doubt be treated as spoken ill entered, and no one will complain, because no indignity will be intended, nor will any injury be done. Strictly speaking, a trespass may be committed, but the matter will end, without leaving the least sensation, either among the parties or their governments. How different this is, from a claim to enter and search all ships, at all times, and in all places, we leave to the consideration of mankind to judge. We say in all places, because, though one-half only of the Atlantic ocean is laboured (as the south sea islanders express it) at the present moment, yet the same power, which has laid this interdict upon a part of one of the mightiest works of God, may extend it as soon as its interests dictate, from pole to pole, and there is no one who, if that is not already done, it is not, that the principle is not sufficiently elastic to cover such a space, but only that the time of harvest has not yet come. We are aware of one offence against the canons of criticism in the metaphor, but we may be pardoned the trespass, in consequence of the force of the illustration. With respect to the abuse, to which this claim of immunity, made by the United States for their vessels, may be liable, it is not difficult to show how greatly it has been exaggerated. This seems to be the favorite argument of lord Palmerston, and we repeated, under a somewhat different view, by lord Aberdeen. Both these statesmen appear to think, that the United States claim a perfect immunity for all vessels bearing their flag, and on the assumption of the absurdity of such a pretension, lord Aberdeen asks Mr. Stevenson, if he supposes the government of Great Britain would permit "British vessels and British capital to carry on, before the eyes of British officers, this detestable traffic, etc. by hoisting the American flag"

This conclusion is no corollary from the premises laid down by the United States. They advance no such pretension. It is the immunity of their own bona fide vessels they seek to secure. They do not deny to the cruisers of all the powers of the earth, the right to enter and search the vessels of their own country, and of every other country which may concede the privilege; though the flag of the U. States may fly at all their mast heads. But they do deny the right of any such search over their own vessels, and here lies the acer of the whole matter. Certainly, if a British or French frigate encounters a vessel at sea, which is most assuredly a British or French vessel, endeavoring to conceal her nationality, under the American flag, such frigate is justified in boarding her, and in disposing of her as the laws of the country may provide. But this is done at the risk of the boarding ship. If the result proves that the suspicion was well founded, then the commanding officer will be scatheless. He will have done his duty to his own government, and no injury to another. But if he has suffered himself to be deceived, then he has violated the rights of a foreign power, and his sovereign must be responsible for the consequences. He may still have done his duty to his own government. That will depend upon the strength of the evidence upon which he acted. But he has committed an injury against another, and for that injury, atonement may be demanded. But here we come to the practical operation of these general principles, and it is that branch of the subject alone, which is worthy serious consideration.

The two British statesmen attempt to support their position by pushing principles to their extreme. The may do this, and, yet, its place is, and must be in active life, and least of all in the affairs of nations. A British officer meets a vessel bearing an American flag, but which he has the reasonable reason to suspect to be British, and engaged in the slave trade. He boards her, conducts himself with perfect propriety, ascertains his error, and retires, without any injury. He is a trespasser, but no government would ever think of complaining in such a case. A perpetual right to stop, to search and to seize, is one thing. A casual act of trespass, conceded to be such, excused by peculiar circumstances, and accompanied by ample regret and atoned for, is another. The latter may be pardoned. The former is intolerable. The commander of the boarding vessel is precisely in the condition of a sheriff's officer, who, with a writ against B., arrests B. Now, on a trial in an action of trespass, which B might institute for this assault and battery, what would be the measure of damages which an intelligent jury would apply to the case? They would adopt precisely the same rule we have already laid down in the case of the commander. If the officer had strong reasons to suspect the identity of B, and to suppose he was A, and if he had conducted himself with perfect propriety, and had really committed no injury, he would be dismissed with nominal damages—but if, under the plea, he asserted the great principle of liberty, would yet be perfectly valueless in their amount, leaving the ill-advised complainant to pay the costs.

Such is the illustration of our maritime subject. In this manner the principle is saved, and flagrant abuses prevented. And why the naked principle is unalterably valuable to the United States, is obvious, from the claim the claim of immunity. The exercise of that claim, as we have seen, is the consequence of a legal right to enter. So long as this claim is made, and the right of search is conceded, are, by British confession, safe from British power. We may illustrate this principle still farther, and it is well to do so, because lord Aberdeen pushes the immunity, in the same way, as we have seen, and some of the English journals have expressed a very patriotic fear of that result. Let us examine the matter. The cruiser of a civilised power approaches a region where a pirate is known to have recently been committing depredations. His appearance is described and he is anxiously watched. A vessel with the flag of United States hearsh in sight, and she bears a great resemblance to the cruiser. She is entered, and the mistake is discovered. The act would be pardoned; and especially, as the crime is prevented, by the law of nations, a law which all powers should support and enforce; and it would not be difficult to suppose a case, whether the pubhe ship of a nation might be attacked, and under such strong presumption of its being a pirate, as to excuse, though not to justify, the aggression.

When piracy was prevalent in the West Indies, some years since, the smaller vessels of the American navy were employed in its suppression, such often disguised to deceive the pirates. If one of them had been mistaken by a French or British frigate for a piratical cruiser, she would have been attacked; but the matter would have been amicably arranged, as was the controversy respecting the action between the American frigate the "President" and the British sloop of war the "Little Bell," which occurred in profound peace, but was the result of mutual misunderstanding. Now, lord Palmerston and lord Aberdeen do not claim the right, in time of peace, under any circumstances, to search a vessel of war, in order to ascertain her nationality. Here the bunting rides inviolate. But does it follow, that because a pirate hoists the flag of a Christain power, and assumes the appearance of one of the armed ships, he is therefore beyond the reach of his pursuer? Or that all the French vessels of war upon the ocean may be searched by a British ship, because the latter chooses to suspect they are pirates

Aberdeen means all that his words clearly express? Will he openly assume the principle, that the concurrence of some of the powers of Europe, great or small, in a measure, even when avowedly and specifically confined to themselves, immediately and *ipso facto*, changes the law of nations, and sanctifies the principles of the new measure! If some future Napoleon should arise, and by a general continental convention, attempt to exclude England from the markets of the world, would this act of violence become legal? Would it impose upon that country the moral duty of submission, because the "happy concurrence of some of the states of Christendom in the great object" had not only legalized, but had rendered the process, by which that object was to be enforced, not merely justifiable, but indispensable!—This is no reasoning for the nineteenth century, and we can no longer occupy ourselves with it.

If the right of search is here placed, as we see, upon the obligation created by the partial treaties for the suppression of the slave trade, there are passages in the despatches of both Lord Palmerston and Lord Aberdeen, where it is placed upon the unequal law of England. These are to be found, where Lord Aberdeen invokes the necessity of examining American ships, to ascertain, if they are not "British ships with British capital," carrying on a traffic "which the law (the municipal law of England), has declared to be piracy." And Lord Palmerston says, that without the right of searching American vessels, "even the laws of England might be set at defiance by her own subjects." And so they may be evaded in a thousand ways, and have been evaded by means furnished by ships belonging to foreign states. And why confine this claim of search to the evasion of the laws, respecting the slave trade? Why not extend it to all cases, which may happen, and stop and search on the ocean all vessels suspected or pretended to be suspected, of aiding in such evasion? And why should not a French cruiser overhaul and search any merchantman, foreign as well as French, which, it may be pretended, has on board a young conscript, fleeing from the conscription? This branch of the discussion has already extended too far. We do not believe it necessary for any American reader, that we should further push the refutation of the pretension, that a British boarding crew may enter any American ship she meets with a view to give effect to the British laws. This is too absurd to need, perhaps will come, if this step is gained. But before then, many strange events may come to pass.

But it will be seen also, that this illegality which we are in search of, is created, not only by treaty stipulations and municipal laws, but by the laws of nations. To the last authority, the United States avow their entire submission, and will not ordinarily, they will cheerfully obey." Lord Aberdeen says, that the fraudulent abuse of the American flag "constitutes that reasonable ground of suspicion, which the law of nations requires in such a case." Let Lord Aberdeen put his finger upon that part of the law, which applies to "such a case," and all opposition to the pretensions of his country is at an end. But it is the fair provision, which is demanded, and not a substitute, created by a false analogy. This doctrine is not to be supported by transferring to this subject principles and practices applicable only to a state of war, and in acts, which are then "illegal," by the unanimous consent of mankind.

But after all, supposing the law to be laid down, that American vessels may be searched, because their voyages may be somewhat "illegal," what are the circumstances which justify the exercise of this measure, agreeably to the British doctrine. We repeat the rule, as stated by Lord Aberdeen. No vessel bearing the American flag ought to be visited by a British cruiser, except "under the most grave suspicions, and well founded doubts of the genuineness of its character." What is the practical application of this rule! Why, American vessels are visited in the language of Lord Aberdeen "in certain latitudes and for a particular object." That is to say their very appearance in "certain latitudes" is a "grave suspicion," and thence follows the entry, the detention, the search, and it may be, the seizure! If this is not reversing the natural order of things, and casting the burden of proof upon the injured party, we confess our inability to understand the subject.—This amounts to a complete blockade of the southern ocean, from Rio Janeiro to the Bight of Benin. How long it may continue and how much further it may extend, we leave to history to tell.

There is a tendency in the communications of both the British secretaries of state for foreign affairs to consider the African slave trade as piracy. This point establis ed and all opposition to this claim of search, in case of *bona fide* suspicions, would cease. Lord Palmerston speaks of "slave trading pirates" and Lord Aberdeen of "piratical advantages."

But this is loose language, except so far as it has reference to municipal laws. The slave trade is nefarious, unjustifiable, and ought every where to be proscribed, and rigorously punished. But it is one of that class of acts, whose criminality depends upon the laws of different countries. A nation or combination of nations may call it piracy, and apply to their own citizens the penalties usually prescribed for that crime. But this change of names changes nothing in the nature of things and piracy is now, by the law of nations, what it has been for ages past.

As to the *status* of slavery itself, it were idle to contend it is illegal by the common consent of mankind. It has existed since the earliest ages of the world, and there is probably no nation, ancient or modern, among whom it has not been known. By some, it has been abolished, and where it yet survives, we hope its condition has been ameliorated. This is certainly the case of the United States. A general disposition is gaining ground to improve the situation of this unfortunate class of society. This is felt in the southern states of the American confederacy, as well as elsewhere, and we should judge of the treatment of the slaves in that region, by their treatment in the West India colonies, would do the southern states injustice. Nothing is, in fact, proof of this assertion is the fact, disclosed by the statistical tables, published by the American government, that in some of the slave states, the slaves increase in numbers, by natural population, and another fact not less significative, is the rate of their natural augmentation. This is found to be between 25 and 30 per cent. in each decennial period. A very respectable country gentleman, whose statement we place full confidence, has just informed us he has examined the subject, and finds, though there are more than fourteen million of free white persons in the United States, but two millions and a half slaves, yet the number in the latter class, over one hundred years of age, is almost double that in the former.

We are no slaveholder. We never have been. We never shall be. We deprecate its existence in principle, and pray for its abolition every where, where this can be effected justly, and peacefully and easily by both parties. But we shall not cry out fire, and devastation, and murder, and ruin into a peaceful community, to push on the accomplishment of the object. But after having visited three slave masters of the old continent, we go before God and the world, that we have seen far more, and more frightful misery, since we landed in Europe, and we have visited Ireland yet! We have never seen among this class of people in the United States. Whatever may be said, there is much of the patriarchal relation between the southern planter and the slave. Age and infirmity are provided for, and in Europe, resulting from a want of food, and from exposure to a rigorous winter, without adequate clothing. we believe it to be so rare, as not to form a just element in the consideration of this matter. But the subject of the emancipation of two millions and a half of human beings, living among another population, of different race and color, and with different habits and feelings, is one of the gravest questions which can be submitted to society to solve. It can be safely left only to those who are to be so seriously affected by it; and there it is left by the constitution of the United States. It is a matter with which the general government has no concern.

And so with respect to the slave trade. It is a traffic which can be traced back to the time of Pharaoh whose son was sold into Egypt, and down, in some form or other, during the successive ages, which have intervened, to the last century, when by treaty arrangements with Spain, England obtained, as a great commercial favor, the privilege of supplying the Spanish colonies with slaves,* and to the present, when after many years of bitter opposition, the English parliament voted the abolition of the slave trade; but when some of the greatest names! in England were found in the minority. These statesmen, by their votes, not only pronounced the slave trade to be legal and expedient, but moral also, so far as that consideration formed, at that time, a motive of legislative action. That it is illegal, by the great code of public law, is a proposition unpublished, nor well informed man will seriously contend. Thanks to the advancing opinions of the age, its atrocity is generally acknowledged, and the obligation of Christian morality, is extirpated, almost everywhere, and obeyed. But it is not permitted, in order to attain a great good, to commit a great evil. In order to break up this traffic, to break down the barrier which centuries have been rearing, and by which the weak are everywhere protected against the strong, the peaceful against the warlike. The law of nations is but general opinion, illustrated by philosophists, and sanctified by time, and by universal acquiescence. Touch it rudely, and the whole fabric will disappear, leaving the nations of the world, in their mutual relations, as they existed in the most barbarous ages.

Most wisely and most impressively therefore, did Lord Stowell say, "No nation has the right to force her way, for the liberation of Africa, by trampling upon the independence of other states, on the presence of an eminent good, by means that are unlawful; or to press forward to a great principle, by breaking through other great principles which stood in their way."

Words of deep wisdom and solemn warning; and lamentable is it, that their observation has scarcely outlived the able and venerable judge, by whom they were pronounced! And shame! it is to be deplored that the first public practical disavowal of these sentiments should come from a country whose law they were ruled to be.

We have already alluded to the opinion of the duke of Wellington, in connection with that of lord Stowell. This we did from memory, but at the moment of writing this part of our remarks, we have been reading the speech of the duke in the house of lords 10th July, 1839, where his sentiments are fully disclosed. With that spirit of frankness and sagacity, which are not the least eminent, among the qualities of that eminent man, he discusses the issue to which this pretension must lead. He said, "the clause in question made it lawful to detain any vessel whatever under suspicion, the high seas, and demand their papers; and the persons exercising such authority were moreover indemnified for all the consequences. Was it intended, that the vessels of any power whatever might be searched, and afterwards allowed to proceed on their voyage, whether we had treaties with those powers or not? Such a law would be a perfect novelty in the legislation of this country, and the house ought to well pause before they adopted it."

Again, on the 15th August, the duke remarked, "it was well known, that with the United States we had no convention; there were indeed engagements, made by diplomatic notes, but nothing went to show the least disposition on their part to permit the right of detention and the search of papers; and if there was any point more to be avoided than another, it was that relating to the visitation of vessels belonging to the Union. He warned government not to proceed, but rather to issue an order in council or a declaration of war."

We quote the remarks of lord Brougham because they are equally honorable to himself, to truth, and to the American government. "It could not be disguised, that we were peculiarly situated, with respect to the United States; because we had not effected any treaty, conferring such right of search. It should be borne in mind, that the United States, at the very commencement of their history, were enabled to do so by the federal union, had adopted the abolition of the slave trade, and were in fact the first to make it piracy for any one of its subjects to carry it on. The government of the United States was not so strong as a monarchical government, nor had it such direct and powerful means of controlling its subjects." And he remarks with respect to the slave trade, "but the people might not after all be answerable for the purposes, to which they were devoted; not more so, certainly, than an English ship builder, who sold vessels, constructed in his yard, which were afterwards despatched to the coast of Africa."

We shall not add a word to the authority of these high names. Their decisions need no commentary from us.

Keeping in view the preceding course of discussion, it is obvious, that upon the principles heretofore received among mankind, if the United States should peremptorily refuse all co-operation, in any effort to

* The first article of the treaty of Madrid of 26 March, 1713, is thus conceived, "whereas the assiento, which was granted to the French Guinea company, and afterwards to the Frenc ce to furnish negro slaves for the West Indies has expired and the Queen of Great Britain wishing to enter into the commerce, and in her name the English company, &c.

† In looking over Clarkson's History of the abolition of the slave trade we find, that the enlightened Pitt was divided upon this subject, and the sincerity of that distinguished man in the support of it was generally doubted. And Clarkson says that from the known sentiments of the king, the veto of the bill was feared.

Among the opponents we find the duke of Clarence, (afterwards William the Fourth), who called the supporters of the bill, fanatics and hypocrites. Lords Thurlow, Rodney, Sheffield, Eldon, Saint Vincent, Liverpool, Sidmouth (who was Mr. Addington), Hawkesbury (who was Mr. Jenkinson), Mr. Dundas, Colonel Tarleton, Major Scott, &c.

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put down the slave trade, they would be responsible only to the public opinion of nations, and to Him by whom nations rise and fall. It would be but the consequence, says the London Sun, "of our former proceedings, which have made it impossible for the Americans to admit this claim. By committing injustice on our own people, we have bred such habitues in arbitrary habits, which have made them arbitrary to other nations, and the consequences debar England from following out her humane wishes to suppress the slave trade."

But the United States refuse no such co-operation. They have interdicted, as we have seen, this trade to their citizens, and have provided examplary punishments for the transgressors. They have, for many years, kept a squadron upon the coast of Africa, to aid in its suppression, and they are now making arrangements for its augmentation. It is an effect to deny, that a general right of search would assist the objects which all the Christian powers are seeking to attain. It would be an additional means of detection. But such a right is not, and cannot probable to success. Much has already been done, and the work is going on now. It would be greatly promoted, if the markets in countries to which slaves are yet transported, were closed to this traffic. If these unhappy victims of lawless violence could not be sold, they would not be bought. Let a general effort be made with the Spanish, Portuguese, and Brazilian governments, to induce them to act vigorously in this matter, by judicious municipal regulations, faithfully executed; and a powerful means of success will be put in motion, which, overwhelming down the great principles, which now stand in its way.

That the efforts to suppress the slave trade may be rendered successful, without the adoption of this obnoxious measure, is evident, from a suggestion in London journal, which, with just feeling, seeks to avert the impending consequences of that mode of search. The journal proposes, that an officer of the British and American navies shall reciprocally sail in one of the cruisers of the respective nations, and that such officer shall exercise the right of search on the vessels of his own country, thus ascertaining their character and objects, and seizing them when guilty, without any violation of the rights of sovereignty. We do not stop to examine the proposition, we merely alluded to it, to show that in a spirit of accommodation, means may be found to reconcile all avowed objects, with national dignity and independence. Such a plan would possess one advantage. It would be truly reciprocal, whereas the proffered power to search is but the mockery of reciprocity towards the United States, whose interdiction will never permit impressment, as a means of manning their navy. While, therefore, the British officer enters to search and impress, and the American officer enters to search, the inequality is too glaring to need illustration.

But after all, what kind of philanthropy is that which seeks, not merely to put down the African slave trade, but to put it down by the employment of means among many, and which means, if persisted in, as threatened, will and surely involve two great nations in war, as to-morrow's sun will rise upon both? And who can tell the extent of such war, not merely to the parties themselves; that we shall not touch, but to the civilized world? Who can tell the questions of maritime right, which will rise during its progress, and of martial wrongs which will be inflicted? Who can tell how soon its sphere will be enlarged and the oppressions of Africa be lost sight of, in the struggles of Europe and America?

It is strange indeed, but so it is, that one of the modes proposed for the liberation of the negro, from the traffic of his flesh and blood, will necessarily lead to the bondage of the American seamen whose his flesh and blood are not indeed sold, but where they are taken without price, and may be swept away by the cannon of his own country. "When they doubled, they took the trick." Words which all Americans should grave upon their hearts. We may safely appeal to any generous Englishman and Frenchman, and ask what would be their sensations if told, "yes, we do seize your citizens, we do impress them; when we doubt we take the trick." Let each answer for himself; and that answer will disclose the feelings of the Americans; for this trick is a man, an American citizen. By and by, after law shall have worked its way far enough, the trick may become a French citizen; and what sort of a struggle will come when that step is taken.

But should the United States yield to this claim, what security is there for them, or for nations like them, interested in the freedom of the seas, that it would not be followed by another and another pretension, till the British flag rode triumphantly over the waters of the earth? How far is to be pushed this crusade of benevolence, which would involve east and west in one common calamity, in order to attain, in its own way, an object which must come, and that speedily? There are significant signs abroad, that this is but the commencement of a system destined to a wide extension. Already the project has been publicly discussed in England, of putting a stop to slavery, by putting a stop to the sale of its products. It has been supported in the journals, and advocated, we believe, in parliament. The scheme has not yet ripened into a plan. But experience is sometimes seen to ripen as well as nature, and the proposition so far, is merely to interdict the sale of these products in England; yet who can tell how soon the question may enter, in an improved form, into the maritime code of nations! It would be but another step, and although it might be accompanied by another struggle, leading to universal war, it would be philanthropist for this! Law would work its own way. Slavery is wrong, as well as the slave trade. We cannot enter upon the territory of another nation to suppress it. But we will prohibit products from the same. They shall become contraband of peace. No cotton, rice, coffee, sugar, nor tobacco, not the product of free labor shall be lawful freight. And thus the object being just, the means must be just also.

But here we drop the discussion, leaving every reflecting man to draw his own conclusions. Most sincerely do we hope that the British government, to the American government, some modified proposition it can accept. But we freely confess, looking to the pretensions of both parties, and knowing the feelings of our countrymen, that we do not see upon what middle ground they can meet. Our fears are stronger than our hopes; and sad will be the day when two such nations go to war. Even if England were clearly right, as in our opinion it is clearly wrong, she might forbear much, without any imputation upon her honor. She has won her way to distinction by a thousand feats in arms, and what is her feeling, when she reviews, by countless feats in peace. Triumphs of genius, of skill, of industry and of enterprise, which have gained her a name that the world may envy, but that she can hope to equal. She has given birth to an empire in the west; an empire whose extent and duration it passes human sagacity even to conjecture. There are planted her laws, her language, her institutions. A thousand ties of interest unite these kindred people. Let England cherish this as her most glorious work. But let her recollect, too, that a spirit, equal to her spirit, animates the republic, and though she may be crushed, she will not be dishonored.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

March 17. Mr. *Preston* presented a memorial from citizens of Rutland county, Vermont, praying congress to enter at once on the subject of the tariff.

The same presented a remonstrance from citizens of Lebanon, county, Pennsylvania, against the compromise act.

On motion of Mr. *Woodbridge*,

Resolved, That the secretary of the navy be requested to report to the senate whether any measures have been taken, and, if any, what measures, for the construction of a war steamer for the defence of the Upper Lakes.

The senate proceeded to the consideration of the resolutions of Mr. *Clay*, proposing an augmentation of the duty on imports, and a diminution of the expenditures of the government.

Mr. *Evans* addressed the senate for more than two hours, and replied at length to the remarks of Mr. *Woodbury*, delivered several days since.

The senate then went into a executive session, and after some time spent therein the doors were opened, and it adjourned.

March 18. The president of the senate submitted a communication from the legislature of the state of Wisconsan, in relation to the boundary line between that territory and the state of Michigan. This paper is the only one which has been made of Lake Michigan, and protests against any other.

The following bills were then severally read a third time and passed: viz: a bill to revive and continue in force "an act supplementary to an act entitled 'an act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned,'" approved March 10th, 1838, and a bill relative to the act entitled "an act granting land to certain exiles from Poland," approved June 30, 1834.

The senate then proceeded to take up the bill to remove the office of surveyor general and to change the location of the land office in Greenburg district, in the state of Louisiana—and it was ordered to a third reading.

The bill declaring the assent of congress to the state of Illinois to impose a tax upon all lands heretofore sold by the United States in that state from and after the time of such sale was then taken up.

Mr. *McRoberts* rose to explain the object. A large portion of the lands in the state still remain unsold, and the five years' limitation reserved a very large amount of property from taxation. The whole object of the bill was to make the lands hereafter sold liable to taxation, in order to aid the state in paying her taxes, which at present were very high, and very onerous to the people of that state.

Mr. *Wilde* did not regard this subject as one in which Illinois was alone interested. The United States was certainly a party in it, in a pecuniary point of view, at least. The compact had extended to all save two states—Michigan and Arkansas. And the United States were not parties to the compact out the clause. He was opposed to all partial proceedings; and, besides, he could see no good reason for departing from the wholesome usage of the compact in the present case.

Mr. *King* thought the senate ought to yield in this matter. Illinois was anxious to have the lands hereafter sold taxed, in order that it might help to relieve her from the onerous burden of taxation under which she labored. With regard to Alabama, she cared little about the matter, as there was not any great quantity of land in that state.

Mr. *Clay* reminded the senate that the time was come to take up the special order, and the bill was then passed over informally.

The resolutions presented to the consideration of the special order, being the resolutions submitted by Mr. *Clay*, which relate to retrenchment, tariff, &c., when

Mr. *Evans* rose and concluded his argument commenced yesterday. He spoke to a late hour, chiefly in reply to Mr. *Calhoun*, in which he denied all the pretensions that had been made by that senator as to decay of trade as the duties diminished. On the contrary, he maintained that the reverse was the fact. Mr. E. was very impressive towards the close of his speech, in urging the invoked gentlemen to lay aside all party bias, and make the necessary sacrifices to relieve the country from its present embarrassments, and the treasury from its crippled state.

Mr. *Calhoun* spoke a little minutes as to the position he had assumed being based on Hazzard's Tables.

The senate then adjourned to Monday next.

March 21. Several memorials were presented from different counties of the states of New York and Pennsylvania in favor of a protective tariff.

There were also presented resolutions from the legislature of Louisiana, in relation to the detention and treatment of American citizens in Mexico, taken in the exposition to Santa Fe.

Mr. *Barrow* expressed his wish as a senator that the resolutions should be referred to be attended to by the proper department of the government. In reference to Santa Anna, the dictator, at Mexico, he said he could not speak of him here as he felt. If he did so, he should be compelled to indulge in the use of language not suitable to the time or the place.—He expressed great sympathy for the American citizens in confinement at Mexico, and for Mr. Kendall, of New Orleans, in particular, whom he knew, and regarded as most unjustly treated.

The president of the senate laid before the senate an executive communication, in reference to the boundary line between the United States and Texas. Ordered to be printed.

Mr. *Tappan* presented resolutions adopted by the legislature of Ohio, asking congress to repeal the fine imposed on General Jackson in 1815, at New Orleans. Mr. T. took occasion to give a history of all the circumstances connected with the matter, after which, motion of Mr. *Clay*, the resolutions were laid on the table.

Mr. *Huntington* occupied the floor for some time on the retrenchment and tariff resolutions, speaking chiefly in reply to Mr. *Calhoun's* remarks of a prior day. He advocated with zeal and earnestness the protection of the home industry of the country.

It was contended by him that free trade was now practiced and as proposed to be re-established was all upon one side. It proposed to open our ports to all other nations and to allow them to shut their ports against us. We were to receive every thing that and to pay for every thing sent abroad. Great Britain talked the most loudly and eloquently in reference to free trade, and was the very last power in the world to practice its own precepts. The effect of reciprocal treaties was also commented upon. Reciprocity, like free trade, with us had all been on one side.—The treaties were referred to and the effects of them as seen in the increase of British vessels at our ports. The tariff policy of Great Britain, France, Prussia and Russia were considered for the purpose of show-

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ing how little respect these nations had for the doctrine of free trade. It was repudiated by them as detrimental to the national policy of the several governments. The doctrine of protection was next considered and ably defended. It was discussed as a matter of right under the constitution and as a matter of duty upon the government.

The senate then went into executive session, and spent some time therein prior to adjournment.

MARCH 22. A petition was presented by Mr. *Young* for a grant of land to complete the Illinois and Michigan canal. Several memorials from Pennsylvania by Mr. *Buchanan*, praying protection of the iron interest; one by Mr. *Wright* from N. York, against the annexation of Texas.

The special order of the day being the resolutions of Mr. *Clay*, on the tariff, retrenchment, &c. was then called for, it being one o'clock.

Mr. *Clay* announced his being quite indisposed to-day and asked the indulgence of the house to pass informally over the subject and expressed the hope of being able to address the senate to-morrow. His suggestion was adopted.

Mr. *McRoberts* then rose and the bill to amend the act to appropriate the proceeds of the public lands having been on his motion taken up, addressed the senate in favor of his amendment thereto. After concluding, the question was taken, and his amendment rejected by a vote of 21 to 19. After the adoption of other amendments and the transaction of minor business, the senate adjourned.

MARCH 23. Mr. *King*, of Alabama, took the chair at twelve o'clock. He remarked to the senate that he did so at the request of the presiding officer, who had sent him a note so that effect.

Mr. *Clay* said that the case was not without precedent. When speaker of the house of representatives he had fallen from his chair and was unable to attend to the duties of his office. He made a request by note to a friend to take the chair of the speaker. He did so, and no objection was made.

Mr. *King* remarked that he knew the case was not without precedent, but he was not aware that a similar occurrence had ever taken place in the senate. The morning business then proceeded in the usual way, commencing with the reception of reports and memorials.

Mr. *Merrick*, of Maryland, presented the resolutions adopted by the general assembly of the state of Maryland, upon the subject of the navy, and the necessity of lending additional aid for its protection, and in reference to the exposed condition of the Chesapeake bay. They were read on motion, and referred to the committee on naval affairs.

The bill declaring the assent of congress to the state of Illinois to impose a tax upon all lands heretofore sold by the United States in that state, from and after the time of such sale, was debated briefly, favored by Messrs. *Young*, *Roberts*, *Benton*, and *Buchanan*; and opposed by Mr. *White*, of Indiana, upon the ground that it would prove more detrimental to the interests of Illinois than serviceable. It was ordered to be engrossed by a vote of 23 to 15.

The presiding officer then called for the special order of the day, being the resolutions of Mr. *Clay*.

Mr. *Clay* occupied the floor from one until after four o'clock, and in the course of his remarks he replied in detail to the arguments of the opponents of the measure, touching incidentally on retrenchment, revenue, and the distribution of the proceeds of the public lands, and concluded by an appeal to senators to throw aside all party prejudices and party bias, and unite in one great effort to secure the bleeding country to its wonted prosperity. The senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 17. The *speaker* announced the following select committees:

On international copy-right. Messrs. Kennedy, of Maryland, Winthrop, of Massachusetts, Brockway, of Connecticut, McKeon, of New York, and Shields, of Alabama.

On the petition of inhabitants of Lawrenceville, Pennsylvania, in relation to making Pike street a public highway. Messrs. W. W. Irwin, of Pennsylvania, Henry, of Pennsylvania, J. R. Ingersoll, of Pennsylvania, C. Brown, of Pennsylvania, and Bidlack, of Pennsylvania.

On classifying clerks in public offices and their salaries. Richard W. Thompson, of Indiana, Owsley, of Kentucky, and J. T. Mason, of Maryland.

Mr. *Gilmer*, from the select committee on general retrenchment, reported a bill to regulate the mileage of members of congress; which, having been read twice by its title, was committed to the committee of the whole on the state of the union and ordered to be printed. Mr. G. then made a report on the franking privilege, which, without being read, was laid on the table and ordered to be printed.

On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole on the state of the union, (Mr. *Briggs*, of Massachusetts in the chair), and resumed the consideration of the bill "for the extension of the loan of 1841, and for an addition of five millions of dollars thereto." After several hours discussion thereon, the committee rose, and the house adjourned.

FRIDAY, MARCH 18. Mr. *Edwards*, of Pennsylvania, introduced to the house his colleague, the hon. *Alison H. Read*, member elect from the state of Pennsylvania, (vice hon. Davis Dimock, jr. deceased), who was qualified and took his seat.

Mr. *Thompson*, of Mississippi, rose and said that he observed in the Intelligencer of Tuesday the following petition:

"Mr. *Morgan* presented the petition of William O. Duvall and others, asking congress to assume the state debt of Mississippi, and to eject that state from the union."

Mr. T. said that he was in his seat at the time the petition was presented, and thought that he had heard something of its purport; but, on asking his colleague, (Mr. *Gwin*), who sat near him, he (Mr. G.) had said that he understood the purport of the petition to be for the emigration of the Indians beyond the Mississippi river. He (Mr. T.) had since looked at the petition, and he found that it contained a gross and palpable falsehood.

Mr. *Everett* rose to a point of order.

Mr. *Morgan* hoped that the gentleman would be permitted to explain. And, no objection being made—

Mr. *Thompson* proceeded. Yesterday he had addressed a note to the gentleman from New York, stating to him that he intended to bring the matter before the house. He found, in connexion with this petition, another from the same individuals, containing a prayer for the abolition of slavery, or the reception of abolition petitions. He saw no motion by the gentleman from New York of the presentation of a petition for the dissolution of the union; and his friends informed him that the gentleman had practised a fraud upon the house. On inquiry, however, he found that there was another petition probably included in the prayer for dissolution of the union.

After he had written the note, the gentleman from New York came to him and told him that he intended no disrespect to the state of Mississippi; that he did not intend to make statements in that petition, nor to insult or show disrespect in any degree to the members from that state. He (Mr. T.) could not see under what obligation the gentleman from New York could feel himself, as stated that he presented the petition under a sense of duty to his constituents.

Mr. *Morgan* said that he had presented the petition on Monday, no objection having at the time been made to it, the gentleman from Mississippi, (Mr. *Thompson*), as he had stated, not having understood what its nature was. He (Mr. M.) had himself moved that the petition be laid on the table; supposing that, by the very fact of submitting that motion, he would be understood as not endorsing the prayer of the petition.

The gentleman had said that he did not understand under what obligation it was that he (Mr. M.) presented the petition. Of that obligation he himself was to be the judge. He had presented the petition because he felt bound as a representative on this floor to present a petition forwarded to him for that purpose; but not concurring in the prayer of it, believing that congress had no power to act—that it had no power either to assume the repudiated debt of Mississippi, or to eject that state from the union—he had moved to lay the petition on the table. He had stated yesterday, in a private conversation with the gentleman from Mississippi, that in presenting that petition he had no intention of giving personal offence to him. The relations which existed between himself and that gentleman would prevent him (Mr. M.) from doing any thing of an unkind or offensive character. He merely presented the petition because he had felt it to be his duty as a constituent of his to do so, however much he might differ as to its object.

The house on motion of Mr. *Fillmore* resolved itself into committee of the whole on the state of the union (Mr. *Ward*, of New York in the chair) and resumed the consideration of the bill for the extension of the loan of 1841, and for the addition of five million dollars thereto. After discussing for several hours, the committee rose and the house adjourned.

SATURDAY, MARCH 19. After the transaction of business relating to pensions, private claims and the reception of various communications from the heads of department, the house, on motion of Mr. *Fillmore*, (it being half past 2 o'clock), resolved itself into committee of the whole on the state of the union, (Mr. *Ward*, of New York, in the chair), and resumed the consideration of the bill "for the extension of the loan of 1841, and for an addition of five millions of dollars thereto."

After some time spent thereon, the committee rose and the house adjourned.

MONDAY, MARCH 21. Mr. *McClellan*, of N. York, presented a resolution calling upon the secretary of the treasury for information as to the amount of fees returned into the treasury by the United States district attorney and marshal of the southern district of New York. The resolution was adopted.

Mr. *M. Brown*, of Tennessee, reported a bill from the committee on the judiciary, establishing a district court in the state of Tennessee. The bill was passed without opposition, and sent to the senate.

The following resolution offered by Mr. *Stanly* was then taken up and by a vote of 105 to 98, was adopted.

"*Resolved*, That the 127th rule, (edition May 31, 1841), of the house be amended in the following particular: after the words 'committee of the whole on the state of the union' add the following: 'The house may at any time, by a vote of the majority of the members present, suspend the rules and orders for the purpose of providing for the discharge of the committee of the whole house on the state of the union from the consideration of any bill referred to it, after acting, without debate, on all amendments pending and that may be offered.'"

On motion of Mr. *Green*,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of increasing the duties upon wines, silks, linens, and luxuries, generally, imported into the United States from governments receiving tobacco produced in the United States, and imposing heavy duties thereon, uniform, and equal thereto from and after the—day of—, 1842, with an additional increase of twenty per centum ad valorem annually, until said government shall reduce the duties on tobacco produced in the United States, and received all appointments to office that have been made since the 4th day of April last, either by the executive or the heads of departments, in the names of the appointees, the states in which they were born, and the state in which they resided at the time of their appointment.

Mr. *Andrews*, of Kentucky, offered a resolution, which underwent various modifications, and finally read as follows:

Resolved, That the president of the United States and the heads of the several departments be requested to communicate to the house of representatives the names of such of the members, if any, of the 26th and 27th congress, who have been applicants for office, and for what offices, distinguishing between those who have been persons and those whose applications were made by friends, whether in person or in writing.

The modifications as to members of the 26th congress was made on the suggestion of Mr. *Mallory*, (accepted by Mr. *Andrews*.) The modification as to the heads of department was made on the suggestion of Mr. *Bell*, (accepted by Mr. A.)

And the modification as to the designation of the office was made, on the suggestion of Mr. *Cave Johnson*, (accepted by Mr. A.)

Mr. *Snyder* suggested that the resolution should be so modified as to call for modification as to the *fact* whether the president slept in a highpost bed-stead or not. This modification was not accepted.

The main question was ordered, and, being taken, the resolution as modified, was adopted.

Mr. *Medill* offered a resolution declaring it a disrespect to the house for any member thereof to present a resolution for a dissolution of the union, and asked the previous question. And on that motion the vote stood: ayes 70, noes 76. So there was no second on the question of the previous question.

Mr. *Adams* moved that the resolution be laid on the table.

The *Speaker* answered that, there being no second to the demand for the previous question, the resolution would lie over for debate.

Mr. *Giddings* said he had a series of resolutions upon a subject which had called forth some interest in the other end of the capitol and in the nation. He desired to lay them before the country, and would call them up for action at the next opportunity.

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The resolutions were read as follows:

Resolved, 1. That prior to the adoption of the federal constitution each of the several states composing this union exercised full and exclusive jurisdiction over the subject of slavery within its own territory, and possessed full power to continue or abolish it at pleasure.

Resolved, That by adopting the constitution no part of the aforesaid powers were delegated to the federal government, but were reserved by and still pertain to each of the several states.

Resolved, That, by the 6th section of the 1st article of the constitution, each of the several states surrendered to the federal government all jurisdiction over the subjects of commerce and navigation upon the high seas.

Resolved, That slavery being an abridgment of the natural rights of man, can exist only by force of *positive municipal law*, and is necessarily confined to the territorial jurisdiction of the power creating it.

Resolved, That when a ship belonging to the citizens of any state of this union leaves the waters and territory of such state, and enters upon the high seas, the persons on board cease to be subject to the slave laws of such state, and thenceforth are governed in their relations to each other by, and are amenable to, the laws of the United States.

Resolved, That when the brig Creole, on her late passage for New Orleans, left the territorial jurisdiction of Virginia, the slave laws of that state ceased to have jurisdiction over the persons of said brig, and such persons became amenable only to the laws of the United States.

Resolved, That the persons on board said ship, in resuming their natural rights of personal liberty, violated no law of the United States, incurred no legal penalty, and are justly liable to no punishment.

Resolved, That all attempts to regain possession of or to re-enslave said persons are unauthorised by the constitution or laws of the United States, and are incompatible with our national honor.

Resolved, That all attempts to exert our national influence in favor of the ocean slave trade, or to place this nation in the attitude of maintaining a "commerce in human beings," are subversive of the rights and injurious to the feelings and the interests of the free states, are unauthorised by the constitution, and prejudicial to our national character.

Mr. *Ward* moved the previous question on them. Mr. *Everett* moved to lay them on the table. Mr. *Ewing* motion was rejected, yeas 52, nays 125. And the question recurring on the demand for the previous question, Mr. *Holmes* rose and proceeded to remark that there were certain times and places where, "fools rushed in where angels feared to tread." The *speaker* reminded the gentleman that the previous question had been demanded.

Mr. *Adams* (addressing the speaker) said he took it for granted that if the previous question was seconded, a separate question could be taken on each resolution. The *speaker* said yes; so far as the propositions were capable of division. Mr. *Adams* said that he believed he should vote for some of the resolutions, and not for others.

The previous question having been seconded, the main question was ordered, by some unanimous, and a confusion and excitement ensuing, Mr. *Giddings* withdrew his resolutions.

Mr. *Botts* then rose and asked leave (the state of Virginia having some time since been called for resolutions, and Mr. B. not therefore having the right to present a resolution at this time) to offer a resolution—remarking that as he intended to move the previous question upon its adoption, he would refrain from making any remarks.

The resolution was read for information as follows:

Whereas the hon. Joshua R. Giddings, the member from the sixteenth congressional district of the state of Ohio, has this day presented to this house a series of resolutions touching the most important interests connected with a large portion of the union, now a subject of negotiation between the United States and Great Britain of the most delicate nature, the result of which may eventually involve those nations and perhaps the whole civilized world in war; and whereas the duty of every good citizen, and particularly the duty of every selected agent and representative of the people, should discountenance all efforts to create excitement, dissatisfaction, and division among the people of the United States at such a time and under such circumstances, which is the only effect to be accomplished by the introduction of sentiments before the legislative body of the country hostile to the grounds assumed by the high functionary having charge of this important and delicate trust; and whereas mutiny and murder are therein justified and approved in terms shocking to all sense of law, order, and humanity; therefore

Resolved, That this house hold the conduct of the said member as altogether unwarranted and unwarrantable, and deserving the severe condemnation of the people of this country, and of this body in particular.

Objection being made, Mr. *Botts* moved a suspension of the rules, in his case. And the question on the resolution, and asked the yeas and nays on that motion; which were ordered; and, being taken, resulted as follows: yeas 128, nays 68. So (two-thirds voting in the affirmative) the rules were *not* suspended.

The call for resolutions resting still with the state of Ohio, Mr. *Weller* rose in his place and offered the resolution of Mr. *Botts*, as his own. And the question having been again read, Mr. *Weller* moved the previous question.

Mr. *Holmes* desired to be informed whether, if the call for the previous question was sustained, it would preclude the gentleman from Ohio (Mr. *Giddings*) from offering his defence?

The *speaker* said that, if the previous question was ordered, it would be the right of the gentleman from Ohio to raise a question of privilege, and to be heard in his own defence, as the resolution involved the character and privileges of that gentleman.

Mr. *Giddings* inquired of the speaker whether, if the previous question was sustained, he would have an opportunity to defend himself?

The *speaker*. If the previous question is sustained, the rule of the house would require that the vote on the resolution be immediately taken.

Mr. *Giddings*. Would it not be a privileged question?

The *speaker*. In the opinion of the chair, the gentleman would have the right, if he desires it, to be heard *now* in his defence.

Mr. *Giddings* said he would ask of the house to fix a time for the consideration of the resolution.

Mr. *Botts* hoped the house would allow the gentleman from Ohio to defend himself if he wished.

Mr. *Giddings* wished the house to fix such a time as they thought proper. He would not be heard now.

The *speaker*. Does the gentleman propose any time?

Mr. *Giddings* said he would move to postpone the subject till a week from Thursday next.

This motion, and various incidental points of order arising therefrom, was discussed by Messrs. *Hopkins*, *Wise*, *Warren*, *Habersham*, *A. V. Brown*, *Arnold* and *Shields*.

Mr. *Fillmore* rose to a question of order. Had not the previous question been moved by the mover of the resolution, and was it not now pending?

The *speaker* stated the point of order, that although a member on trial might have the privilege of being heard in his own defence, yet, after the previous question was moved, no other member has a right to speak until the previous question was decided.

The *speaker* decided that the previous question could not now be entertained, for this reason, that the gentleman arraigned here asked a postponement of his trial, and were the previous question entertained by the chair and demanded by the house, it would deny the member that privilege.

Mr. *Fillmore* appealed from that decision.

The appeal together with incidental points of order, was briefly discussed by Messrs. *Wise*, *Pope*, *Kennedy*, of Maryland, *Giddings*, *Rayner*, *Smith*, of Virginia, and *Fillmore*. Mr. *Hopkins* moved the previous question on the appeal; And there was a second. And the main question (being on the appeal) was ordered to be now taken.

And, pending the main question, the house, on motion of Mr. *Turney*, at a late hour adjourned.

TUESDAY, MARCH 22. The unfinished business of yesterday was resumed. The *speaker* had decided that the previous question could not now be entertained, from which decision Mr. *Fillmore* had appealed. And the question was now on his appeal. The question "shall the decision of the chair stand as the judgment of the house?" was then taken and by yeas 64, nays 118, the decision of the chair was reversed.

And the question recurring on the demand for the previous question, Mr. *Giddings* rose and addressed the chair.

The *speaker* said the gentlemen was not in order.—Mr. *Adams* moved a call of the house. The *speaker* said "it is not debateable sir." And the main question was now ordered to be taken by yeas 95, nays 91.

Mr. *Weller* moved a suspension of the rules for the purpose of enabling his colleague (Mr. *Giddings*) to be heard in his defence. The *speaker* ruled it out of order.

Mr. *Triplett* moved a suspension of all the rules right or wrong that a motion made by him that Mr. *Giddings* be now heard in his defence might be put.

The *speaker* again decided that motion to be out of order. Mr. *Triplett* appealed from that decision.—Mr. *Adams* made a few remarks. Mr. *Brown* desired that Mr. *Giddings* should be heard by general consent. Objection was made. The decision of the *speaker* on Mr. *Triplett's* appeal was then decided to stand as the judgment of the house by yeas 127, noes not counted.

Mr. *Stuart*, of Virginia having moved to reconsider the vote by which the house had ordered the main question to be now put, the chair ruled the motion out of order and the house sustained the chair without a division.

The question recurring on the adoption of the resolution, Mr. *Adams* moved that the whole subject be laid on the table, and by yeas 70, nays 125. Mr. *Adams'* motion was rejected.

Mr. *Stanly* said he had understood that nobody objected to the gentleman from Ohio (Mr. *Giddings*) making his defence if he chose. There was objection made to the gentleman's asking, as a matter of favor, to do so; but no man would object if the gentleman claimed it as a right. He wished it to be understood that there was not a dissenting voice to *that*. The gentleman had a right to defend himself, and to go undisturbed in his defence, if he chose.

Mr. *Botts* desired to be informed by the speaker whether, by unanimous consent, he could be allowed to modify the resolution?

[The preamble and resolution, the reader will bear in mind, were originally offered by Mr. *Botts*, but the house refusing to suspend the rules to receive them, Mr. *Weller*, the state of Ohio being called for resolutions, offered the same proposition as his own.]

The *speaker* replied in the affirmative.

Mr. *Wise* objected. His votes had been recorded on the proposition as it now stood.

[Under the modification which Mr. B. intended to have offered, if permitted, the preamble and resolution would have read as follows:

Whereas the hon. JOSHUA R. GIDDINGS, the member from the sixteenth congressional district of the state of Ohio, has this day presented to the house a series of resolutions touching the most important interests connected with a large portion of the union, now a subject of negotiation between the U. States and G. Britain of the most delicate nature, the result of which may eventually involve those nations and perhaps the whole civilized world in war: And whereas it is the duty of every good citizen, and particularly the duty of every selected agent and representative of the people, to discountenance all efforts to create excitement, dissatisfaction, and division among the people of the United States at such a time and under such circumstances: And whereas mutiny and murder are in the said series of resolutions justified and approved in terms shocking to all sense of law, order, and humanity, the tendency of all which resolutions from such a time is immediate and unequivocal expression of its sentiments: Therefore,

Resolved, That this house dissents from and emphatically condemns the propositions contained in the said resolutions, which erroneously prejudge and excuse an act of unquestionable homicide; justify and defend, without a denial of the alleged facts, parties charged with cold-blooded and deliberate murder; instigate by a pledge of legislative protection and indemnity, crimes which may involve a large portion of our common country in rapine and massacre, and the whole of it in tumult, affliction and disgrace; wantonly interfere with the legitimate proceedings of another branch of the government and its guardianship of the nation's rights and honor; and invite to treasonable conspiracy those who may be disposed to levy war against the United States, holding out promises of adhering to their enemies, and giving them aid and comfort.

Resolved, That this house hold the conduct of the said member as altogether unwarranted and unwarrantable, and deserving the severe condemnation of the people of this country, and of this body in particular.]

Mr. *Campbell*, of S. Carolina, said that he would move, by consent that the gentleman from Ohio, (Mr. *Giddings*), be heard in his defence.

The *speaker*. The motion cannot now be entertained.

Mr. *Pendleton* asked to be excused from voting; and, after assigning his reasons, he withdrew the motion.

Mr. *Giddings* then rose and said. I stand before the house in a peculiar situation—Mr. *M. A. Cooper* objected to Mr. G's proceeding; but, at the request of his colleagues, Mr. C. withdrew his objections. But Mr. *Giddings* did not resume the floor.

[The following note was addressed to the reporter by Mr. *Giddings*:

To the reporter of the Intelligencer:

When I rose so often during the confusion of the proceedings of the house this day, and was so often called to order, the last time by Mr. *Cooper*, of Geo. I had written, and desired to have stated to the house, what follows:

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Mr. *Speaker*: I stand before the house in a peculiar situation. It is proposed to pass a vote of censure upon me, substantially for the reason that I differ in opinion from a majority of the members. The vote is about to be taken without giving me time to be heard. It would be idle for me to say that I am ignorant of the disposition of a majority to pass the resolution. I have been violently assailed in a personal manner, but have had no opportunity of being heard in reply. I do not now stand here to ask for any favor or to crave any mercy at the hands of the members. But in my own and the whole seaboard constituency—in behalf of one of the sovereign states of this union—in behalf of the people of these states and the federal constitution—I demand a hearing, agreeably to the rights guaranteed to me, and in the ordinary mode of proceeding. I accept of no other privilege: I will receive no other courtesy.]

And the question recurring first on the adoption of the following resolution:

Resolved, That this house hold the conduct of the said member as altogether unwarranted and unwarrantable, and deserving the severe censure of the people of this country, and of this body in particular.

It was carried by the following vote:

YEAS—Messrs Adams, Landaff W. Andrews, Arnold, Arrington, Atherton, Barton, Beeson, Bidlack, Black, Bois, Boyd, Brewster, Aaron V. Brown, Milton Brown, Chas. Brown, Burke, Seymour H. Butler, William Butler, Wm. D. Butler, Green W. Caldwell, John Campbell, Wm. B. Campbell, Thomas J. Campbell, Carothers, Cary, Casey, Chapman, Clifford, Cooper, Coles, Colquitt, Mark A. Cooper, Samuel Carter, Davis, Dawson, Dean, Doherty, Doan, Eastman, John C. Edwards, Charles A. Floyd, Thomas F. Foster, Forney, Gerry, George Gilmer, George W. O. Gode, Graham, Green, Gwin, Habersham, Harris, John Hastings, Hays, Holmes, Hopkins, Houck, Howard, Hubard, Hunter, Hunter, Jones, Joseph R. Ingersoll, Jack, Cave Johnson, Keim, John P. Kennedy, Andrew Kennedy, Lane, Lewis, Lofland, Abraham W. Lott, Robert McClellan, McKay, Malloy, Marchand, A. Marshall, John Thompson Mason, Mathews, Medill, Miller, Moore, Newhard, Oliver, Owsley, Pickens, Plummer, Pope, Alexander Rayner, Reding, Rencher, Reynolds, Rhett, Riggs, Rogers, Shaw, Sheppard, Shields, William Smith, Snyder, Sollers, Spring, Steele, Stewart, Stokes, Alexander H. H. Stuart, J. T. Stuart, Summers, Sweney, Taliaferro, John B. Thompson, R. W. Thompson, Jacob Thompson, Tripplett, Turney, Wallace, Walker, Wheaton, Washington, Wathman, Weller, Westbrook, E. D. White, Christopher H. Williams, Joseph L. Williams—125.

NAYS—Messrs Adams, Allen, S. A. Allen, Henry Briggs, Baker, Birdseye, Blair, Boardman, Borden, Brockway, Beeson, Jeremiah Brown, Calhoun, Childs, Chittenden, J. Q. Clark, Cowen, Crawford, Crowns Cushing, Richard D. Davis, Doig, John Edwards, Egbert, Everett, Ferris, Fessenden, Fillmore, Gates, P. G. Goode, Gordon, Granger, Hall, William S. Hastings, Henry, Howard, Hudson, William W. Irwin, James, Linn, McKeon, Samson Mason, Mathias, Maxwell, Maynard, Morris, Morrow, Osborne, Pearce, Rayner, Pendleton, Pope, Benjamin Randall, Ridgway, Rosewell, James M. Russell, Schenck, Simonton, Truman Smith, Stanly, Tomlinson, Turnbull, Underwood, Van Rensselaer, Joseph L. White, Thomas W. Williams, Winthrop, Augustus Young—69.

And the question recurring on the preamble, it was also adopted by a vote of yeas 119, nays 66.

[The names of Messrs. *Colquet, Floyd, Fornance, Gerry, Plummer* and *Sollers* who voted *for* the resolution, are not included in the vote for the preamble and Mr. *Rencher* who voted against the resolution, voted *for* the preamble. Mr. *Tillinghast* whose name is not recorded on the question of the resolution voted against the preamble, and Messrs. *Allen, Bidlack* and *Roosevelt* who voted negatively on the resolution are not recorded on the question of the preamble, with those exceptions the yeas and nays were similar on both questions.]

Before the vote was announced Mr. *W. W. Irwin* inquired of the speaker whether the rule did not require every member who was in his seat to vote:—The *speaker* replied in the affirmative. Mr. *Irwin* then designated Mr. *Wise* as being in his seat and not having voted. Mr. *Wise* said he had refused to vote, and, if the house would listen to him, he would state his reasons. Objection was made, and the matter went no further.

Mr. *Fillmore* moved that the house resolve itself into committee of the whole on the state of the union.

Mr. *Barnard* rose and inquired of the speaker if it was in order for him to offer a resolution against the proceedings of the house just had in relation to the censure of the member from Ohio, with a request that the protest be entered on the journal.

The *speaker* said that the motion of the gentleman from New York, (Mr. *Fillmore*), must first be decided.

Mr. *Goode*, of Ohio, moved that the house do now adjourn; which motion was rejected.

The house then proceeded in committee of the whole, (Mr. *Ward*, of New York in the chair), and resumed the consideration of the loan bill and after progress therein the committee rose and the house adjourned.

WEDNESDAY, MARCH 23. The journal of yesterday having been read some proceedings took place on a motion of Mr. *Adams* to amend it so as to state the fact that he (Mr. A.) had demanded an appeal from the decision of the chair by which the gentleman from Ohio (Mr. *Giddings*) had been cut off from his defence, and that the speaker had decided that the appeal would not be taken. His motion was negatived by noes 124 in yeas 41.

Other amendments to it also were proposed and rejected.

Mr. *Everett* moved a suspension of the rules to enable him to offer the following resolution:

Resolved, That 5,000 copies of so much of the journal of the 21st, 22d and 23d instant, as relates to the action of this house on the resolution relative to the Hon. Joshua R. Giddings, together with the preamble and said resolutions, be printed for the use of this house.

Mr. *Stanly*. Include the resolutions which the said Joshua R. Giddings offered to the house, and I will vote for 20,000 copies. Mr. *Everett*. I accept the modification. Mr. *Stanly*. Fifty thousand copies.—Mr. *Botts*. I shall not vote for the expenditure of the public money for any such purpose. Mr. *Snyder*. Neither shall I.

The motion of Mr. *Everett* to suspend the rules was then decided in the negative by yeas 58, nays 107.

In the course of the debate on another motion to amend the journal made by Mr. *Wise*, Mr. *Hopkins* having inquired of Mr. *Goode* whether the Mr. G. had not gone to Mr. *Giddings* and advised him not to speak:

Mr. *Goode* was understood to reply, that he had gone to his colleague, and asked him whether he *would* get up and speak here, at the mercy of the house, and on such terms as it might dictate; whether he would not prefer to speak in the house chose he should, and no more; whether he *would* speak just so much as the house would permit him to speak, and no more? Mr. *Giddings* had promptly replied that he did not intend to speak at all unless he should speak upon his *right*; that he claimed that right, and would not abandon it. He (Mr. *Goode*), approved of the course of his colleague, and should have regarded him as a dishonorable man if he had proposed any other course. He, (Mr. *Giddings*), had acted the part of an honorable man: he had resigned his seat. There was yet some vacancy in the state of Ohio. [A voice. That's a fact.] Mr. *Hopkins* was there understood to inquire of the gentleman from Ohio, (Mr. *Goode*), what he meant to be understood by the use of the word, "terms?" Mr. *Goode* said he understood precisely such terms as you would give to a cripple, to a man condemned to death, with a halter round his neck, brought to the gallows, and there permitted to make confession; terms repulsive to every principle of liberty and independence; terms which the honor that attached to a man holding a seat here as the representative of freemen, forbade him to accept; terms by which a man is screwed to the vice.—Mr. *Rayner* objected to this discussion. And Mr. R. desired to be informed by the gentleman from Ohio, (Mr. *Goode*), of his colleague, (Mr. *Giddings*), if he went home and returned, (as the gentleman had stated the fact of a resignation having taken place), intended to charge this government with double mileage? Mr. *Goode* said that for an answer to the question he would refer the gentleman from North Carolina, (Mr. *Rayner*) to some of the retrenchment committee of the house.

On motion of Mr. *C. B. Williams* the whole subject was laid upon the table by yeas 87, nays 58.

The *speaker* laid before the house the following letter:

Washington city, March 22, 1842.

SIR: I hereby resign my office of representative in the congress of the United States from the sixteenth congressional district of Ohio. With great respect, your obedient servant,

J. R. GIDDINGS.

Hon. John White, speaker of the house of representatives.

On motion of Mr. *Adams*, the speaker was authorised to inform the executive of the state of Ohio of the vacancy thus created.

On the suggestion of Mr. *Wise*, and by general consent, the speaker laid before the house the following message from the president of the United States:

Washington, March 23, 1842.

To the house of representatives of the United States:

A resolution adopted by the house of representatives on the 16th instant, in the following words, viz: "*Resolved*, That the president of the United States and the heads of the several departments be requested to communicate to the house of representatives the names of such of the members (if any) of the 26th and 27th congress who have been applicants for office, and for what office; the number, if any, of those who have applied in person, and those whose applications were made by friends, whether in person or by writing," has been transmitted to me for my consideration.

If it were consistent with the rights and duties of the executive department, it would afford me great pleasure to furnish in this, as in all cases in which proper information is demanded, a ready compliance with the wishes of the house of representatives. But since, in my view, general considerations of policy and propriety, as well as a proper defence of the rights and duties of the executive department, require of me, as the chief magistrate, to refuse compliance with the terms of this resolution, it is incumbent on me to state, for the consideration of the house of representatives, my reasons for declining to give the desired information.

All appointments to office made by a president become, from the date of their nomination to the senate, official acts, which are matter of record, and are at the proper time made known to the house of representatives and to the country. But applications for office, or letters respecting appointments, or conversations held with individuals on such subjects, are not official proceedings, and cannot by any means be made to partake of the character of official proceedings, unless after the nomination of such person so writing or conversing, the president shall think proper to lay such correspondence or such conversations before the senate. Applications for office are in their very nature confidential, and, if they were assigned for such applications, or the names of the applicants, were communicated, not only would such implied confidence be wantonly violated, but, in addition, it is quite obvious that a mass of vague, incoherent, and personal matter would be made public at a vast consumption of time, money, and trouble, without accomplishing, or tending in any manner to accomplish, all in appearance to, any useful object connected with a sound and constitutional administration of the government in any of its branches.

But there is a consideration of a still more effective and lofty character, which will, to me, appear decisive of the correctness of the view that I have taken of this question. While I shall ever evince the greatest readiness to communicate to the house of representatives all proper information which the house shall deem necessary to a due discharge of its constitutional obligations and functions, yet it becomes me, in defence of the constitution and laws of the United States, to protect the executive department from all encroachment on its powers, rights, and duties. In my judgment, a compliance with the resolution which has been transmitted to me would be a surrender of duties and powers which the constitution has conferred exclusively on the executive; and, therefore, such compliance cannot be made by me, nor by the heads of departments, at my direction. The appointing power, so far as it is bestowed on the president by the constitution, is conferred without reserve or qualification. The reason for the appointment, and the responsibility of the appointment, rest with him alone. I cannot perceive any where in the constitution of the United States any right conferred on the house of representatives to hear the reasons and motives of applicants urge for an appointment to office under the executive department, or any duty resting upon the house of representatives by which it may become responsible for any such appointment.

Any assumption or misapprehension on the part of the house of representatives of its duties and powers in respect to appointments, by which it encroaches on the rights and duties of the executive department, is, to the extent to which it reaches, dangerous, impolitic, and unconstitutional.

For these reasons, so perfectly convincing to my mind, I beg leave respectfully to repeat, in conclusion, that I cannot comply with the request contained in the above resolution. JOHN TYLER.

The message having been read, Mr. *Fillmore* rose and said that a communication was offered the resolution was not now present, he (Mr. F.) would move that the message be laid on the table and printed; which motion was agreed to.

The speaker said that he had received the preamble and resolutions of a large meeting held at New York on the condition of the country, but objection being made they were not received by the house.

The house then on motion of Mr. *Fillmore*, entered in committee of the whole upon the consideration of the loan bill, and after some discussion thereupon it was discovered that there was not a quorum, upon which the committee rose, and the house then being without a quorum, the house was compelled to adjourned.

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CHRONICLE.

CENTRAL AMERICA. A late col. paper published at Nicaragua, have reached us to the middle of January last. They are interesting as the first signs of increasing civilization in that quarter of the new world, and among other official documents, they contain a long report from a colonel Manuel Quijano, the administrator of the customs at the port of San Juan, who it will be recollected was carried off from that port by Colonel Macdonald, the governor of the British settlement of Honduras, in a sloop of war.—Quijano gives a very different account of the affair from that which appeared in the Baltimore papers. He ascribes to the British governor the intention of encroaching on the rights of the state, under the pretext of maintaining the sovereignty of the king of the Mosquito Shore, whom he represents as a brutal, ignorant Indian; and further he shows that the Spanish government had never recognised his authority, but had always considered his pretended territory within their jurisdiction.

[*N. Y. Courier, 18th.*

BALTIMORE AND OHIO RAIL ROAD EARNINGS are at 50 per cent. discount.

BANK ITEMS. We announced in our last, the failure at Philadelphia of the Penn Township bank and the assignment made of the Girard bank. The other banks were heavily run upon on the 17th, and the Mechanics and Manufacturers bank had to close its doors. A meeting of the directors of the several banks took place that day at which it was:

"*Resolved*, That, on and after to-morrow, the 18th instant, the banks of the city and county of Philadelphia, Commercial, North America, will receive, on deposite and in payment of debts, specie or the notes of specie paying banks; also, that they will pay out at their counters specie or their own notes exclusively to all persons entitled to demand the same."

There were eleven banks, including the German-town, represented, being all which have not failed, and nine agreed to the resolution, viz: the Philadelphia, Commercial, North America, Farmers and Mechanics', Southwark, Northern Liberties, Western, Kensington, and Germantown. The other banks represented were "Relief banks," and did not vote.—These two are the Moyamensing and the Manufacturers and Mechanics', which stated they were making arrangements to resume speedily.

This measure if persisted in, will either bring up their currency to a specie standard, or strand those establishments that fail to maintain it.

The following is the list of ruined institutions of that city, so far:

United States bank	$35,000,000 capital.
Girard	5,000,000 do.
Pennsylvania	2,500,000 do.
Schuylkill	1,000,000 do.
Penn Township	250,000 do.
Mechanics' and Manufacturers	1,400,006 do.
	$45,150,000 do.

To the above we have now to add the *Moyamensing bank*—we know not the amount of its capital.

The notes of those closed banks are at discounts varying from 15 to 60 per cent.

Resumption in Delaware. The following banks resumed specie payments on all their liabilities on Monday last:

Bank of Delaware at Wilmington, Farmers' bank of Delaware do., Union bank of Delaware do., Wilmington and Brandywine bank do., The Salem bank and other banks of West Jersey also resumed that day. The Mechanics' bank of Burlington, (N. J.) has made arrangements with the Bank of North America, in Philadelphia, for the redemption of its notes.

BRITISH NATIONAL DEBT. The parliamentary papers show that the unredeemed capital of the funded debt of Great Britain was—

On the 5th of January, 1828	£777,476,892
5th of January, 1831	757,586,996
5th of January, 1841	766,371,725

CANALS. Great Britain now contains 180 canals, the aggregate length of which is 2,692 miles; they have cost over thirty million pound sterlings.

Water was let into the tide water canal on the 14th inst.

CHEROKEE INDIANS. The editor of the Van Buren (Ark.) Intelligencer acknowledges the reception of a number of subscribers from members of the Cherokee tribe of Indians, and, what is still better, they sent the cash.

DEATHS. The number of deaths during the last week in Philadelphia was 115, of which 38 were under two years and 19 were colored persons.

DIVORCING BY WHOLESALE. An English paper says that a decision has just been given in the court of Queen's Bench, Dublin, which will carry alarm into many a family. All marriages in Ireland, celebrated by Presbyterians, are declared invalid. The Presbyterians in Ulster assert to upwards of 600,000, and, we understand, nothing was more common than the celebration of marriages between Presbyterians and the members of other communities, by Presbyterian ministers.

EXCHANGES upon England, in Baltimore are quoted at from 7 to 8½. On New York and Boston ½ per cent premium, on Philadelphia 3 a 3¼ and on Richmond 6¼ a 7 per cent discount.

FAILURES. Business men of the largest class are yielding to the pressure of the times in every direction. Messrs. Shelton and Brothers, Boston failed last week for 500,000. Three houses in N. York also have failed for over $2,000,000.

The Hartford (Conn.) Review states, that within a very short time there have been eight or ten failures of the most respectable business houses in that city, men whom every body thought good.

FIRST COMPTROLLER. It appears that the nomination of Mr. Stuart of Maryland, as first comptroller of the treasury, was rejected by a vote of 21 to 15.

A FIGHT WITH A SLAVER. The New York Herald says: "We have just received the particulars of a fight which took place off Havana, between a slaver and a British brig of war in the latter part of last month.

The slaver was full of slaves and heavily armed. She beat off the brig of war after a short fight. The Selway, one of the West India mail steamers of the size of the Clyde, fired up on perceiving the engagement, with the intention of going to the assistance of the brig, but returnsmen her object on seeing the brig decline coming to close quarters with the bold slaver. So a steam ship and brig of war were freightened off by a single slaver!

We believe we are acquainted with this formidable slaver We believe her to have been at one time the barque Isaac Ellis, of this port. We know she was sold for a slaver, mounted with six twelve pounders, and a long Tom. We have the impression that she is owned by the captain and owner of the Clara, which was brought into this port by H. B. M. Buzzard, in the summer of 1838. He escaped then, and vowed vengeance against the British."

MINISTER TO AND FROM MEXICO. *General Waddy Thompson* left Greenville, S. C. on the 9th instant, for the city of Mexico. *M. Z. Velasquez de Leon* has been named charge d'affairs by Santa Anna to Washington. He was one of the board of commissioners for the settlement of American and Mexican claims.

NORTH CAROLINA. A whig convention is soon to assemble for the purpose of nominating a candidate for governor. It is said that Henry Clay, of Ky. will also be nominated by the same convention for the presidency, and John Davis, of Mass. for the vice presidency.

NEW HAMPSHIRE ELECTION. The returns below embrace all but about a dozen small towns, which would not swell the aggregate more than three or four hundred votes. Hubbard's plurality, will exceed five thousand, after making a liberal allowance for scattering votes not returned—and that is large enough. The aggregate below is taken as conform to the account of the Patriot, which is, no doubt, mainly correct, although we have the returns from some towns vary slightly from those contained in this office. [*N. H. Statesman.*

Aggregate.

	Hubbd.	Stev's	White.	Hub.	Ste.
Rockingham	3,872	1,293	1,645	279	11
Strafford	1,999	1,240	179	353	19
Belknap	1,339	740	443	136	25
Carroll	1,669	653	67	88	12
Merrimack	3,597	1,108	1,329	224	18
Hillsborough	4,476	2,495	327	93	8
Cheshire	2,064	1,356	755	356	18
Sullivan	2,042	1,013	244	338	8
Grafton	4,048	2,087	586	341	125
Coos	1,285	236	178	20	1
	26,631	12,205	5,793	2,630	237

Hubbard's prurality over all others together is 5,646.

POPULATION. The average increase of population in Great Britain for the last ten years, has been 230,000 per annum. The average increase of the United States during the same years, was 421,000 per annum, or 33 per cent. for the ten years.

RAIL ROADS. In a work upon rail roads published by M. Merrell, engineer, we perceive that the extent of these roads on the 1st Jan. 1842, amounts in Europe and America, 6,116 leagues or 26,464 locomotives, distributed in the following proportion for each country, viz: France 215 leagues, 124 only in operation. Belgium 137½, England 900, Prussia and Germany 1,270, Austria 410, Russia 1,684, United States of America 2,000.

CYRUS RAGSTER, born in Philadelphia in 1784, son of Paul Claudius Ragster, an esteemed and distinguished citizen, who has held various offices under the government of his native state and of the U. S. and lately president of the chamber of commerce of his native city, and a valuable contributor to the literary periodicals of the day, died on 21st inst. after an illness of some weeks.

SPECIE continue to decline. In the N. York papers of last Saturday the quotations are:—N. York sixes of 1862, 79; Ohio sixes 60; Illinois sixes 18½; Indiana fives 19; Delaware and Hudson canal 90.

SPECIE. $40,000 arrived at N. Orleans on the 4th inst. from Tampico.

UNITED STATES SENATOR. The legislature of Louisiana on March 11th, elected Charles M. Conrad, (Whig) as U.States senator for the unexpired portion of the hon. A. Mouton's term. The vote stood, for Conrad thirty-five, for all others twenty-eight.

TEXAS. *New Orleans, March 16.* The steam packet ship New York from Galveston, brings important intelligence. The Mexicans estimated from 8 to 15,000 have invaded Texas at several points. San Antonio surrendered to them on March 5th. The Texians were concentrating on Victoria, Gonzales, and Austin, at which places desperate resistance will be made. On 10th March, Gen. Houston from Galveston, issued a proclamation calling his countrymen to arms. On the 13th, he left for the seat of war.—Gen. Vasquez with 1,300 men commanded the troops at San Antonio. This is the vanguard; "victory or death and no surrender" is the Texan watchword and all are arming for action.

TEMPERANCE STATISTICS. The following statements show the amount of duty paid on the entire quantity of wine and spirits, domestic made spirits and malt in England, Ireland and Scotland, during the years 1838, 39 and 40.

	1838.	1839.	1840.
England,	£11,103,318	£10,968,510	£11,036,400
Ireland,	2,223,480	2,255,817	2,231,849
Scotland,	2,029,058	1,852,306	1,417,046
	£15,348,856	£15,076,633	£14,685,295

In Ireland the diminution in the two last years has been £477,000—being very near *one-third of the total amount* in that country! Father Mathews is a practical economist.

It is stated that the pope wears the medal of the Cork Total Abstinence society, and is a teetotaller.

THE NIGER EXPEDITION. The Liverpool Courier of a late date says: "It is with feelings of no ordinary concern—feelings which we are sure will be participated in through the length and breadth of the land—that we have to communicate the melancholy tidings of the total abandonment, under circumstances of the most disastrous character, of the Niger expedition. The lady Coadjutors arrived at Cape day at this port, from Africa, having sailed from Bonny on the 19th of October, and from Clarence, Fernando Po, on the 26th. Captain Midgely reports, that the vessels forming the expedition had returned to the latter port; that all the commanders and most of the crews had died; and that all further attempts to explore the Niger had, of course, been given up. The steamships Albert and Soudan were left at Clarence, with all hands sick. Captain Bird Allen, R. N. died at Clarence on the 25th October."

THE SHOE AND LEATHER DEALERS. The committee appointed by the late convention in Massachusetts have published an address to the people of that state. It closes as follows:

"Our cause is the cause of American labor. Let this be our motto, this our leading idea,—the polar star of our enterprise. It is not for capitalists or corporations, for of the latter in that branch of business represented by the undersigned, we have none that we ask favor or protection. It is for the operatives of our land; for the hard-working men and hard-working women, who get their bread by the sweat of their brows, that we demand such legislation as is dictated alike by justice, humanity and patriotism."

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NILES' NATIONAL REGISTER

FIFTH SERIES.—No. 5.—VOL. XII.] BALTIMORE, APRIL 2, 1842. [VOL. LXII.—WHOLE NO. 1,592.

THE PAST—THE PRESENT—FOR THE FUTURE.

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FIRE AND LEATHER BUSINESS.
TRADE WITH GERMANY.
TRADE AND COMMERCE.
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☞ AGENTS. C. W. JAMES and TH. F. EASTON are the only agents now authorised to collect for *Niles' National Register*, in the states and territories north and west of, and including Ohio.

FOREIGN ARTICLES.

The British steamer Columbia left Liverpool on the 4th ult. for Boston, via Halifax. She experienced severe gales and heavy weather. On the 19th a shaft broke, which obliged her to use sails instead of her engines until the 24th on entering the port of Halifax when her starboard engine was brought into use in aid of her sails. The Unicorn immediately left Halifax with the letters and 59 of the passengers; she brought, amongst them Mr. Cunard, for Boston, where they arrived on the 26th.

London dates are to the 21 and Liverpool to the 4th ult. Nothing material in the political line, nor anything encouraging in the commercial line. Money was accumulating on hand, and the Bank of England was seeking six months paper at 4 per cent. per annum. Their circulation was £17,492,000 on the 1st February, being an increase of £770,000 since February 1841. The country banks circulation had diminished over one million in the same period. The billion on hand is over £5,000,000, and from the state of exchanges, the amount must increase largely during the spring. Trade in the mean time is exceedingly dull and safe paper of course is scarce. Plenty of money was to be had on deposite of English stocks at 3 per cent. The flow of specie into the country is secured by their vigilant eye to protecting their own industry and insuring adequate prices for their own products. Sir Robert Peel's corn law project was sustained by a large ministerial majority. Mr. Villiers's amendment was voted down by a majority of 293 votes.

Cotton had declined 1-8d per pound and freely offered at that reduction.

Flour is 28 to 30s. per barrel and nominal at that.

Tobacco had declined 1-4 per pound and without purchasers.

In American stocks the only actual transactions were sales of $100,000 Pennsylvania fives at 47 1-2 a 48 and a small amount at 50, and $100,000 Ohio sixes, of 1850, at 60. We annex the quotations of the 3d, of the principal American securities:

New York fives 72; Pennsylvania fives 47 1-2 a 50, Ohio sixes 60; Indiana and Illinois sterling bonds 25; Louisiana fives 60; Maryland sterling bonds 55; U. S. bank 20s.

From India the news was rather gloomy for the British. Nothing later from China than we have received direct from thence. A large armament is fitting out from England for that direction, which gives activity in branches for army and navy supplies.

The course of the ministry had given great dissatisfaction in the interior. Numerous meetings were held, strong resolutions adopted, and in some places Sir Robert Peel had been burnt in effigy.

The American Chamber of Commerce at Liverpool had addressed a petition to the house of commons in which they represented—"That the whole amount of imports from the United States in Great Britain is paid for by exports, the chief value of which is derived from the labor, industry and skill of our fellow countrymen.

That experience has shown that the only limit to the demand for our manufactures in the U. States is their ability to pay for them in the productions of their soil.

That sound policy requires that every possible facility should be given to such important customers, by which the produce of their country may be exchanged for the industry of our own.

That the United States of America labor under great disadvantages, as compared with the neighboring countries of Europe, in respect to the trade in wheat and flour, occasioned by the working of the sliding duties, which operates to the prejudice of every country in proportion to its distance, and that she is not, in fact, but only nominally, placed on the footing of the most favored nations.

That a moderate fixed duty on wheat and flour would materially benefit the trade between the two countries, and lead to an extension of the exports of our industry.

That the domestic manufactures of the United States have greatly increased during the last few years, which we, in great part, attributed to our own restrictive policy.

That the whole subject of the tariff is on the eve of being taken up and discussed in congress, when it is to be feared that, unless we relax our system, retaliatory measures may be adopted.

That the present time, when a measure is under the consideration of your honorable house for an alteration in the corn laws, is most favorable for the introduction of such modifications as may tend to increase our trade with the United States of America, and by the enactment of which the double purpose may be effected of conciliating their friendly feelings and advancing the interests of our commerce and manufactures.

Your petitioners therefore pray that your honorable house will substitute a fixed duty for the sliding scale, as most conducive to the benefit of commerce generally, and especially as respects the trade with the United States of America; but that, in any event, such a measure may be devised, either by extending the time for taking the averages, or by allowing a longer period, during which the duty shall be charged on the shipments from America or otherwise, as may place the trade with that country on a favorable footing as that with more neighboring countries."

There is terrible work in Ireland. A tremendous ribbon conspiracy has been discovered.

On the 26 March *all* sir Robert Peel's resolutions for the regulation of his new scale of duties on the importation of wheat, oats and barley, were adopted, and a bill was ordered to be prepared in accordance.

Emigration to America. It is mentioned in the Edinburgh Guardian that vast numbers of destitute people are seeking the opportunity to emigrate to this country. Large parties of persons at Stock port that some are even going to the continent. The mass of those persons are described as "the flower of our [the British] mechanics, men in the prime of life, full of energy and the knowledge of their respective professions."

IN THE HOUSE OF LORDS, FEB. 21.

Treaty for the suppression of the slave trade.

The earl of Aberdeen said that, being on the table a treaty, signed by the representatives of the five great powers of Europe, for the more effectual abolition of the slave trade, he regretted to have to inform the house that the ratification of this treaty had not been executed with that of other powers. Nor was he enabled to inform the house the precise time at which the ratification by that power might be expected. Their lordships, from the tone of the causes which had produced this decision on the part of the French government, and which his majesty the king of the French had thought furnished reasons sufficient to justify the suspension of this ratification. He felt it to be his first duty to abstain from saying or doing any thing which could possibly increase the difficulties which existed, or throw any additional obstacles in the way of the satisfactory termination of this business.

The protocol, at the desire of the French power, (as we understood the noble earl), only required open and its execution by that power might yet be looked for. He might as well explain to the house the situation in which the other powers would be left by the course which had been taken. The treaties with France of 1831 and 1833 remained in full force and effect. Indeed, the treaty at present under consideration was entered into after that of 1833, which bound England and France to propose to the other great powers to accede to the treaty into which they had entered, and it was principally with a view of obtaining the perfect accord of the five great powers that the present treaty was undertaken, and not with a view to the introduction of any new terms, for in the treaty, with only one exception, scarcely any deviation had been made from that already existing.

By the treaty of 1831 a mutual right of search was fully recognised, and by that of 1833 the equipment articles furnished sufficient ground of capture, and afforded *prima facie* evidence of guilt. The only addition made by the new treaty was an extension of the latitude within which the former treaties were to apply, and although this treaty should not be in force with regard to France, these former treaties would remain in full operation within the restrictive space to which they referred. He need not more particularly allude to the causes which had operated with the French government, but he might say that they were such as to render it impossible to suppose that affairs would long remain as they now stood, and he might express a confident hope that the treaty would be shortly ratified by that power.

Lord Brougham said that he, with the rest of the people of this great country, had heard with the deepest regret the announcement, which had been now repeated by the noble earl, of the temporary postponement, as he sincerely hoped it would be, of the ratification of this important treaty. He, like the noble earl, would carefully abstain from saying one word which might have a tendency to increase any of the obstacles which existed toward a consummation which all the parties were most anxious to secure.

But he would take leave to add to what the noble earl had said that, if in any quarter whatever there prevailed a suspicion that there lurked beneath the ardent and universal desire of the people of this country, of all classes and of all descriptions, to see this important treaty ratified, and its provisions honestly and faithfully fulfilled—to see the infernal slave traffic effectually put down—any sinister motive, or fancy, or imagination, that thereby or therefrom might be secured any extension of any maritime right, or of any general right of search, or might be fortified any claim or desire to increase the maritime power of this country, or to accomplish any object or farther any view whatever, except the prevention of the African slave trade, there never entered into the mind of man a more complete or absolute delusion.

He would venture to say that in no quarter—neither on the part of the government, nor of those opposed to the government, nor in any branch of either, nor in the mind of any one man, nor in the whole of this empire—had there ever existed any idea whatever, as connected with this subject, save and except that of securing the prevention of the slave trade, and that the right of search was connected with any subject or consideration, except that, never entered into the mind of any human being of the twenty-five millions who inhabited the British empire. [Hear, hear.]

Sir Robert Peel made a statement similar to Lord Aberdeen's, in laying the treaty on the table of the House of Commons.

Viscount Palmerston hoped that the ratification of this treaty by France would not be delayed. The refusal to ratify a treaty, concluded by an ambassador in conformity with his instructions, was contrary to the usual practice of governments.

FRANCE.

A letter from the correspondent of the Times, dated at Paris, Feb. 26, says that a council of ministers was to be held that day at the Chateau of the Tuileries, under the presidency of the king, at which the protest of the American minister against the ratification would be discussed.

A great sensation was created in the French capital on Wednesday morning, by the announcement of the London papers that the slave treaty had been ratified by the plenipotentiaries of France. At first the intelligence was not believed, because the Presse, ministerial journal, declared that the ratification had not taken place; but when the report of the proceed. ings of both houses of parliament were made known, all doubts were set at rest, and the public began to take an interest in the affair. The funds fall nearly half per cent, and people seem to consider that the situation of France was nearly similar to that of 1840, when the great powers had concluded a treaty without her. The word *poisoned* was again heard at every side, and a great soreness was manifested by all who discussed the question.

The Paris papers of Friday are much taken up with the treaty for the suppression of the slave trade.

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They contend that England has been much lowered in her dignity by the adroitness of the French government in repudiating a treaty to which she was a party. Some of them (the 'National,' for example) assert, however, that M. Guizot was resolved on ratifying the treaty when freed from the control of the present chamber, with which object, at his request, the protocol had been left open.

Much excitement prevailed respecting the issue of the debate on the quintuple treaty for the suppression of the slave trade, which Monsieur Broughy put in the Chamber of Deputies on Monday. M. Guizot, in reply, said that "the crown had made known to its ambassador in London, that it could not ratify the treaty, and that it could not take any engagement for the future. The French ambassador had been authorised to negotiate for modifications in the treaty, and the powers had declared that the treaty would remain open for the future signature of France, without any fixed term. This was the plain and simple state of the affair.

A rumor is current that the French government has discovered a new and formidable plot against the lives of the king of the French and his family, and that, in consequence, there were extraordinary precautions in the guard of the Tuileries and various entrances thereto. The army will, it is said, be immediately strengthened by the enlistment of 5,000 men.

A marriage between the Princess Imperial of Russia and the Duke de Bordeaux has been finally determined on by the ex-royal family of France and the Emperor Nicholas. This alliance is said to be the main cause of the bad understanding which at present subsists between the courts of the Tuileries and St. Petersburgh.

SPAIN.

Many of the Carlist chiefs were on the frontier, and active measures were on foot to put down an anticipated insurrection, and the Regent, it was understood, would be fully prepared to maintain his government. Further than this there is no news of moment.

PORTUGAL.

A party in favor of Don Pedro's charter fully succeeded in their movement. Ministers endeavored in vain to suppress the outbreak, which is stated. A chartist cabinet was formed, the Duke of Terceira having been summoned by the Queen.

TEXAS AND MEXICO.

Thomas Falconer, the Englishman who accompanied the expedition to Santa Fe, and who was liberated on the demand of Mr. Packenham the British minister at Mexico, writes the following letter published in the New Orleans Bee of the 11th.

Sir—Mr. Kendall joined the expedition at Austin as a guest. He was not enrolled and was not subject to any military orders. He also had a passport, which he frequently produced upon the route, which authorised him to enter Mexico and Santa Fe. This passport he obtained at New Orleans and it was signed by the Mexican consul in that city. He was with the party, commanded by Lewis, when he was captured. The reason of his being with this party was, that Colonel Cooke anticipated difficulties, and knowing that he had a passport, thought that it would enable him to reclaim the property, if any hostilities that might occur. At the time of his capture Mr. Kendall had certainly not exhibited any hostile intentions, by any act that he had previously done. He was on his road to Santa Fe, and when he reached that place, if he had been permitted to proceed so far, might have, and probably would have conformed to the law of Mexico by presenting his passport to the local Mexican authorities.

When Mr. Kendall was captured, his companions exhibited a white flag and were assured that they would not be made prisoners. This assurance was not fulfilled. They were made prisoners, and Mr. Kendall's passport was taken from him. He was entitled to be permitted to return to Colonel Cooke, or, upon the authority of his passport, to have his companions and to have pursued his journey to Santa Fe, without interruption. If he was with a hostile party, he had a right to return—if not—to proceed. The fate, if he returned, might ultimately have been that of the party with Cooke, but the possibility, that a man who bears a flag of truce, may subsequently be shot by battle, is no justification for killing him when having the flag in his hand. Among Indians such an emblem of peace is respected. But at all events, it is a criminal act, first to profane a respect for it, and then to violate the protection which it was recognized to afford.

The secret instructions of the commissioners who accompanied the expedition, and who, it is stated, were to treat with the inhabitants of New Mexico, upon matters of trade, were not seen by Mr. Kendall or known to him. Their character could not have been anticipated from the presence of the military. The military force was not larger than was necessary for the protection of the goods of the merchants from the attacks of Indians; nor larger, I believe, than the military force which accompanied the early Missouri expeditions to Santa Fe.

The party with whom Mr. Kendall travelled, as a prisoner, left San Miguel upon October 17th. He had been detained at San Miguel for nearly a month previously. On the morning of the 20th he reached Valeria. The next morning a man by the name of Ernest, died from exhaustion. He had suffered much from the long marches of the previous days. His cars were cut off to be worn by our captors in to his superior officer as evidence that the man had not escaped, and this barbarous proceeding occurred in every instance, on the road, either of natural death, or of murder.

About a mile from Valencia, a Texan volunteer of the name of McAlister was shot. It is said, that his sister married a son of the late chief justice Marshal. He was lame, and unable from fatigue and exhaustion to walk at the same pace as most of the other men. Captain Demasso Salazar, who had the charge of the party, called Mr. G. Van Nuss to him and directed him to go to the rear and to inform all who were behind, that if they did not immediately overtake the other prisoners, he would order them to be shot, and that a sergeant and four men had been ordered to the rear, for this purpose. When Mr. G. Van Ness was in the act of complying and had not completed the whole order, the sergeant and his men came up. The sergeant asked Mr. Kinder "why he did not go faster?" He replied "that he was not able, for his feet were very sore." He was almost instantly shot through the head. His ears were cut off, his blanket and his pantaloons taken from him and his body left on the road.

Upon the 30th of October we reached Hay Cristoral. At night there was a severe snow storm. None of us had more than one blanket. In the morning there was more than two inches of snow upon us. Here commenced what is called the march of the Grand Jornada. It is so called, from there being no water for the whole distance and the difficulty with which it is performed. We moved off at noon of the 31st and our march continued the whole night—the 1st and 2d of November we halted at 10 in the morning, when the march again commenced and was continued throughout the day, and with the exception of about three hours, throughout the whole night, and until about 10 o'clock the next morning. During the whole time no provisions or water were given to the men. It was about 7 o'clock of the last night, that Golphin, a merchant, was shot. He had long been sick and had been carried on the wagon, and as it was called, nearly the whole distance from the River Quintufue to San Miguel, that is, from September 18 to October 17. He continued sick and in great pain, from the time of his death, without permission of one of the Mexican soldiers to rise, and was in the act of taking off his shirt to pay for this favor, when some soldiers came up. One of them fired at and wounded him. He ran some yards, crying out to have his life spared, when another soldier shot him dead.

Griffith was killed the same night with Golphin. He had been permitted to rise from the ground during the day, upon account of sickness. His brains were knocked out by a soldier, but we do not know what occurred previous to his being killed.

Estes was another sick soldier. He caught cold soon after leaving San Miguel, which was followed by a very severe inflammation of the lungs. A few minutes before his death, a soldier presented at him a musket, and snapped it in his face, laughing at the painful effect it produced. His body was thrown into the bushes. There was another man of the name of Gates with us, a Cumberland, who is alive.

These were the horrible scenes that were accompanied with a loss of life; but there were other scenes connected with this march, of a longer duration, and of the most painful kind. Upon the 2d no food was distributed, and on some days only two heads of corn were given to each man. Such articles of dress as the men could with decency spare, they exchanged upon the Indian settlements. The cold was so great that the loss of what they parted with, added to their sufferings. General Armijo, the governor of New Mexico, had, at the Rio Galena, caused them to be stripped of their coats and waistcoats, and their second blankets to be taken from them. They had flat, therefore, sufficient clothing to protect them from the severity of the weather. Their shoes were worn out; their feet were blistered; they were exhausted by fatigue; many were almost naked; those not broken down were under the apprehension of being killed; and in this issue, uncertain and suffering condition they reached Santiago. Myself and some few others were not deprived of our coats, we had good shoes, and we had better fortune than many in having saved the means which prevented the necessity of parting with our clothing. Yours, very truly,

THOMAS FALCONER.

Mexico, February 10, 1842.

PRESIDENT HOUSTON'S

Proclamation—to the citizens of Texas.

MY COUNTRYMEN: Rumours have been brought from the southwestern frontier of invasion. Particulars have not been furnished to the executive.—The facts are sufficient to justify immediate preparation for defensive war. All who are subject to military duty are commanded to be in readiness to repair equipped to the scene of action, at the call of the authorities of the country. It is ordered that the colonel of each county, for the present, lay off the county into company beats, and direct the election of captains and subalterns, and arrange the members of each company in three classes, agreeably to the class in which they may draw. Where drafts may take place, the colonels of the different counties shall have authority and power to accept efficient substitutes into service.

Each man will be required in the event of a call, by the president, to report himself, furnished with good arms, eight days provision, and one hundred rounds of ammunition, and prepared for three months service from the time when they may report at the head quarters of the army.

In the event of a formidable invasion, it is needless to appeal to the patriotism and valor of Texians. They have won liberty and independence by their undaunted heroism—they have enjoyed the blessings of freedom—they are proud of their national character!

If invasion should press upon us, we are required by every sacred obligation to family, friends and country, to repel invaders with determinate and dismay. If war should come upon us, we will make it our business. We will be authorised to meet and pursue our enemies with vengeance. They have forfeited the generosity with which they were treated when they were placed at the footstool of Texian mercy! They were saved when even humanity would have justified retributive vengeance! Should Mexico again violate the principles of civilized and honorable warfare, they shall feel that avenging arm that shall take of them full recompense for oppression and cruelty! Texians can will be free! They could prefer death to degradation, or the loss of their independence. SAM. HOUSTON.

Galveston, March 10, 1842.

LETTER OF PRESIDENT HOUSTON.

City of Austin, Texas, March 11, 1842.

To P. Edmunds, Consul at New Orleans.

SIR: It is probable that you will find in New Orleans and other parts of the United States great excitement in consequence of the late movements of Mexico against Texas. If any should be anxious to volunteer in rendering assistance to our republic, it will be your duty to have it made known, and if any should emigrate it will be required for each emigrant to bring with him a good rifle or musket, with a ear-touch box, or shot pouch and powder horn, with at least one hundred rounds of ammunition, a good knapsack and six months clothing, and enter service for six months subject to the laws of Texas. They must be landed, for the present, at some point west of the Brazos, with the intent to proceed. No number less than fifty six in companies well organised will be received, and on landing, each commandant will report to the secretary of war for orders.

We can bring into the field at least ten thousand men, and in case of emergency we could raise fifteen thousand.

The war will not be of long duration. No Mexican force can long sustain itself in Texas.

The indignation of Texians will not tolerate the pollution of their soil by the footsteps of their servile invaders.

Mexico has made the war and has provoked the indignation of all those who have regarded her sanguinary cruelty and matchless perfidy, since the Alamo was first besieged.

Let Mexico look out for the recompense of her iniquities.

I have the honor to be, your obedient servant,

SAM. HOUSTON, *President.*

The citizens of Galveston represented the feelings of their common country have deputed Messrs. Watrous, Megginson and Jones, to communicate with their friends here, and to devise such measures as may be found practicable. These gentlemen will address their views to the community of New Orleans and the citizens of the United States in the papers of the city.

Emigrants who wish to remove to Texas at this time must come thus prepared, *as none other would be of use to the defence of the country*, nor will they be

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received. There is a greater scarcity of arms and munitions of war than of men in Texas. Were men to come in great numbers to the country without being in a condition to act efficiently, and well provided, *it would only encumber the country, without any other effect than to destroy the substence of those who would be necessary to sustain and defend the nation.*

MARIANO ARISTA,
General of division, commander-in-chief of the northern army of the republic of Mexico.

TO THE INHABITANTS OF THE DEPARTMENT OF TEXAS.

I feel it my duty to address you, so as you should commence to examine into the situation of the country in which you hold properties, some legally and others by circumstances.

The Mexican nation will never consent to the separation of that territory; the civil wars in which she has been engaged constantly have been the cause of your precarious position, and gave an opportunity for revolutionary men to compel you to constitute yourself as an independent nation.

The departments composing the nation of which Texas is an indisputable property, will never acknowledge you as such. I therefore solemnly declare, in the name of the nation and the supreme government, that she is determined to recover her rights through the only means left to her, viz: *permanion or war.*

Time has elapsed since I have been in command of the army which defends this frontier; and my conduct, notwithstanding that I have been tried by all, has been and shall be carried on is that permitted among civilized men; that noble war which humanity and philosophy have modified, to distinguish it from that which was carried on by the barbarians of the middle age.

Hostilities will be directed, not against all the inhabitants of Texas, but only against those who sustain and fight to maintain that nationality, that independence which my country will never admit. No one need fear; every honest and industrious citizen who will submit and obey the legitimate Mexican authorities may be perfectly at ease. He that remains such, and does not take up arms against the Mexican troops, shall and will be respected, his property guaranteed and shall be in his person protected, without being molested in the least.

Inhabitants of Texas! reflect and consider your interests—examine how colossal and impracticable is the enterprise which you have undertaken by those who govern you. See the inconvenience, calculate the elements you have, and you will see clearly your sure ruin, if you continue in the actual state of things.

Texas, lying between the United States of America, an industrious nation, in a rapid progression, and Mexico, with all more recent and more emancipation, you shall have to compete on one side with the agriculture and industry of a country abounding in elements to sell cheaper in the markets; and, on the other side, the difficulties of a war that Mexico cannot forbear making against you until she recovers her rights.

How can you imagine to progress thus? In what manner can you secure your tranquillity, without which no enterprise can be carried through, and your hearts can enjoy no peace?

If your produce is sent to the United States market, it is impossible that you can compete with those who carry on an immense trade in that country free of charges, without any risk, and respected by the other nations. If sent to Europe, still it must come under the same level of prices in which the United States afford to sell. And are these advantages on a level with the risks that are suffered in Texas from the Indian hostilities, from excessive contributions, and from the certainty of hostilities which Mexico will direct against you, and desirous to recover her property? How can you imagine to establish yourselves, and progress over such a heap of difficulties! What you can gain will be the ruin of your fortunes—see your sons cruelly murdered by the savage, your fellow-citizens a prey to the insalubrity of those countries, and in danger of being a prey to which is disputed by a powerful nation, with unquestionable rights, and who will sooner or later reduce to her obedience that department. Many have believed that they could obtain by force the acknowledgment of Texas from the Mexicans; but those who so think do not really know the elements of wealth and power of the republic; and there is a certitude that there will always be a concourse of circumstances such as those which occasioned the retreat of the army in 1836. Men of sense must know that what is imagined by those is quite impossible.

The true interest of those who live in Texas is their union with the Mexican republic, acknowledging the national government.

By these means you might remove at once the taxes which plague you; the disquietude and uneasiness attending the war that is preparing; and would have a market where to expend your produce, with which you could make large fortunes in a few years.

The cotton exported by Texian farmers sells in New Orleans at 11 cents per pound, and this is the highest price it brings. Most certainly they would sell it quickly in the harbors of the republic for 25 cents per pound, having no duty to pay. Being members of the Mexican nation, the fruits of national industry are free of duties.

The progress of Texas as a department would be so rapid that it would make the happiness of her inhabitants. Enjoying the protection of a government acknowledged by all nations, they would not be under the obligation of supporting an army for war. The general government would provide for her defence with regard to the savage tribes, and they only should occupy themselves in their own business and welfare.

At present, the fears which in 1835 influenced in Texas for the revolution do not exist. A free congress, elected with popularity, is about meeting, and will form a liberal constitution, that will rule this nation, full of elements of wealth, and with all the probabilities of being soon one of the most powerful on the globe.

Texas can obtain considerable benefits by rejecting the flattering ideas of being an independent nation—that luxury which of itself is nothing—apparent liberty, disunion, the ruin of the general government, and coming to serve her part in the regeneration of the republic, to derive many advantages, owing to her distance, class of population, and circumstances.

Inhabitants of Texas! meditate well; see what suits you best, and decide whether you contemn all blessings, to select all evil, for only the pride and fancy of appearance as an independent nation.

My conciliatory character is well known. The enlightened century we live in, and its progress, require that men should be guided by reflection. Do force of arms only produce lamentable results, but reason, that sublime gift that the Omnipotent gave to human beings, allows triumphs, without mourning for the loss of useful beings and rivers of blood.

These are the sentiments which my heart deeply cherishes, and which are without doubt engraved on the noble souls of the Mexicans, showing to you the polyer the prudence, exhibit, in the same time that she tenders the olive of peace and concord with one hand, shall direct with the other the sword of justice against the obstinate.

I represent the honest and frugal men of Texas—those who own property, and those who love their wives and children, to meditate seriously, and to decide their fate by an unanimous act, reproving actually the pusillanimous, and pointing the positive happiness that despair and sadness which their situation affords to the view.

I have deemed it convenient to address you thus, and offer you to possess a noble and magnanimous conduct towards the docile inhabitants, as well as an energetic and constant one towards those who will not submit to reason.

MARIANO ARISTA.

Head-quarters, at Monterey, January 9, 1842.

Extract of a letter from Gen. A. S. Johnson, of the Texian army to Gen. Hamilton, dated

Galveston, March 11, 1842.

"Your apprehension of the dangers which menaced this country and which we discussed on our route to Austin was well grounded, as I believed at that time. Our country is now invaded by a numerous, well organized and well disciplined army under the command of Gen. Arista. His advance is rapid, and thus far without opposition. On the 5th he entered the town of San Antonio, and on the 7th they took possession of the town of Victoria. This indicates the movement of two columns. I presume to be united before they reach the Colorado, if so, it is a very judicious arrangement.

The war, after great preparation on the part of the enemy, is upon us, without the slightest effort having been made by us. Our people are however turning out with spirit and hastening westward, for the purpose of concentrating to meet the enemy, and notwithstanding every advantage has been given, we rely upon the energy and courage of our people to prove most brilliant results.

I shall leave here to-morrow to join our army, and shall take great pleasure in communicating events as they transpire.

With the hope that your numerous friends may again have the pleasure of greeting your arrival on our shores, I beg leave to tender you my sincere regards.

A. SIDNEY JOHNSON.

Gen. James Hamilton.

We sincerely regret to add that among the prisoners taken at San Antonio, were Mr. Jno. D. Morris, son of the late Richard Morris, of Hanover, and Mr. Hancock Chevallie, formerly of Richmond. This information, which is obtained from private letters, has occasioned much anxiety for the fate of these gentlemen, among their numerous friends.

LETTER OF GENERAL HAMILTON.

Charleston, South Carolina March 21, 1842.

To his excellency Don Antonio Lopez de Santa Anna, President of the Republic of Mexico.

SIR: Although I have not had the honor to receive in manuscript the letter which you have addressed me through the Gazettes of Mexico, under date of the 18th February, I feel too sensibly this distinction not to make my acknowledgements through a similar medium.

However gross the violation of confidence of which your excellency has been guilty in publishing a letter marked *confidential*, (which seal you have yourself recognized) I will take no exception to your employing the occasion of vaunting your own honesty and setting up a popularity of which you may stand greatly in need.

When I offered you an indemnity of five millions of dollars for a pacification and boundary between the republic of Texas and Mexico, I acted under a commission which was unrevoked by the government of the former, and under which I had negotiated a treaty of mediation with the government of her Britannic majesty providing for the payment of this sum for the same objects. The supplementary offer of two hundred thousand dollars for contingencies and secret service were to defray the cost of running the boundary line, the expenses of the separate legations, and for secret service. You are too disciplined a veteran in the politics of your own country not to know the necessity and value of this last item. Yet you have thought proper, it appears, to pay yourself the compliment of supposing that I designed that this money should be insinuated as a *bribe* to yourself. Your excellency must excellency that I am too well aware of the spotless integrity of Don Antonio Lopez de Santa Anna, president of the republic of Mexico, to have hazarded such an experiment on the virgin purity of your excellency's honor.

If your excellency can perceive "impudence and audacity" in a friendly offer of peace, and a pledge of my exertions to induce a gallant people to pay five millions of dollars for a country which they had already won by every title which a just revolution and a victorious sword could confer, I am quite content to suffer under the reproach of having less modesty than you have.

After thus discorteously disposing of myself, your excellency is pleased to lavish upon the people, to whom mercy and magnanimity you owe your life, the grossest abuse. In the course of which you say that there never was a more scandalous robbery than the forcible possession of the territory of Texas by the citizens of the United States. Have you forgotten, sir, the charter and guarantees under the faith of which Stephen Austin brought his colony into Texas, which, in life, liberty and property, were so scandalously violated by your own government, and thus towards a man who resembled in the purity of his life, and in the wisdom and moderation of his character the venerated founder of the state of Pennsylvania. These colonies of the Anglo-American race were introduced to protect your own Mexican settlements from the hordes of Comanche Indians, from whom, in spite of their vaunted bravery, your troops had so miserably fled.

Are you not aware that one of the causes of the revolution of Texas was your own usurpation. You tyrannical overthrew of the constitution of 1823, and with it the federative system of which, as an integral portion of the state of Coahuila, Texas, was a member? Have you forgotten that, by the establishment of a central despotism on the ruins of this system you furnished to the citizens of Texas a stronger justification for revolution than is to be found in the causes which led to the resistance of the thirteen North American colonies to the injustice of their parent state? After inviting the infant Hercules into your country, you attempted perfidiously to stifle him in his cradle, and you have reaped the full harvest of the consequences.

You say, that when you commenced your memorable campaign, in 1836, it was illustrated by a series of victories until the occurrence of what you are pleased to term the unfortunate "accident" of San Jacinto. Your victories, sir, if history is not a greater novelist than the most authentic of your bulletins, consisted in your beleaguering, with a well appointed army of three thousand men, a post defended by some one hundred, who kept your entire force for several days at bay and the capture of which found every man gloriously slaughtered at his post, and in the still more gallant achievement of murdering in cold blood five hundred brave men under the unfortunate Fannin, who had laid down their arms to a force of six times their number under the faith of a capitulation which even a horde of calmuc Tar-

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tars would have respected. At San Jacinto you were defeated by the "accident," of your having more than two men to one of the hand who were led by the benefactor to whom you owe your life, and by the still more marvellous "accident" of his having killed, in your ranks, more than his whole force, and captured an amount of prisoners that outnumbered the victors. These, your excellency must admit are such remarkable accidents that neither Marshall Stace in his reverses, nor the great Cortez in his strategy has made the slightest provision for their occurrence.

Your excellency, not content with affording me the instructive history of your campaigns, has been pleased to touch a chord which you knew well would vibrate most sensitively throughout the civilized world, when you are pleased to announce that one of the objects of your mediated crusade against Texas is to extirpate domestic slavery! Before you commence your march for this purpose, had you not better emancipate the miserable victims of compulsory labor in your own country, who are slaves in every thing but in the terms of nominal bondage, and who would be in a condition of qualified freedom, if they had half the temporal comforts of the blacks of Texas. Do you suppose, that when debauched by power and are riding roughshod over the miserable victims of your own ambition and cupidity, you can hoodwink and deceive others than the vilest of fanatics? Fanaticism who frequent Exeter Hall, to be plucked by tax gatherers more cormorant than your own excisemen at home. The dupes expedient to gain popular favor is really unworthy of the genius and talents of your disciplined knowledge of the world, and comes with a truly seasonable grace from a man of your known regard, to the value of human life and liberty.

If your letter, sir, is meant for the purpose, by light of the aurora borealis, it concludes in thunder, darkness and delusion. Texas, with her 200,000 inhabitants, if she has even so many, is contrasted with the very extremity of the vengeance of eight millions of the most gallant people under the sun. I take no exception to your arrogating for your subjects, even the title of the conquerors of the barbarians of the world, or your disputing with the inhabitants of the celestial empire the largest possible manufacture of bombast. All that I have to say is, that you had better make another experimental campaign, and perhaps the "*accident*" may this time turn the other way. I can assure you, that although Texas begins, in her successful industry to blossom like the rose, you will find that you have a much more difficult to travel than even during your last visit, however much that visit may have been illustrated by a series of brilliant victories!

But laying badinage aside, let me in conclusion say one word to your excellency, in sober earnest. You are pleased to say that "TEXAS will find great advantage in covering herself with the Mexican flag"—and that I "will ponder well the talents of a statesman" must think seriously of this step." I thank you, sir, for the compliment to myself. If I could lay any claim to the torrent of prophets who are so likely nevertheless to be at fault, I would, in reply, venture to give you counsel—and that is, to make peace with Texas with the least possible delay. The policy which I have recommended hitherto towards your country has been pacific, and every public man in Texas well knows. For three years I have strenuously opposed an invasion of your territory.—My treaties in Europe have looked to a guarantee of the integrity of your soil under the faith of a public compact by which the respective boundaries between the two countries might be clearly ascertained. I deem this most consistent with the interests of the country that I represented, and the cause of humanity—I desired that your people might be left free to cultivate the arts of peace, and you to make every imaginable experiment in the amelioration of their moral condition. I am sure the people of Texas would have been content that you should have taken a constitution out of "every pigeon-hole of the cabinet of the Abbe Sieyes," from the dry pickled mummyphysics" of the German theorists, down to the self regulating political ethics of Robert Owen. For I knew that, to establish her own institutions and develope her resources, all that Texas wanted was a little breathing time. Elbow room she has enough.

But you seem to have willed it differently, and to have decided that your young neighbour shall fulfil her destiny some fifty years sooner than she otherwise would have done. In response to this determination on your part, I believe there is but one sentiment in the country which I have so recently left, and that is embodied in the brief declaration, "*he is so?*" I moreover believe that the only feeling of apprehension which is felt at your resolve, (and I mention this to you as a secret, in the most friendly confidence) is, *lest you may not come yourself, at the head of your invincibles.* Although the Texians, like the Presbyterian parson, "have no courage to beat of," yet I am sure they will give you a cordial reception in consideration of those unequitted claims on their gratitude which you have left so largely in arrear since your last visit.

As to the humble individual who addresses you, although entitled to the honors of citizenship in Texas, it is not necessary that I should speak of my position. Would to God you had accepted the olive branch which, as her public minister, I offered you, in both the spirit of peace and friendship, and that you had humanely attempted to staunch the wounds of your own country, bleeding at every pore. You have, however, disdained this offer, in terms of the highest personal indignity to myself, and public affront to the country. You accuse me of the impudence of having offered you *olive*—I will not be guilty of the gasconade of offering you *steel*. But when you do cease, I hope I may hear the neighing of your war steed on the banks of the Rio Bravo.

I have the honor to subscribe myself, with due consideration, your excellency's most obedient servant,

J. HAMILTON.

NATIONAL AFFAIRS.

THE LAND DISTRIBUTION ACT. The recommendation contained in the President's message to congress, which will be found under the proceedings of the house of representatives in this number of the REGISTER, that the proceeds of the sales of public lands, which in accordance with his message at the extra session, had been directed to be distributed to the several states, should now be retained in the treasury instead of carrying out the law directing its distribution, has incidentally been acted upon by both houses, since the reception of the message. Their decisions are *against* disturbing the provisions of the distribution act.

The question in relation to it in the senate was tested by the amendment offerred by Mr. *Rives*, to Mr. *Clay's* resolutions on revenue and retrenchment, in which amendment the change now proposed by the president was embodied. The amendment was lost by a vote of 21 to 22. *See the senate proceedings.*

In the house the question was tested by an amendment proposed by Mr. Wise, to the loan bill, which had been under debate for a long time. The amendment went to suspend the operations of the distribution bill,—and was *negatived* by a m. jority of twenty seven votes—a larger majority than that by which that house passed the distribution act at the extra session.

NEW TARIFF. Mr. *Saltonstall* chairman of the committee on manufactures, reported a bill regulating duties upon imports in the house of representatives on the 31st ultimo, accompanied by a report which were referred to the committee of the whole and ordered to be printed.

HENRY CLAY. The talented and patriotic statesman who has for so many years served his country in the legislative councils, on Thursday last the 31st inst. took a most impressive and affecting leave of the U. S. Senate. The hall, galleries, and every avenue to the apartment were literally crammed to witness the imposing scene. It was worthy of a republican Senate. We have not room for any of the particulars in this number. Mr. CRITTENDEN was introduced and qualified as successor to Mr. Clay in the Senate, from Kentucky.

BALL TO HENRY CLAY. A meeting of a number of the citizens of Washington, members of congress, and others, took place by public invitation at the Washington Assembly room on the 31st instant, for the purpose of making arrangements for a public ball to be given to the distinguished senator from Kentucky, upon the occasion of his retirement from the councils of his country. Gen. *R. C. Weightman* presided, and *J. H. Bradley* officiated as secretary.—Tuesday evening the 12th of April, the anniversary of his birth, was fixed upon for the occasion, and fifty-two managers, twenty-six on the part of the citizens, and twenty-six on the part of congress, were appointed, viz:

On the part of the senate.

Messrs. Evans, Miller, Kerr, Archer, Mangum, Henderson, Barrow, White.

On the part of the house of representatives.

Messrs. Fessenden, Winthorp, Tillinghast, Boardman, Morgan, Averigg, Cooper, Rodney, Sollers, Botts, Rayner, Wm. Butler, Thos. Butler King, J. L. Williams, Stokely, Richard W. Thompson, J. T. Stuart.

On the part of citizens.

Seaton, Bacon, Bradley, Buckingham, Force, Farnham, France, Henshaw, Hyatt, Jones, B. O. Taylor, Worthington, Ashby, Clarke, Graham, Hall, Halliday, Hetten, Hill, Jones, Key, Lenox, May, Patterson, Wallach.

A TREATY WITH THE WAYANDOT INDIANS. We learn by a letter from Col. John Johnston, United States commissioner, published in the Ohio State Journal, that on the 9th instant, he concluded at Upper Sandusky, (Ohio), a treaty of cession and relinquishment with the chiefs and counsellors of the Wyandot nation of Indians; by which the chiefs are to remove their people to the southwest of Missouri in 1843, at their own cost, and without the aid of agents on the part of government of superintendents, conductors, teamsters, &c.—the Indians furnishing their own transportation and subsistance on the journey, and finding themselves provisions in Missouri. They have then ceded the Wyandots cede to the United States, without any reservation, all their land, consisting of about one hundred and fifteen sections, said to be amongst the best in Ohio, and much of it in a state of cultivation.

SHOE AND LEATHER BUSINESS.

ADDRESS TO THE PEOPLE OF MASSACHUSETTS.

FELLOW CITIZENS: The undersigned, a committee appointed by the convention of Shoe and leather dealers and operatives, held in Boston on the 2d of March, 1842, ask leave respectfully to address you in relation to those important changes which are about to take place in the tariff of the United States; and to present before you such considerations as they deem important to all classes of the community, especially to those who acquire a livelihood by their industry in any of the various manufactures of the country.

On the 8th of July next, the compromise act will be consummated, and all previous duties abolished, except a uniform duty of twenty per cent on all articles thereafter imported; certain specified articles being admitted free.

This will bring us to a new and interesting epoch in our national history, and create such a change in the circumstances of the people as we have never yet experienced. Our labor must then, for the first time since we have become a manufacturing people, be brought into direct competition with the labor of Europe, with a duty in its favor of only twenty per cent, a duty altogether inadequate to afford that protection, which is essential to the existence of many branches of industry, that have been successfully established during the last twenty-five years; a period within which, owing to a variety of causes, the condition of our country has greatly changed.

New England, which before the war of 1812 was principally engaged in agriculture and commerce, has now become essentially a manufacturing community. Her manufactures are her main interest. Destroy them, and her wealth, her prosperity, and her power are greatly crippled. This is especially true of Massachusetts, whose population engaged in the department of labor amounted in 1837 to 117,000, and if we should include those indirectly concerned in, and supported by, manufacturing labor, the number would probably be trebled.

The question, then, of the protection which is to be afforded to our manufacturing industry, is one of immense importance; more so by far than is generally supposed even by ourselves.

A wrong impression has been made, and a consequent wrong opinion is prevalent in the public mind in relation to the true question at issue. Owing to the great activity and influence of those engaged in the manufacture of cotton and wool, and the exertions which they have always made when the tariff has been a matter of discussion, their interests have been so much more prominently brought before congress, that a common feeling has been created, that they only had any great stake in the matter, and were

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alone desirous of protection. But this is not true. They are not even the majority of interest. Far from it. In Massachusetts in 1837, the amount of cotton and woollen fabrics was but $27,000,000, being less than one-third of the whole product of the manufactures of the commonwealth, and employing but about one fourth part of all the persons engaged in manufactures within the state.

This erroneous opinion has operated unfavorably in congress, and indured among its members a belief that all the clamor for protection arose from the rich manufacturing corporations. It has operated unfavorably among the people, by leading them to suppose that they had no great interest in the question except as indirectly connected with those engaged in the manufacture of cotton or wool. Hence, thousands have been indifferent to a question really of more vital importance to themselves than to those interested in the branches of industry before referred to.

The manufacturers of shoes and leather, whose products in this state in 1837 amounted to 18,000,000 dollars, also those employed in the manufacture of straw, a trade which amounted at the time mentioned to $2,000,000, are far more deeply interested than those whose products are aided by machinery and large fixed capitals. These branches, and they are numerous in the commonwealth, which are carried on almost exclusively by *manual* labor, will feel most severely the effects of foreign competition.

To such, and they are the majority of the whole within the state, an ad valorem duty of twenty per cent will prove entirely insufficient; and those who, under this duty only on foreign labor, must be nearly annihilated.

This is no fiction. The consequences, then, may be easily foreseen. A great revolution in industry must be changed. Absolute starvation we need not fear. Our country is too extended, land too cheap and too productive, to permit us to anticipate any such alternative; but a change of employment, and a change of residence, must with a considerable part of our population take place, and thousands of our citizens must seek on the prairies of the west, that fertile and extensive tract which is now in danger fed in the beautiful villages of New England, by the firesides of home, by the graves of their fathers.

The result of this operation will be equally disastrous upon the west. The home market, the only one on which it can rely, will be then mainly destroyed, while the additional number of persons who will be compelled to seek agricultural pursuits, will be a matter of course so increase the quantity of produce, as to greatly reduce its value; indeed, so much so as almost to make it worthless as an article of sale.

Fellow citizens, we are all interested. No matter what our situation or our calling, the change will "come home to our business and bosoms." Never was there a greater identity of interests than in this matter. All alike will share in the common calamity. Our metropolis, now united by rail road to the great west, will feel it in the failure of that mighty trade, which, in a successful condition of manufacturing industry, she would be destined to enjoy. Our farmers, deprived of their home market, and compelled to compete in the foreign markets, (if they could find such), with the great staples of the fertile west, would find their property depreciated, their exertions paralyzed, their industry unrewarded.

There is one class, however, on which the weight of this calamity will fall with peculiar severity. That class is the women of our country who get their living, as many hundreds of thousands now do with great comfort and respectability, by the work of their own hands. This large and interesting class, heretofore so overpaid for their services, must not only experience a great falling off in price, but in many instances, an absolute annihilation of demand for their labor. They cannot subsist, if compelled to work in competition with the laboring females of Europe, who receive from four to six cents per day for their services.

Men, when driven from one employment, may seek it in another; and if work cannot be had at home, they may go abroad. If it cannot be obtained on the land, it may be found on the sea. But it is not so with women. They are far more dependent and helpless; and when thrown out of employ, are involved in inevitable distress and suffering. There are in this commonwealth, as officially ascertained, about 40,000 women employed in different manufactures; 15,000 of whom are engaged in the manufacture of shoes. How great then must be the whole number employed in the United States; and what an amount of privation and suffering must be involved in the turning out of employ, or in employing at half price, this immense number of industrious women! Humanity recoils at the contemplation of such scenes; and yet come they must, and come they will, unless congress, in the spirit of wisdom and justice, shall discriminate in favor of their industry in the duties laid for the support of government. Were there no other motive than that arising from this view of the subject, it would alone be sufficient to justify the same; nevertheless, we are aware, fellow citizens, that there are some amongst us who are incredulous as to the nature of foreign competition, and the kind of labor which it will be called to contend; we ask your indulgence, therefore, while we present a few facts and considerations in regard to that subject.

The condition of the great part of the laboring population of Europe, and particularly of England, is little better than that of serfs, for, although predial slavery has been long abolished in form, it still exists, so far as practical effects are concerned.

The system of British slavery is, in fact, the most ingenious, and the most effective that the world has ever witnessed, inasmuch as it is better calculated to rob the laborer of the fruits of his toil than that of any other tyrannic form. It is a system that has all the advantages and few of the disadvantages of the chattel system. It gives a nominal freedom; it imposes no responsibility for individual life and preservation; it holds out before him the hope (though a delusive one) of bettering his condition; it stimulates him to efforts which the slave, who is the property of his master, can never make; it drags forth, while it robs him of every farthing of his hardearned pittance, and gives him only the bare means, (and, oftentimes, not even that) of sustaining his miserable existence.

We make this comparison between British and American slavery, only so far as relates to the success of the former in securing a greater amount of toil from the laborer, and in proportionately depriving him of his just reward. In any other point of view we institute no comparison whatever, and we desire that we may not be understood to say that the former has all the economy of the latter.

Another remarkable feature of British labor is, that to some extent it is literally earned LOAN. The present paupers in England is upwards of one millions of dollars per annum. Much of this has been, and some of it now is, paid to laborers who are engaged in various branches of industry, and do not receive enough of their employers to give them subsistence.

This immense sum operates as a fund for the reduction of the price of labor, and of that labor too, who is excellent, and who, if the people of this country must now contend, hand to hand, unless protected by national legislation.

As an illustration of this position we quote some facts from an English publication on the subject of pauperism now before us.

"In Burwash, in East Sussex, on one occasion, the surplus labourers were put up at auction, and hired as low as 3d. to 3d. per day, the rest of their maintenance *being paid by the parish.*"

"At Ardington, during the severer winter months, about sixty men apply every morning to the overseer, [of the poor] for work or pay. He ranges them in a shed in a yard, and if a farmer or any one else wants a man he sends to the yard for one, and pays half the day's wages, and *the rest is paid by the parish.*"

A volume of facts like these might be adduced, but we trust these alone are sufficient to sustain the position we have assumed.

Such, fellow-citizens, is the labor with which we must compete and such the position in which we are placed. We think we can appeal, therefore, to yourselves, whether the cause we advocate is not emphatically the cause of the whole people. It has, indeed, no party limits. Every man, conservative or radical, whig or democrat, is alike interested, and if he truly understands the subject, and possesses the least share of patriotism or philanthropy, must labor and strive, irrespective of all mere party considerations, for its advancement.

In behalf then, of those whom we represent, we disclaim all sinister motives and party feelings, and call upon all our fellow-citizens to arise as one man, irrespective of party, and in the language of Freeman, and demand that just discrimination in the imposition of duties, which, while it will not increase the public burdens a dollar, shall protect those branches of industry, which have grown up under past governmental legislation.

Let it be recollected, fellow citizens, that we do not advocate taxation for the sake of protection. We do not ask that one portion of the country should be taxed for the benefit of another; but we do ask that those duties required to raise a revenue sufficient to support the national government, *administered with the most scrupulous regard to economy*, shall be placed on those articles, which would come in competition with our own manufactures already established. Is there aught unreasonable in this?

Is any injustice done to the man, for instance, who in consequence of this discrimination pays ten cents per pair more for his shoes, and ten cents less per pound for his tea, than he would under a horizontal tariff? Is any injustice done to the farmer, is the injustice or wrong? And if it be not wrong, why should congress refuse to make this discrimination? Why should the south, or the west, or any other section of the Union object to such a measure?

"That any reason can be shown

Which reason would not blush to own."

The great question, which the question we ask is, we think, not only obvious, from what we have shown in regard to the nature of the foreign labor with which we must compete, but from a great variety of other facts which present themselves before us in regard to that interest represented by the undersigned.

That without such legislation as we ask all the finer description of shoes and boots will be imported from France, is evident from the fact that already since the progressive reduction of duties under the compromise act, the importation of boots and shoes has increased with surprising rapidity.

An American merchant, a world state that an individual in Boston, who in 1835, sold but three hundred dollars worth of French boots, during the last year imported and sold to more than ten thousand dollars worth of that article alone.

The last vessel that arrived in the port of Boston from France, contained about five thousand pairs of fine boots and shoes.

Our heavy work, our thick shoes, brogans and boots will be superceded by foreign importations. Already have orders been sent out to Germany for such; though it is to be hoped as have heretofore been manufactured in Danvers and Grafton, Holliston, Brookfield, and other towns in this commonwealth.

As an evidence of the low prices of labor in Germany, our agent states that the workmen from that country are now employed in Boston at ten dollars per week, who when at home could obtain but a dollar and a half per week, and board themselves.

But what is true of our department of labor is equally true of nearly all other branches of manufacturers' industry which are carried on mostly by hand.

Carriages, harnesses, hats, straw bonnets, jewelry, glass, paper, cabinet ware, cutlery, and a variety of smaller articles now advantageously manufactured within our state, are equally at the mercy of the foreign laborer; and we therefore earnestly call on all of those engaged in these trades to bestir themselves at once, and forward their petitions and memorials to congress, and so far as their ability, to send on to Washington some practical men to represent their interests. Such information as would be thus afforded is greatly needed in congress, and is most earnestly desired by those in their ranks who are friendly to the preservation of American industry.

Fellow citizens: having made known to congress our situation, let us declare distinctly and unanimously that we ask *equal duties* upon the articles which are manufactured. Let us not for a moment listen to any proposal for an ad valorem duty, either on home or foreign valuation. All experience shows that such a duty is never a protection. So great facilities always have existed, and always will exist, for evading the duties by fraudulent invoices, and false estimates, that there never can be any fair protection afforded, either to the honest importer, or to the domestic manufacturer, but by a regular specific duty. In this let us all agree; for this let us all labor, and with united action, and simultaneous effort we may reasonably hope for that justice which we ask and deserve.

Our cause is one. It is the cause of *American labor*. Let this be our motto, this our leading idea,—the polar star of our enterprise. It is not for capitalists, or corporations; for of the latter, in that branch of business represented by the undersigned, we have none that we ask any favor or protection. It is for the *operatives* of our land; for the *hard-working men* and *hard-working women*, who get their bread by the sweat of their brows, that we demand such legislation as is dictated alike by justice, humanity and patriotism.

By order, and in behalf of the convention.

MASA WALKER, Boston,
SAMUEL WOOD, Grafton,
TYLER BACHELOR, N. Brookfield,
H. B. ALDEN, Randolph,
JOSIAH BREED, Lynn,
S. P. FOWLER, Danvers,
GEO. K. MONTGOMERY, Haverhill,
NYMPHAS PRATT, Shrewsbury,
J. W. WARREN, Brimfield,

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NATHANIEL SHAW, Weymouth,
STEPHEN DRIVER, Salem,
THOMAS PUTTILOW, Braintree,
ELIAS PUTNAM, Danvers,
GEORGE HOOD, Lynn,
LEONARD WHITTIER, Haverhill,
WM. B. SPOONER, Boston,
ABIJAH THOMPSON, Woburn.
Committee.

COTTON MANUFACTURE.

MEMORIAL.

To the senate and house of representatives in congress assembled.

The undersigned, citizens of Boston and the vicinity, interested in the cotton manufacture, in contemplation of the proposed revision of the tariff, feel it equally a matter of duty to themselves and to the country, to present to you such views and facts in relation to this important interest, as their observation and experience have brought home to them.

The cotton manufacture, as an important branch of American industry, takes date from the year 1816, under the specific or minimum duty of that year, and the introduction of the power loom—which has important events having been its far contemporaneous. Its rapid extension has been without parallel in the whole history of commerce. It reached the consumption of 100,000 bales in 1825, and now amounts to 300,000 bales, or 120 millions of pounds. To estimate its importance in quantity, it is not only necessary to observe that the present consumption is equal to the whole export of the United States up to the year 1820, or the whole consumption of American cotton in Great Britain up to the same period—and exceeds our export to France previous to the year 1840. There are some circumstances connected with the introduction and progress of this manufacture, which are entitled to notice in their connexion with the interest of the cotton-growing states. The article first produced in any quantity was a security in commerce. A fabric stouter and heavier than any thing heretofore in use, was produced and became a favorite article of consumption from its first introduction. It soon became an object of export to different parts of the world, which has continued to increase up to the present time. In this way, it soon attracted the attention of British manufacturers, and became an object of imitation, and these imitations, under the name of domestics, now constitute a very large branch of trade, with this peculiarity.

The British are enabled to use a cheaper material—the growth of India, mixed with a small proportion of American cotton—by which they furnish an article very similar in appearance, at a lower price, but essentially inferior in texture and durability.

This superiority in quality has been so far appreciated in foreign countries, as to cause a regular increase in our exports of this description of goods, as will appear on reference to the annual commercial tables. There is no doubt, however, that the British inferior imitations find a sale in greater quantities in the same markets. It is worthy of remark that the identical article of this manufacture, which sold at thirty cents in 1816, is now selling at seven and a half cents the square yard. The articles of cotton sail duck, negro cottons, and cotton drilling, now articles of very large consumption, are also wholly of American origin, being entirely unknown in commerce until their production in this country. It is believed that this coarser description of cottons can be manufactured in this country as cheap or cheaper than they can be made in England *from the same quantity of cotton*—the difference in value of the raw material in the two countries, estimated at fully two cents the pound, with some advantage in the use of water power, being more than sufficient to balance the advantage of greater cheapness in the price of labor in England.

It is probable that something more than one half the quantity of cotton manufactured in the United States is employed in making the foregoing and kindred descriptions of goods.

Another important branch of the cotton manufacture is the finer description of shirtings and other white goods, of which very nearly the whole consumption of the country is supplied by our own manufacture, with the exception of light muslins.

The branch of manufacture, however, most important and interesting in its character at the present time, in its connexion with the tariff, is, unquestionably, that of printed calicoes. This manufacture was commenced about the year 1825, and so rapid has been its progress, that, from the most accurate calculation, according to the annexed table, it now amounts to full 150 millions of yards per annum—of the value of at least sixteen millions of dollars, and employing a capital of twenty-five millions. There is no manufacture whatever requiring a combination of so much mechanical and chemical skill as this. Its introduction has been attended with much labor and difficulty, with defeats of very heavy expenses, but the object has been accomplished, and we can challenge a comparison in this fabric, in designs and colors, with the most beautiful productions of France or England.

The foregoing analysis will have shown that the question of a protective tariff bears very differently on different branches of the cotton manufacture.

The coarser fabrics, with which we supply foreign nations at the rate of about three millions of dollars annually, attract no competition from India, British, in quite obvious, are very little, if in any way, affected by any tariff whatever. The only effect of opening our ports to this description of goods at a very low duty, or no duty at all, would be the influx of the British imitations made from Bengal cotton, which could of course be sold at a lower price, but would prove to the consumer intrinsically dearer than our own manufacture from American cotton.

So far as relates to the finer qualities of plain cottons, a very moderate square yard duty will protect the manufacture now in existence. As to the coarser fabrics, the article of jeans and other *fancy goods*, that the question of the tariff assumes its chief importance. The minimum duty on dyed or printed goods under the acts of 1828 and 1832 was 8 cents the square yard, under which the manufacture has attained its present importance; and there is little doubt that it would have been carried still further, but for the act of March, 1833, by which this protection has been gradually reduced, and for the uncertainty what may be our legislation for the future.

A specific duty of six cents the square yard would probably be sufficient to protect the lower branches of this manufacture, and would be a great protection to it, and in which competition has carried down prices to the lowest average rate of profit in other branches of business. But it becomes a question of general expediency, whether protection should be given to protection as shall secure the production of the more expensive and beautiful of these fabrics in this country. The question of policy is, then,

But in this description of goods more than most others, the application of capital to it will depend on the rate of protection. The actual expenses of printed calicoes between this country and England and Europe; it is, however, something in their favor. But in the supply of articles of fancy, where so much depends on taste, and where so great an outlay of capital is necessary for its manufacture, it will hardly be undertaken without a reasonable assurance of having the market without the interference of foreign importation, which in articles of this kind, which do not admit of long keeping, the contingency of which might prove wholly ruinous. We would not suggest carrying this principle to an extreme, but we are warranted from the experience of the past in believing that a specific duty of six cents the square yard would almost immediately furnish an abundant supply of the higher classes of prints, at rates quite as cheap as they can be imported.

The point, however, which we would respectfully urge upon congress is, that the duty, whatever its rate, should be specific, either in the form of one fixed duty on the average of all cotton manufactures, only discriminating between those which are, and those which are, not, dyed or printed; or as in the existing law, under the form of a minimum, with an ad valorem duty on all goods costing over a specified rate.

The first mode has the advantage of simplicity, and is much more equal in its operation than would be supposed, without an accurate examination into the facts of the case. The difference in value between fine and coarse goods both by the yard not very great, the additional labor applied to the former being in a great measure compensated by the less quantity of stock they contain. Thus the superficial value of stout negro cloth or drilling, will be found about equal to that of the finest shirtings or printed cloths. Should this mode be adopted, and such a duty be imposed as considerations of revenue alone would dictate, it would afford a very ample protection to the existing manufacture, without being liable to the charge of imposing a burthen on any portion of the community whatever. For we assert and challenge inquiry into the fact, that for all the common purposes of life, our present manufactures of cotton are intrinsically as cheap, or cheaper, than they can be furnished from any part of the world.

The only result of any arrangement of the tariff which should, in fact, have the effect to bring into the country any additional importation of this description of manufactures, would be the introduction of fabrics made from the inferior cotton of India, instead of our own, or, in the case of printed calicoes, the introduction of a more dimsy fabric, with false and fugitive colors, offering a temptation of cheapness to the unskilful, but substituting articles intrinsically dearer to the consumer than our own manufacture.

This view of the subject, to be fully appreciated, would require an examination into detail statistics, to which we would earnestly invite your attention.

By official returns from the treasury department, it appears that the average of the last four years gives 21,852,619 as the number of square yards of dyed or printed goods imported, costing, not exceeding the present minimum of thirty-five cents the square yard, as the actual cost of this description of goods, and having the amount of 1,596,500 dollars, or one-fourth part of the whole quantity imported, as costing over thirty-five cents the square yard. Suppose that considerations of revenue should establish 30 per cent. on these fabrics, at the proper rate of duty, and the principle be adopted of one specific rate of duty, the foregoing data show that a duty of about eight cents the square yard would be the rate to give that average result.

It may be observed that there are no objects of importation which can more properly be denominated luxuries, and on that ground, subject to a high rate of duty, than the finer qualities of printed prints, which are now imported, neither is there any article in which there is more liability to frauds on the revenue, under an ad valorem duty.

The importation of white cottons is now very small; the average of the last four years being 1,415,893 dollars in value, of which six millions of square yards cost, on the average, seventeen cents, leaving nearly one million of dollars worth of cottons over thirty cents the square yard. Considerations of mere revenue would fix a uniform square yard duty at five or six cents at least. If it is thought expedient to encourage the manufacture of muslins, a still higher duty would be proper.

We cannot urge upon congress too earnestly our conviction, that whether in the interest of revenue alone, or in connexion with our interests, the duty should be specific, either in one fixed duty per square yard, or in the form of a minimum, under which the manufacture has grown to its present importance. We would prefer the lowest possible minimum duty, to a simple duty of thirty per cent. ad valorem. The skill requisite to an accurate knowledge of the value of printed calicoes, presents an insurmountable obstacle to a home valuation, at our numerous ports of entry, on any principle approaching equality, and no article affords greater facility for frauds, under any ad valorem duty.

Without going into a general consideration of the principles in support of the system of so adjusting the duties on imports as to favor the industry of our own country, we cannot refrain from calling your attention to the signal triumph of these principles, and the general advantages which the country derives from them, when applied, as in the case of the cotton manufacture, under circumstances of the most favorable character. The raw material was the production of our own country. The improvements in the manufacture, one of the greatest triumphs of human art, required the outlay of great capital in the necessary machinery, for propelling which our streams of water furnished a power unappreciated, if not unknown. The tariffs of 1816 and 1828 were successively enacted, giving the most ample protection to the manufacture. What has been the result? The facts already stated, the application of capital to this manufacture with a power and rapidity without any precedent. The calling into action a mass of human labor previously dormant and inactive, and all this with a constant reduction in the price of the commodity produced, an extension of the application of this one great staple to new products and uses. Will any political economists pretend these effects would have followed without the stimulus of a protective tariff? No. It was the assurance of the home market, which gave confidence to capitalists, and has thus produced that competition which has reduced prices and profits to the lowest possible points.

It is true that all branches of cotton manufacture are at present in a state of miserable depression. Notwithstanding the low prices of the material, our stocks have accumulated to a most inconvenient degree, and, without the slightest hope of profit, threaten us with heavy loss. We attribute this depression, in a great measure, to the deranged state of the currency throughout so great a part of the United States, and to the glutted state of foreign markets, arising out of over-production, and over-trade in this branch of manufactures in England. But it is not to be concealed that the late reductions of the tariff, with the consequent heavy importations, and the uncertainty

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which hangs over the proceedings of congress on that question, add very much to the gloom and apprehension which now attach to the interest. It would seem to be no time to try new experiments with this great interest, when the whole or principal effect of so cutting down the tariff as to reduce the imports of cotton manufactures, would be to substitute the foreign in the place of our own better staple. That such a policy should be sustained by the representatives of the cotton growing states, at the very moment when G. Britain is straining every nerve to supply herself with this staple from her own dominions, and with great apparent success, would imply such a self-sacrificing devotion to abstract theories as is, we believe, without example in the history of the world.

In conclusion, we confidently rely on the wisdom of congress in the proposed arrangement of the tariff to protect the interest of both planter and manufacturer from the injury which would result to both from a derangement of the system, which so advantageously to them, and to the whole country, has grown up under our previous legislation.

All which is respectfully submitted.

Consumption of cotton in the United States, not including any manufactured west of Virginia or south of the Potomac, except in Pittsburg and Richmond:

Crop of	1826-7	103,483 bales.
"	1827-8	129,593 "
"	1828-9	118,553 "
"	1829-30	158,253 "
"	1830-1	182,142 "
"	1831-2	173,900 "
"	1832-3	194,412 "
"	1833-4	196,413 "
"	1834-5	216,888 "
"	1835-6	236,733 "
"	1836-7	222,540 "
"	1837-8	246,061 "
"	1838-9	276,018 "
"	1839-40	295,193 "
"	1840-1	297,388 "

[*Hazard's Register.*

Export of cotton manufactures, of home manufacture, from the United States:

1835	2,858,000 dollars.	
1836	2,225,030	"
1837	2,831,000	"
1838	3,778 000	"
1839	2,955,000	"
1840	3,549,000	"

Printing establishments in the United States, and weekly productions:

Names.	*Places.*	*Machines.*	*Pieces Tables.*	*Pieces weekly of 30 sds.*
Cocheco,	N. H.	5	50	3,000
Springvale,	Maine,	2	12	1,200
Merrimack,	Lowell,	7	38	6,000
Hamilton,	do.	4	8	2,000
Bristol,	Taunton,	5	76	2,500
American,	Fall River,	5	70	4,000
Robeson,	do.	8	100	5,000
Brown & Tyler,	North Adams,	3	12	3,000
Marshall,	do.	2		2,000
Vicinity of Boston,		4		3,000
Dunnell & Co.	Providence,	4	60	4,000
P. Allen & Son,	do.	4	58	4,000
William Sprague,	do.	4	70	4,000
Saunders,	do.	4		4,000
Benjamin Cozzens,	do.	3	30	3,000
Arnoldville works,		2		2,000
Johnson Print works,		2		2,000
New England, (Johnston),		2		1,800
Hunt,		1		1,000
Home,		2		2,000
Green & Pike,		1		1,000
Cook & Co.		1		1,000
A. Skinner,		1		1,000
Williams and Hayward,		1		1,000
Hartford,		1		1,000
Bellville,	N. J.	4	50	3,500
Trussler,	Rahway,	3		2,500
Ingham,	Wappings creek,	3		3,000
do.	Hoodston,	2		2,000
Runy,	Lodi,	2		1,500
Mount Holly,		1		1,000
Trenton,		2		1,500
Patterson,		1		1,000
Five small establishments in the vicinity of Norfolk,		5		4,000
Hudson,		4		3,000
In Philadelphia and the neighborhood about		12		10,000
In Baltimore and vicinity,		4		2,500
			Pieces,	101,300

This statement was corrected in January, 1842.

101,300 pieces of 30 yards per week each, is, per annum, 158,028,000

150,000,000 o yards at an average of 11 cents, is $16,500,000

Capital required for manufacturing the above quantity of cloth, $17,500,000

Ditto, for printing it, 7,500,000

$25,000,000

Table showing the Importation of Cotton, Cotton Manufactures, and Cotton Wool, from 1825 to 1840.

Years.	Cotton, not exceeding 35 c. per pound. Pounds.	Cotton, not exceeding 35 c. per pound. Cost.	Cotton, not exceeding 35 c. per pound. Duties.	Cotton, not exceeding 35 c. per pound. Average per pound.	Cotton, not exceeding 35 c. per pound. Average per pound, including duties.	Cotton, not exceeding 35 c. per pound. Average per pound, including duties, and charges.	Cotton, not exceeding 35 c. per pound. Average per pound, including duties, charges, and commissions.	Cotton, not exceeding 35 c. per pound. Average per pound, including duties, charges, commissions, and profit.
1825	36,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1826	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1827	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1828	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1829	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1830	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1831	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1832	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1833	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1834	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1835	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1836	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1837	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1838	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1839	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1840	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Treasury department, Register's office, Dec. 1841.

NOTE. The year 1841 cannot be given, as some principal returns are yet outstanding.

The foregoing table gives for the average of the last four years whole import of dyed, printed and colored cottons, 46,649,433; costing, not exceeding 35 cents the square yard, $4,459,934; number of square yards, 21,952,618; at an average cost of 20 41-100 cents per square yard; leaving of those costing over 35 cents the square yard the annual value of $1,589,509; but the yards not being given, no average of the cost can be made. Whole import of white cottons, $1,415,893; costing, not exceeding 30 cents the square yard, $1,034,422; number of square yards, 6,001,302; at an average cost of 17 2-100 cents the square yard; leaving of those costing over 30 cents the square yard, the annual value of $381,491, of which the average cost cannot be given.

N. B. The foregoing tables embrace the gross imports, without any reference to the goods exported.

TRADE AND COMMERCE.

At a convention of southern planters, held at Mobile, a few weeks since, to take into consideration the best method of improving the cotton interest, it was agreed, unanimously, that cotton could not be afforded at Mobile at a less price than 8 cents a pound—that they could hope to send cotton to England no longer than until that country could supply itself from India, and that there was every reason to believe that the day was close at hand. They also agreed, by a nearly unanimous vote, only three voting in the negative, *that the best way to benefit the cotton growers was to lay duties upon all imported manufactures, in order to secure a home market, the only sure market!* And they were right.

The Charleston (S. C.) Patriot has recently contained a series of articles upon the subject of domestic industry, in which the ground has been taken, and most ably urged, that it is for the interest of South Carolina to abandon, in part, the raising of cotton, and to *turn its attention to manufacturing.*

The Milledgville Recorder has been taking strong grounds in favor of home industry, and has urged with striking ability for the past month, the necessity of the state of the agricultural and manufacturing more for itself. A recent number contains an article recommending the manufacture of cotton bagging out of the raw article. We take from it the following extracts:

"There is cotton enough now in the south to employ all the cards and wheels in the United States for 100 years to come; and perhaps there is enough in the world to last the whole at least half a generation, if it has to be spun on the common wheel by hand; and yet we hear people boasting of the wonderful economy they have fallen upon to destroy themselves. Let me ask the cotton planter in market, muttering as he does, that he can only get six cents for his cotton, how much cotton he has on himself in his present dress; and if he shall find he has only a few ounces cotton and pounds of other articles for his clothing, what right he has to complain of low prices? Can the manufacturer afford to lay out capital in machinery, then employ laborers, then buy the raw cotton, then spin it and lay the yarn by him to look at? This cannot be done for a long time by the strongest companies that can be formed; and yet all this is coming to pass. The farmer goes to the factory to sell his load of cotton; the manufacturer enquires what part of it he will take in yarn and cloth, and receives for answer that he makes his negro cloth at home, and for himself and sons he buys linen and broadcloth, and for his wife and daughters he buys silks. Can any man be so weak and silly as to suppose trade can go on any other way than supply and demand running together? If there be such an one, he is mistaken. Cotton planters: if you would expect the consumption of your cotton bales, you must encourage the manufactories, or all will go down together; be you sure of this.

Let the country rally around those establishments that go to advance the general prosperity, and stand up manfully; and my word for it in three years you will see the south all sound, healthy and blooming in prosperity—bagging made from an article not fit for exportation, thereby saving so much specie funds at home, to make a solid foundation on which to build a sound and safe currency. Let me beg our farmers not to stand folding their arms crying a little more sleep and a little more slumber; for if you do, your poverty will come upon you as an armed man. Now is the time to encourage the factories. Let us see that we are all alive and moving once more in a sound and prosperous direction, and Heaven will smile, and all shall bloom as can fresh and sweet as ever. The song of mirth and healthy rejoicing shall be heard on every hill top, and the plains shall be loaded with the abundant fruits of the earth, and from a thousand glad and thankful hearts shall daily offering be made to that Being who fills the heavens with his glory, and the earth with his goodness.

A correspondent of the Boston Atlas has the following extract of a letter from an intelligent American in Paris:

Paris, 9th January, 1842.

You speak of a probable change, during this session of congress, in your tariff—and I hope it will be such as one as will better than the present, answer the ends which our legislators have in view, when fixing the rate of duties on importations. The present tariff is eminently calculated to make large gains or ruinals of every American importer—and, if continued as it now is, I doubt not both of these results will be painfully manifest.

We have this season had submitted to us, samples of goods entered by a French house in New York at 2.50 per aune, which we are sending to our customers at 6.50; and you will readily perceive that the honest importer pays 15 cents per aune more duty on the article, than the one who has no regard for the laws of the country, or respect for the solemnity of an oath. This difference is in favor, too, of men who have no interest in the country—and, for the most part, such as are without commercial establishments—men who speculate upon the inefficiency of our laws—and who are amply remunerated through the incapability of some of the appraisers, and the connivance of others.

I cannot understand how Americans can suffer such a state of things, and why the merchants do not, en masse, protest against it. With such a tariff as could be enforced, I doubt not that the home manufacturer would be better protected if the rates were much reduced—and, by the same operation, the revenue would be augmented—while, in a moral point of view, the country would gain immensely, and the native population be put upon a footing equally as favorable as the foreign.

I think the cause calls upon your efforts for remedy—and, while New England is imploring congress

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for protection of its manufacturing interests, let her also exert herself in behalf of public morality. The American houses, this season, have done but a very moderate business—and if affairs were left to those alone, the country would not, year after year, be flooded and embarrassed with foreign importations.

Foreign houses are doing all the profitable business, and will not eventually fail to monopolize it, and almost the stranger visiting New York would, from reading the signs in the business part of the city, sooner imagine he was in France or Germany, than in his own country.

Americans know, better than foreigners can know, the wants of their country, and have quite as much facility of purchasing their goods abroad, and more for disposing of them at home—they need only to learn to cheat their own government out of its revenue, as well as those who are not in a position demanding the respect due to laws, they will be unsuccessful.

An American is disgraced forever, and ruined, by a discovered custom house fraud—while a French man may continue in the country, under such an imputation, as much respected as he was before—and has only to change the name of a firm to enable him to be forgotten even by the customhouse.

THE TARIFF—LIGHT BREAKING.

A correspondent of the Boston Atlas says: We rejoice to learn from Washington, that the committee on manufactures are actually engaged in maturing a tariff bill, which will be presented to the house in the course of a few days. We are not a little pleased to observe that the great change which the public mind is fast undergoing upon the subject of the tariff, about its effects upon the minds of members of congress.—Even southern men feel very differently now from what they did a few months ago. The light which has been breaking in from the east, has not been without its effects in opening their eyes. The correspondent of the Philadelphia North American writes, that "memorials in favor of a revision of the tariff, and of extending protection to home industry, continue to come in. The manufacturers appear to be alive to the disastrous consequences to them, attendant upon a further reduction of the tariff. There can be but little doubt that for the diminished imports, congress will be compelled to lay a higher rate of duty, than was probably at first contemplated, in order to equalize the receipts and expenditures of government."

On Monday last, Mr. W. O. Butler, a hero from the Kentucky, presented a strong memorial from that state, urging congress to pass a retaliating tariff, laying high duties upon the manufactured goods of those countries which have heavy duties upon American produce. He was soon after followed by a similar move from Virginia herself. Hon. Alexander H. H. Stuart, who, by the way, is one of the most liberal and high minded statesmen, from any state in Virginia, but from any part of the country, presented a memorial from certain citizens of Virginia engaged in the manufacture of iron, praying for the passage of an act, laying duties on imported iron. Mr. Stuart moved to have this petition referred and printed. This produced not a little dustering among the anti-discrimination men, who met its reception with the same factious and unprincipled opposition, which has characterized all their movements this session. But they were voted down by a vote of 92 to 68 and the petition was received and referred. Virginia knows that she has coal and iron as well as Pennsylvania, and will protect and maintain those *convictions* against any anti-tariff *Democratismis*.

On the same day, the Pennsylvanians poured in a torrent of petitions in favor of discriminating duties.

Much as we rejoice to see these indications in congress, we are not in the least surprised at it, when we remember the indications of the feelings of the people in all parts of the country. A correspondent of the Commercial Advertiser, writing from Mobile, under date of the 5th inst. says:

"A great change is going forward here, and I believe in the south generally, on the subject of protection to home industry in all its various branches.—We are becoming more *American*, and less local and selfish in our views of general policy. We now see that we have too long followed the visionary theories of Calhoun, McDuffie, and others, which though they look well on paper, supported as they are by the plausible and sophistical arguments of those able gentlemen and their worshippers, do not answer in practice. Let me be, however, fairly understood.—The south is not in favor of such a tariff as will only protect particular branches of industry, or benefit particular localities, but one which, while it protects every American product, will recognise the principle of strict reciprocity in trade, and retaliation, so far as it can be done without increasing the revenues beyond the wants of the government."

The Middlebury (Vt.) Free Press, contains a call for a meeting of the friends of American industry, in the county of Addison, at the court house in Middlebury, on Thursday, the 28th inst. at 10 o'clock A. M. to adopt a memorial to the 27th congress to afford protection to the great interests of all the producing classes of the country, against the competition and restrictive legislation of foreign nations.

TRADE WITH GERMANY.

LETTER FROM THE PRUSSIAN MINISTER.

The hon. Mr. Jenifer has done me the honor to ask my opinion, in relation to the system of reciprocity existing between the United States and the Hanse Towns, and to the general bearing of that system on the interest of the two countries, if not incompatible with any official position.

I can have no objection to state to the hon. Mr. Jenifer my private opinion on this subject.

Mr. Meir's letter to Mr. Adams of 26th January, 1838, shows clearly, I think, that the tobacco planters have no reason to complain of the reciprocity system, by which, on the contrary, their interests are even promoted.

Mr. Meir says: "The increased demand, the diminished expenses of transportation, and placing the terms of sale and shipping in the hands of the planter, combined, the time of payment being left to the planter derives from the treaty of reciprocity between the United States and the Hanse Towns."

To these arguments I beg leave to add the following remarks:

The fact of the tonnage of the Hanse Towns, and, more especially, that of Bremen, in the carrying trade between the United States and the Hanse Towns, having within the last twenty years materially increased, cannot be denied; but it is an entire mistake to suppose that this is mainly owing to the system of reciprocity.

We perceive the same change in almost all the European maritime countries. A state of universal peace, which has withdrawn from the ship owners of the United States, the advantages which, as neutrals, they so long enjoyed, and a general spirit of improvement in the commercial policy of European nations, producing an increase of enterprise in commercial navigation, are the principal and natural causes of this change; and, as regards the great increase of Bremen tonnage in the carrying trade between that port and the United States, I have mentioned, in my letter to the hon. Mr. Jenifer of April 9, 1839, the chief cause to be the emigration of Germans, who, owing to a wise system of protection against importations, have left the city of Bremen, and to the greater confidence they have in Bremen vessels, prefer embarking at that port and in those vessels. This, indeed, is the leading cause of the tobacco trade taking its direction from Bremen, for it enabled Bremen ship owners to carry tobacco to Germany at a much lower freight than the rates, by other vessels, at other ports. The German merchants who have embarked in this business, are satisfied with the mere freight, without looking for further profit; whilst, if the tobacco were consigned to Germany, the commission would increase the cost at least half a cent per pound, and American shippers would only buy at prices leaving a fair profit.—The tobacco trade between the United States and Germany having once taken this direction, another effect of it has been a decrease of 50 per cent. in the freight for carrying goods from Germany to the U. States. German goods are now often shipped to the United States for no other purpose than to create funds with which to buy tobacco; these goods are frequently sold at cost, the ship owner having no other freight in view than that of the return, and no other profit either on the inward or the outward cargo; so that the present state of things is equally beneficial to the producer (planter) and to the consumer.

Any legislative provision excluding German vessels from the tobacco trade, or imposing restrictions upon them, would only be in favor of American ship owners to the disadvantage of the planter. Last year, for instance, the freight from New Orleans to England and France, on Kentucky tobacco, was from 80 to 100 shillings per hogshead, owing to a want of competition by foreign vessels excluded by the navigation acts of those countries, whilst the freight from Baltimore to Germany and Holland was only 40 shillings per hogshead. Moreover, disturbing the tobacco trade of Bremen would be a very dangerous experiment. That city has imported annually about 30,000 hogsheads of tobacco and stems from the United States, and has thus become the great mart for these commodities in Germany; so much so, that even Austria and France have made purchases there. This is the consequence, not of any artificial system, but of natural causes, combined with the great enterprise and industry of the German merchants; and it this state of things should be disturbed by legislative interference, as, e. g. by creating a monopoly in favor of American ship owners, the tobacco trade might be materially injured, and the United States might find it difficult to secure another equally favorable market for their tobacco.—

I beg leave, on this occasion to present another remark, which, I sincerely recommend to the present examination of the policy of continuing the present reciprocity system, may yet be of interest to the hon. Mr. Jenifer.

The tobacco planters are in hopes that if the restrictions on American tobacco in Europe are diminished, more tobacco will be raised in the United States, and higher prices will be obtained. Now, supposing that to be the case, will this second expectation also be realized? This appears questionable. In Venezuela, when under the Spanish government, the cultivation of tobacco was a kind of monopoly confined to circumscribed limits. Various tobacco sold at $1 and $1 50 per lb. The opening of the trade has trebled the production within a few years, but prices have declined in an inverse proportion, and the same article is selling now at about 20 cents per lb. Here we have an instance of increased production, having materially reduced the price, a result which the American tobacco planter can certainly not feel anxious to bring about.

It has been urged against a continuance of the present treaties with the Hanse Towns that true reciprocity implies equal advantage, which could not be expected from the intercourse between a country of vast extent like the United States, with 16,000,000 of inhabitants and with numerous seaports, and three small states, of small extent like the Hanse Towns, with 200,000 inhabitants and three seaports only, the advantage thus being altogether on the side of the former, and the disadvantage on the side of the larger country.

Without inquiring into the accuracy of this reasoning, I have only to observe, that in weighing the reciprocal advantages to be derived from a system of reciprocity between the Hanse Towns, it is entirely erroneous to draw a comparison between the Hanse Towns only, on the one side, and the United States on the other. The former have no isolated existence; they form part of the great German confederacy, of which they are only the outports, and thus, in drawing the above comparison, in order to arrive at a fair result, the whole of Germany ought to be taken into consideration, and not merely the Hanse Towns. To separate the interest of the latter from the rest of Germany would be the same as to separate the interest of one or two of the American seaports from that of the rest of the union; the ports on the Baltic and the North sea are the outports of Germany, as New Orleans, Baltimore, Philadelphia, N. York, &c. are the outports of the United States; and whatever the political system of those different states may be, whether that of a confederacy of states, or that of a federal government, they form but one nation: the name of *Americans* and *Germans* embraces them all; they are bound together by the natural ties of a common language and of congenial habits, and their *common interest* forms their strongest bond of union. All the thirty nine sovereign German States, Austria, Prussia, Bavaria, Saxony, Hanover, Wurtemburg, Baden, Hessen, Brunswick, &c. &c. the three republics of Hamburg, Bremen, and Lubec included, with a population of 40,000,000 inhabitants, (those countries not included which, with a population of about 25,000,000, are governed by German Princes, though not belonging to the German confederacy), form a *political confederacy*, the object of which is the preservation of the external and internal security of Germany, the independence and inviolability of the confederated states.*

The Federative Diet has also the power to regulate the commercial intercourse between the different states; but this power is exercised that power, almost all the German states, with the exception of Austria, Hanover, Brunswick, Oldenburg, Mecklenburg, Holstein, and the Hanse Towns, have formed a *zollverein*, the principal object of which was to remove the Douanes, or custom houses, which before encircled each of those different states, to the common external frontier, where the duties are now levied for account of all the different governments constituting the union, and afterwards distributed among them in the ratio of population of each state, so that the intercourse between and within those states is entirely free, and, in a commercial point of view, they may be considered as forming but one large flourishing country with 26,000,000 of inhabitants on an area, of 8,088 German (geographical) square miles.

* Wheaton's International Law, page 56.

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The respects forcing the German consumers are, 1st, the Baltic and the Black sea, which, however, is a smaller part of the trade of Germany with foreign countries is carried on through the former ports, and, 2d, to their less favorable natural position compared with other causes.

By far the greater part of the imports and exports to and from Germany find their way through the German ports of the Hanse Towns of Hamburg, Hanover and Oldenburg, and through the foreign ports of Amsterdam, Rotterdam, Antwerp, and Havre. It is the interest of the interior of Germany to find as many outlets as possible for her products and manufactures; the greater the competition among the different seaports, the more favorable will be the terms for sending the products of German industry and supplies abroad, and for supplying the wants of foreign sources. Germany is, therefore, by no means desirous to create monopolies or undue advantages in favor of any one of the different seaports. She is anxious that the natural course of trade should be preserved, unobstructed by artificial impediments; and here the interest of the United States seems but to correspond with hers, as it is equally desirous to create the most comprehensive demand for their products, and to obtain German goods as cheap as possible.

There can be no objection that those sections of Germany which, from their natural location near the Rhine and its tributaries, find it most profitable and convenient to send their exports and to receive their imports through the ports of France, Holland, and Belgium (Havre, Amsterdam, Rotterdam and Antwerp) should follow this course; but a glance at the map will show that the navigation of the Elbe, the greater part of Germany on the Elbe and Weser and their tributaries, is such as to render it more advantageous and convenient to forward and receive goods through the German ports of the North Sea, and more especially through Bremen and Hamburg. The Hanse Towns are therefore emphatically the outports of Germany; they represent the interest of the interior; they are the representatives of the commerce of Germany with the transatlantic countries; their mercantile houses are intimately connected with the agricultural and manufacturing establishments of the interior of Germany; they have a common interest, they frequently form partnerships, or they are in one way or other interested in speculations undertaken for common account; they study the wants of foreign nations by sending agents and establishing factories among them, and while they try to adapt German industry to the wants and tastes of foreign nations, they also purchase such rare products from them as they know to be most wanted in Germany, and thus contribute to increase both the consumption of German goods abroad and foreign products at home, making the one the necessary condition of the other. Every thing affecting the interest of the Hanse Towns affects that of Germany, and a nation that grants favors to or inflicts injuries upon the Hanse Towns, thereby favors or injures Germany at the same time—the interest of the one cannot be separated from that of the other; and consequently a nation anxious to promote her commercial intercourse with Germany must abstain from all measures that would be prejudicial to the Hanse Towns. It is evidently this consideration which has induced foreign nations to conclude treaties of reciprocity with the Hanse Towns, looking upon them not as small isolated republics, but as the commercial factors and representatives of German commerce. If the United States were to embarrass the intercourse with the Hanse Towns, the consequences would be that some other country, Holland for instance, would be benefited by it, at the expense of both Germany and the United States; and it remains to be seen what possible inducement the United States could have to adopt such a policy. On the contrary, a wise policy seems to dictate to both Germany and the U. States, rather to strengthen than to weaken their reciprocal commercial relations. They are both countries of great extent and vast resources with a numerous population.

Germany requires large quantities of colonial produce† no other European country manufactures cheaper than Germany,‡ and, *there oil*, both Germany and the United States are unrestricted by any consideration of *colonial policy*. Germany has no reasons to grant advantages to other colonial products in preference to those of the United States, and the Hanse Towns being emphatically commercial towns, and bound to the rest of Germany by the same ties of interest and nature, they will, as a rule, be more ready than that of facilitating, as much as within their power, the intercourse between the interior of Germany and the United States, than any other ports, if the relations of the two countries will allow. These were to be calculated, and of the trade between Germany and the United States should be forced through other channels, the Hanse Towns, colonies, sugar, coffee, tea, indigo, rice, *tobacco*, and cotton can be produced much cheaper in Java and Sumatra, than in America and the West Indies, and, judging from the immense increase of the quantity of the production of these articles within the last years, it would appear that those colonies have the means of producing any quantity they can dispose of. Holland is making every effort, by a system of bounties and other encouragements, to supply the continent of Europe with her colonial products to the exclusion of those of America and the West Indies, and nothing would be more opportune for her than if the U. States themselves would aid her in this policy by throwing obstacles in the way of an interchange of products which Germany and Holland find it no hardship to facilitate the importation from the United States of articles also produced in her own colonies, neither could American vessels participate in the carrying trade, the intercourse with her East India possessions, being almost closed to other nations by discriminating export duties, which compel the U. States to first import her sugar, coffee from Holland, and at an increased cost, by double freights and other charges. The same is the case with regard to the exportation of German goods; all those countries that are prohibited to be exported to the United States to the exclusion of the Hanse Towns, viz. Holland, Belgium, and France, are likewise manufacturing countries, and would certainly not facilitate the transit of German manufactures coming into competition with their own, thus enhancing the price to the injury of the American consumer.

What inducement, then, can the United States have to abandon the system of reciprocity now existing between them and the Hanse Towns? It is evident that the interest of their producer (planter) as well as that of the consumer would suffer by it, and it is at least very questionable whether American ship owners would be benefited by it, as the Hanse Towns would no doubt also levy discriminating duties on American vessels. Besides, in order to render a system of discriminating duties in their favor of American vessels effectual, it would be necessary to abandon the whole system of reciprocity with all the countries on the north sea; with Denmark, with Hanover, (with which the United States have just concluded a treaty of reciprocity for twelve years,) and with Oldenburg, as otherwise the object of the United States would be defeated by the ships of those countries being admitted to the ports of the Hanse Towns.§ It would indeed present a strange spectacle to the world if Americans, so famous all over the world for their skill in building and navigating vessels, and for their spirit of enterprise, would ask for protection upon the ground that they could not compete with German vessels. The amount of German tonnage has increased, not from any artificial cause, but on account of the great enterprise and activity of the German merchants. They have opened new and extensive fields for their planter and consumer transatlantic countries from whence large quantities of produce used formerly to be imported indirectly by way of England and France. They have emancipated Germany from her former dependence on those two countries for a supply of colonial produce. The time is not so far distant when England was the great entrepot of tobacco, in which the consumer of Europe had to resort, and the planter and consumer are certainly benefitted in an equal degree by the saving of expense through the present direct trade. The cost of building ships and of fitting them out has of late increased in Bremen: wages have risen from eight and nine to twelve rix dollars per month, and ship provisions have in several instances been sent from Baltimore and New Orleans to Bremen, so that whatever advantage Bremen may have had in this respect does now no longer exist. The blow intended for the Hanse Towns would probably fall heavier upon the interior of Germany than upon the coast; it would at all events raise the freight, which the German manufacturer and consumer would have to pay, while the enterprising German ship owners, if so inclined, would be enabled to employ their vessels, as, by turning their attention to the short coastery, more than they have hitherto had inducement to do, by which they would seriously interfere with the American ship owner.

Under these circumstances it becomes a question of grave consideration for the German custom-house union, whether they will renew the treaty of reciprocity with the United States as long as no guaranty is given for the continuance of the present reciprocity between the United States and the Hanse Towns; for the United States would have it at any time in their power to render the treaty nugatory by levying discriminating duties upon vessels of the Hanse Towns, the natural carriers of German goods. It ought to be considered that, in case the customs union should be forced into a system of discriminating duties, it would be easy to discriminate the products of the United States, such as cotton, rice, tobacco, &c., from similar products of other countries, whilst it would be difficult to recognise German manufactures as such, when imported from Holland, Belgium, France, &c.

February 4, 1841. ROENNE.

† Enterprising manufacturers of New England are now trying to compete with the British in selling in Germany cotton goods, and more especially twist, in which shape American cotton is chiefly imported there.

‡ Americans have lately come to Germany with samples of hardware, cutlery, paper, &c., which can be manufactured just as good and much cheaper there than elsewhere.

§ It has been suggested that it would be for the interest of Prussia if the reciprocity system with the countries on the north sea were to be abolished, as then ships of Prussia would then become the ports of importation and exportation, and, as even Prussian vessels could then be more profitably employed in the carrying trade between the United States and the Hanse Towns. This is so narrow minded a policy that no enlightened government of that state of Prussia would never lend its aid to it, and besides, what benefit would the rest of the custom-house union derive from Prussian ports, and Prussian vessels monopolizing the trade with the United States, could so unnatural a state of things be brought about by artificial means.?

THE RIGHT OF SEARCH.

THE MUTUAL RIGHT OF SEARCH.

From the Boston Advertiser of March 26.

General Cass, in his pamphlet lately published at Paris, says, "During twenty-five years, the British government has urged the government of the U. States to consent" to an agreement for the mutual search of the vessels of the two nations, by the cruisers of the latter, "and that the application has been steadily repelled and pertinaciously repeated."

This remark, we think, is of a character to give erroneous impressions of the history of the negotiations between the two governments, on this subject. Negotiations for the abolition of the African slave trade were begun between them, as early as the beginning of the treaty of 1814. It was stipulated in that treaty, that both parties should use their best endeavors for the accomplishment of that object; and for several years subsequent to that date, efforts were made by Great Britain alone, but by both parties, to establish a concert between them in measures for carrying the stipulation of the treaty into effect.

In the year 1820 congress passed a law making it piracy in a citizen of the United States to be concerned in the slave trade, as part of a crew of either British or American vessels, and declaring, upon conviction thereof, to the punishment of death; and in 1823 the house of representatives, by a vote of 131 to 9, passed a resolution, requesting the president of the United States to enter into negotiations with the maritime powers of Europe and America *"for the effectual abolition of the African slave trade*, and its ultimate denunciation as piracy, under the law of nations, by the consent of the civilized world."

A committee of the house of representatives, to whom was referred the part of the president's message relating to the slave trade, and in the report, that "the United States having led the way, owe it to themselves to give their influence and cordial cooperation to any measure that will accomplish the great and good purpose," [that of effacing the crime of kidnapping the unoffending inhabitants of one country, and chaining them to slavery in another] but this, they recall, experience has demonstrated, *cannot be realized by any system, except a concession by the maritime powers to each other's ships of war, of a qualified right of search.*"

In April, 1824, another committee of the house of representatives, who were instructed to inquire whether the laws for the prohibition of the slave trade were executed, and if defective existed in those laws, to suggest remedies, discussed the project of a treaty stipulation for a concession of the mutual right of search. They suggest limitations and regulations under which such concession might in their opinion be safely made, and they conclude by saying, "your committee cannot doubt that the people of America have the intelligence to distinguish between the right of searching a neutral on the high seas, in time of war, claimed by some belligerents, and that mutual, restricted, and peaceful concession, by treaty, suggested by your committee, *and which is demanded in the name of suffering humanity.*"

In compliance with these and many other expressions of opinion on the part of the American people, the American minister in London, during the admin

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tration of Mr. Monroe, was specially instructed to enter into negotiations for the object here specified. A convention was concluded and signed at London, March 13, 1841, by Mr. Ross on the part of the United States, and Mr. Hobhouse, and Mr. Stratford Canning on the part of Great Britain, in which it was stipulated, under various restrictions, and regulations for the prevention of abuses, that the commanders, commissioned officers of each of the two high contracting parties, duly authorised, under the regulations and instructions of their respective governments, to cruise on the coasts of Africa, of America and of the West Indies, for the suppression of the slave trade, should be empowered under the conditions and limitations specified, to detain, rap ture and deliver over for trial and adjudication, by some competent tribunal of whichever of the two countries it should be found on examination to belong, any ship or vessel concerned in the illicit traffic of slaves, and carrying the flag of the other, or owned by citizens or subjects of either of the contracting parties, except when in presence of a ship of war of the same, in which case provided the vessels so captured, should be tried by tribunals of the country to which the vessels should belong, and there were various other provisions to the extent of eleven articles.

This convention was submitted to the senate of the United States—was strongly recommended by Mr. Monroe, and was ratified by the senate by a vote of 29 to 13. This ratification however was made on the condition of certain alterations in it being made, one of which the British government refused to accede to.

The alterations proposed by the senate did not affect the main principle of the treaty, but one of them was regarded by the British government as depriving it of the character of equal reciprocity, viz., striking out the word "America," by which the right of searching vessels suspected of slave trading, on the coast of America, was prohibiting, while it was permitted on the coasts of the West Indies. The removal of this right as to the coast of America, Mr. Canning, the British secretary, said, and as continuance as to the West Indies, would not imply the existence on one side, and not on the other, of a just ground, either of suspicion of misconduct, or for apprehension of an abuse of power. He proposed to sign a new treaty, adopting all other amendments, but retaining the words "of America;" but this not being acceded to on the part of our government, the project fell through, and we are not aware that any renewal of it has been proposed by Great Britain from that time to this. It was alluded to by Lord Aberdeen in his last letter to Mr. Stevenson, but he said expressly that he was not instructed to propose a renewal of it. We would ask Gen. Cass, therefore, whether he is strictly correct in saying that the application of the British government to ours, for their consent to the right of search has been either "steadily repelled," or "pertinaciously repeated" during the last twenty-five years.

Among the 29 senators who voted for the ratification of the treaty, with the amendment, were Messrs. Barbour and Taylor of Virginia, Benton and Barton of Missouri, Lloyd and Mills of Massachusetts, Ruffin King of New York, and Hayne of S. Carolina. A majority of the senate were in favor of every part of the treaty, but the consent of two-thirds being required to sanction every part, the vote on the question shall the words "of America" stand a part of the treaty, was lost, ayes 23 nays 20. Under present circumstances it is deserving of inquiry, whether the public sentiment would not sustain a renewal of this proposition.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

March 24. Mr. *Graham* took the chair, at the request of the *president* of the senate, whose continued indisposition prevented his attendance.

The following petitions and memorials were presented and appropriately referred: by Mr. *Sturgeon*, from Cadwallader Evans, of Pittsburg, stating that he had been engaged for some years in perfecting a safety valve, which he says has been accomplished, and asking that it may be adopted by the United States. By Mr. *Buchanan*, several memorials in relation to the protection of home industry, and asking a revision of the tariff. By Mr. *Merrick*, from citizens of Baltimore, asking a revision of the tariff.

Mr. *Mangum*, on leave, introduced a bill for the establishment of a naval school.

On motion of Mr. *Bagby*.

Resolved, That the committee on military affairs be instructed to inquire into the expediency of erecting fortifications on the east side of Dauphin Island, for the protection of the harbor of the city of Mobile.

Mr. *Preston* rose and remarked that he held in his hand a resolution which he begged leave to submit to the consideration of the senate. It would lie over until to-morrow, at which time he should call it up. The object was to elicit the opinion of the body with regard to the present condition of the treasury. He had been necessarily so much detained from his seat of late by ill health that he had not a proper opportunity of ascertaining what was thought in the senate; but for his own part, he would say that his heart had been oppressed and absolutely sickened with the accounts of distress and of the prostration of the country, to say nothing of the embarrassed, the dishonored state of the treasury. In submitting the resolution he was actuated by no other motive than a desire to bring the serious attention, by means of the absolute necessity of some combined concerted action for the relief of the country. It was not his design to impute to those who had party, or other or that policy, with being the cause of the present state of distress; his mind was too full of grief to admit of any room for bitterness or reproach. He would himself read the resolution:

Resolved, That the actual condition of the credit and the finances of the country require the most prompt and decisive legislation on the part of congress, and to this end a loan should be authorised to an amount sufficient for the present exigencies, and on terms which will ensure its success.

Mr. *Smith*, of Indiana, said he had on a bill on its third reading, which he presumed the senator from Illinois (Mr. *McRoberts*) was anxious to have disposed of. He alluded to the bill to amend the act entitled "an act to appropriate the proceeds of the sale of the public lands, and to grant pre-emption rights," approved September 4, 1841. The bill was taken up, and, after having been read, on the question "shall this bill pass?"

Mr. *Smith* arose and in a short speech opposed its passage; after which the question being taken it was carried by the following vote:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Fulton, Henderson, King, Linn, McRoberts, Mangum, Merrick, Mouton, Pierce, Rives, T. B. Smith, Tappan, Walker, White, Wilcox, Williams, Woodbury, Wright, Young—23.

NAYS—Messrs. Archer, Barrow, Bates, Berrien, Clayton, Clay, Clayton, Evans, Graham, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Preston, Preston, Rives, Simmons, Tallmadge, Woodbury—20.

Mr. *Rives* rose to propose an amendment to the resolutions of the senator from Kentucky, (Mr. *Clay*). He expressed himself as pleased with the remarks of the senator from South Carolina (Mr. *Preston*) in relation to the necessity that existed for some prompt and energetic measures on the part of congress to relieve the treasury from its present embarrassments. Mr. R. spoke at considerable length on the present condition of the country, and the absolute necessity that existed for something to be done, and that promptly. He had the conviction that was not now equal to meet one-half of the present expenditure. "Twice had they been called on to supply amounts of some two or three millions to meet quarterly deficits; and how had these deficits been supplied? By the issue of treasury notes, which, in some instances, had been protested for non-payment. He understood that treasury notes bearing the interest of six per cent. had been sold in this very city at a discount of from three to four per cent. And a proposition was already before the country to put bonds in the market for whatever they would bring. Such a state of things, he said, was utterly incompatible with the honor of the country at any time, and more particularly when certain questions in relation might terminate in a war with one of the most powerful maritime nations on earth. He was no alarmist, and depreciated war as much as any man could do, but it would be idle to say there was no danger of it. (*Hear, hear.*) In the best, but he still thought it prudent at least to be prepared for any contingency. It had been justly said by a secretary of the treasury, that public credit was the main pillar of public safety. The public debt had gone on with such sweeping velocity that it was now something between fifteen and twenty millions of dollars; and what was the means for its extinguishment? He knew of but one—and that was to pledge the real estate. No other resource was left them but to suspend the distribution law, and to pledge the proceeds of the public lands for the public debt. In his opinion public credit would then be redeemed and the notes rise above par. It was the only alternative left them—the credit of the nation was of vital importance—if that was suffered to go down, the credit of the states would still further descend, and the credit of individuals would be bound up in the same destiny. He considered, therefore, that they were called on by a proper regard for the national honor to provide for the public debt. With regard to the states, he thought there could be no disappointment, as they understood that when the revenue required was to reach beyond twenty percent. the law should be no longer in force. Mr. R. continued his remarks glancing occasionally at the compromise, and the necessity for forbearance and harmony, to arrange a tariff so that it should not trench on the rights and privileges of conflicting interests. He had no sectional feeling on the subject, but desired to do equal and exact justice to all, and not make one a slavish tributary to the other. He expressed the opinion that with the public lands 25 per cent. would be sufficient. The amendments which Mr. R. had to propose were then ordered to be printed, and read as follows:

Strike out 2d, 3d, 4th and 5th resolutions of Mr. *Clay*, and insert:

1. *Resolved*, That in the present embarrassed condition of the national finances, and at a moment of critical uncertainty in the foreign relations of the country, it is of paramount importance to the interests of the whole union that the general government should have the aid of all the sources of revenue with which it has been heretofore endowed, for the maintenance of the public credit and the efficiency of the public service.

2. *Resolved*, That the distribution of the proceeds of the sales of the public lands among the states have been, by the terms of the law which enacted it, been made expressly dependent on the continued limitation of the duties on foreign imports to a rate not exceeding twenty-four per cent. as provided for by the compromise act, and it being now apparent that the rate of duty on foreign imports will not produce revenue enough for the wants of the government without the aid of the sum so long, the principles and conditions on which the distribution law was enacted, as well as the exigencies of the public service, require that its operation for the present be suspended.

3. *Resolved, therefore*, That so much of the act entitled "an act to appropriate the proceeds of the public lands and to grant pre-emption rights," approved 4th September, 1841, as appropriates those proceeds to the states and territories and to the District of Columbia, ought to be suspended until the national debt already contracted, or which may be contracted, shall be paid off, and that in the mean time the said proceeds be set apart and pledged as a fund for the payment of the interest and the gradual extinguishment of the principal of such debt.

4. *Resolved*, That in any new adjustment of the tariff of duties on foreign imports which may become necessary, the principles and provisions of the 2d March, 1833, shall be adhered to and maintained as far as practicable, consistently with the necessary demands of the government economically administered, and with equal justice due to every interest and portion of the country.

Mr. *Preston* here rose and also addressed the senate at some length. He had also prepared amendments. In the first resolution of the senator from Kentucky, he concurred, but did not in the second and third, which he should move to strike out, and also the fifth. He was not then prepared to affirm or deny what would be requisite. It would be some months yet before the subject could be brought practically before them, to be acted on definitely; he might say not until an advanced period of June.—Meanwhile every possible information could be had of which they might avail themselves. Whatever was strictly necessary, let it be imposed. If 20 would not do, let 25; or if that would not do, let 33. But, whatever was necessary, in his opinion, let it be done, to relieve the country from the present wretched and degrading system.

Mr. P. sent his proposition to the chair, which was read as follows:

"Strike out second and third resolutions and insert: That the secretary of the treasury be instructed to communicate to the committee whether, in his opinion, the rate of duties imposed by the compromise act will afford sufficient revenue for the economical administration of the government. And that he also communicate to the committee what rate of duties, in his opinion, will be sufficient for that purpose, with his reasons for such opinion.

"Strike out fourth resolution (amount of twenty millions) and insert after the word revenue 'adequate to the wants of the government.'

"Strike out fifth resolution."

Mr. *Clay* said a few remarks in reply, but was so hoarse as to be scarcely audible. He was understood to say, in effect, that the proceeds of the public lands for the last year had not been more than a million and a half, and would be probably less for the present. And this pledge, which was to do so much, would not even pay the interest on the public debt. He said that the credit of the country had been impaired by the doctrines which had been so lavishly issued forth in and out of congress. He thought that the shock that would be given from the instability of legislation by proposal of the land sale would impair

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public credit more than it would do good. His own opinion was that if a proper and suitable tariff was laid, that would be the best pledge that could be given. The great difficulty was the pressure on domestic capital. Mr. C. went on to reply in detail to the remarks of Mr. *Rives* and Mr. *Preston*. He said he should state them very soon, and he would be glad if the senate would adopt the first and last of his propositions, the only two he believed which had escaped criticism and objection, and that the others be laid over till Tuesday next.

Mr. *Rives* would say a word only in reply to the senator from Kentucky, in relation to the opinion advanced that capitalists would see that the interests of the public land, would not pay the interest. He thought that capitalists would not look to a single year, but take the average, which had been at least three millions. Again, there could be no back given by the instability of legislation, because he did not propose to repeal the bill, but merely to suspend it until the debt was paid.

Mr. *Wright* said he objected to the first resolution because it would conflict with the amendment which he had offered, proposing to strike it out; but to the last he had no objection.

The latter resolution, which calls on the departments to report what expenses can be reduced, &c. was adopted, and the others postponed to Tuesday next.

On motion of Mr. *Berrien* the senate took up the bill from the house relating to the holding of a court in Jacksonville, in the district of West Tennessee; and after some few remarks the bill was read a third time and passed.

A motion was then made to adjourn over to Monday, on the ground that the committee might have time for maturing the business before them. The motion having been adopted, the senate adjourned.

March 28. The chair laid before the senate a communication from the navy department, in compliance with a resolution of the 17th instant, in relation to a war steamer to be built for the defence of Lake Erie.

Also, from the same department, in compliance with the resolution of the 24th, asking what officers can be dispensed with, &c. The secretary answers promptly that no officer can be dispensed with; but that, on the contrary, additional labor will be required to give due efficiency to the department.

Memorials and petitions were presented and appropriately referred: on the following subjects; proceedings of citizens of Windsor county, Vermont; in favor of revision of the tariff, manufacturers of window glass of New Jersey, citizens of Passaic county, New Jersey, for protection of domestic labor, &c.; ropemakers of New York for protection of American cordage; proceedings in Maine respecting Wolf Island trade, in Arkansas for modification of pre-emption laws; from residents on Oregon river asking extension of U. States laws over Oregon territory; from citizens of Missouri for the same; from Oswego county, N. Y. asking measures for a congress of nations to settle national disputes without a resort to arms; from the chamber of commerce of New York for a change in the tariff; from Illinois, will make the government bear its own burden of the postage, and that the letter and newspaper mails may be carried in separate conveyances, and complaining of the tax the mercantile interest is subjected to; from citizens of Florida for compensation for property destroyed by the Indians; from citizens of Ohio for increase of duties on woollens.

Mr. *Tappan* in presenting the last took occasion to say that, in his judgment, there was no protection required beyond the 20 per cent. of the compromise act; that all the evils of which the manufacturers complained resulted from the state of currency, which, if uniform and stable, would do more for their interest than additional duties.

Mr. *Young* presented the papers of Uriah Brown, of Schuyler county, Illinois, relative to his invention of an inextinguishable fire, in liquid form, which he prays may be patronized by government in connexion with the system about to be adopted for the coast and harbor defence of the country. Mr. Y. said that the invention of Mr. Brown had been examined with great scrutiny by some of the most scientific gentlemen in the country, and the practicability and utility of his plan fully recognised and admitted. It has been proposed at the present session, by the honorable committee on naval affairs, to build, by way of experiment, an iron war steamer, for coast and harbor defence, which shall be impregnable against shot and shells of every description, and consequently invincible, no matter by what degree of force opposed. I also understand that a sort of secret examination has been made of late (perhaps by a committee of the other house) of a newly-invented shell, said to be filled with combustible material of a peculiar character, which may be thrown to a great distance, and with the most destructive effects, when directed against an enemy. Rumor, Mr. President, has said that this newly invented shell may be handled with the greatest safety; had that it is so constructed as not to explode until it comes in contact with the object intended to be destroyed, when its effects are terribly destructive; so, that a single shell thrown, if well directed, may sink a man-of-war of the largest class in the British navy. Now, sir, the inflammable and inextinguishable properties of the liquid fire invented by Mr. Brown having been fully tested, and its practicability and utility sustained by the concurrent testimony of scientific gentlemen and practical mechanics, I ask that a portion of the appropriments ascertained to be practicable in the national defence? Suppose this iron war steamer shall, upon trial, come up to the expectation of its friends, or, in other words, proves to be invulnerable; suppose a description of guns or mortars shall be used upon it, suitable for the discharge of these newly-invented shells, and steam batteries at the same time employed in discharge the liquid fire of Mr. Brown's invention, and what might not be accomplished by this terrible combination of destructiveness in a time of war with the most powerful enemy. Why, sir, whole fleets, it would seem, might be destroyed, if it were practicable to bring them in conflict with such a steamer, accoutred with such an armament. Every principle of political economy, sir, would suggest, not only to justify, but absolutely to recommend, the patronage of Mr. Brown's invention at this time by the government, as one of the most powerful means, when reduced to practice, of coast and harbor defence.

Mr. *King* said he desired to offer a resolution. It was known to the senate that circumstances had lately taken place in a certain quarter rendered it necessary, or at all events desirable, that they should have all the information possible to be obtained, in order just and wise action. He said that steps it would be necessary to take in the premises. Another object he had in view was to show that the Mexican minister, who had the misfortune to incur the displeasure or negligent of the great trusts reposed in him, could be justified. He had no doubt, when the resolution was answered, that it would be found that individual had been most unjustly treated; that his conduct would be found such as would meet with universal approbation rather than condemnation.

The resolution was read and is as follows:

Resolved, That the president of the United States be requested to communicate to the senate, if not in his opinion incompatible with the public interest, copies of the correspondence which may have taken place between this government and its diplomatic agents and the government of Mexico not previously communicated, and also copies of such instructions as may have been given to our diplomatic representative at Mexico.

Mr. *Preston* said that no doubt the affairs between this country and Mexico called for some speedy action on the part of congress. The resolution in question met his entire approbation, as did the object it contemplated. He did not generally regard assertions made and reported, but if they spoke truth in this case, then the minister had justly subjected himself to animadversion. If he had been all this time in Mexico, without obtaining a reply to his demand for his indemnification, where the British agent had every liberty allowed and request granted—if he had remained there, and suffered his government to be insulted in the manner he should be so severely commented. If, on the other hand, he had done his duty, it was due to him that he should be exculpated. Mr. P. spoke of Texas having been recognized and received into the general relations, commercial and other treaties made with her, and hence it was right and proper that treatment of her prisoners should be in conformity with the law of nations. He would remark, however, that despatches had been received from Mexico within the last three or four days, which had been brought by a private express in the short time, from period of twenty-one days. These despatches would require to be read and examined, and abstracts made from them, prior to any definite action. He would suggest to his honorable friend (rather a sudden call might not put the department to inconvenience, or change its action) He would therefore submit whether it had not better lie over at least until to-morrow?

Mr. *King* had no objection to that course.

Mr. *Sevier* congratulated the country that it was at last arriving at something like national respect. He wished the whole matter, however, might not end in words, but be followed up by corresponding action. It seemed strange to him that they should have become suddenly sensitive where a petty power was concerned, while in another case, where our citizens had been murdered on our own soil and their property destroyed, and where that same power had held a portion of our territory for half a century, they were content with slow and silent negotiation—a power, too, that did not permit our citizens to go constantly with their property without being robbed of it. Look to our people sent to Van Diemen's land! In place of any war talk on this head, there had been some three or four memorials on their tables humbly beseeching that congress would ask Queen Victoria to liberate our citizens from chains and degradation. If the prisoners have been demanded by our minister in Mexico, and refused, he (Mr. S.) was prepared that when the correspondence came the minister would be found to have obeyed his instructions to the letter. If the citizens had been demanded and refused, he (Mr. S.) hoped that the subject would be followed up by something besides words, and in a proper manner, not only as regarded Mexico, but other powers. He was sick and tired of being told about negotiation, and never wished to hear anything more about it.

Mr. *Preston* then moved to take up the following resolution, submitted by him on the 24th instant:

Resolved, That the actual condition of the credit and finances of the country require the most prompt and decisive legislation on the part of congress; and to this end a loan should be authorised for an amount sufficient for the present exigencies, and on terms which will ensure its success."

Mr. *Linn* moved to amend it by striking out all after the words resolved that and inserting the following:

1st. To sustain that depreciation and declining credit by a solemn and irrevocable pledge of its immense public domain for its support, and the application of its proceeds of the sales of public lands to the payment of the interest and redemption of the principal of any public debt contracted, or to be contracted, in any form whatever.

2d. To restore the just relation between the public revenue and public expenditure, so as to limit the necessity for a resort to credit at all, within the nearest period of time consistent with the public safety and public honor.

Here a long and animated discussion ensued, that lasted the whole afternoon, in which Messrs. *Preston*, *Linn*, *Berrien*, *Allen* and *Mangum* severally participated; after which the senate went into executive session, and, after a few minutes spent therein, adjourned.

March 29. Mr. *Graham* of N. C. took the chair, the president being still indisposed.

The president pro. tem. laid before the senate the message of the president relating to the distribution bill. The message was laid on the table and ordered to be printed.

Mr. *Kerr* presented a memorial from citizens of Cecil county, Maryland, who represent that the twenty per cent. charge under the compromise act, has the effect to destroy the iron manufactures of the country and ask for an increase of duty in order to protect the labor of the country. Mr. *Kerr* presented a similar memorial from fifty or sixty of the citizens of the same county.

Mr. *Clay* presented a memorial from citizens of Sparta, in the state of Tennessee, remonstrating against any interference with the bankrupt law. Also, a memorial from citizens of Pennsylvania, engaged in the manufacture of iron, in which they ask for the restoration of the duty on iron.

Mr. *Merrick*, as chairman of the committee on post offices and post roads, reported a joint resolution extending the use of the franking privilege to ex-vice presidents of the United States.

Mr. *Tappan* reported a bill to apportion the number of representatives under the sixth census. Mr. *Tappan* saw no reason why the subject should not be acted upon at once, and by the senate preceding the house.

Mr. *King* asked for action upon the resolution calling for the official correspondence between the agents of the government of the United States and Mexico.

Mr. *Walker* made a brief defence of the character of Powhatan Ellis, late minister at Mexico, for the purpose of vindicating him from the charges which had been preferred against him. The correspondence would urgent Mr. Ellis of all blame. No objections were made, and the resolution was read and adopted.

Mr. *King* gave notice that to-morrow he would ask for action upon his resolution, fixing upon a day of adjournment.

The senate then proceeded to the consideration of the resolutions submitted by Mr. *Clay*, in relation to retrenchment, tariff, economical administration of the government, &c. Mr. *Wright* having withdrawn his amendment, the question recurred on the amendment offered by Mr. *Rives*, in relation to the suspension of the law distributing the proceeds of the public lands among the states until the public debt, principal and interest, was satisfied. This motion led to a protracted debate, in which Messrs. *Clay*, *Rives*,

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King, Borden, Archer, Preston, Huntington, Walker, Considine, Gottlieb, when, on motion of Mr. Gates, at 11 o'clock, the senate proceeded to consideration of executive business, and, after a short time, the House was adjourned.

March 7. A memorial from the Horticultural society, praying to be relieved from subjection to taxation, instead of a civil superintendant as heretofore—and a memorial from citizens of North Carolina against removing the seat of the Fayetteville, in that state, were presented and referred.

The bill fixing the apportionment of representation according to the sixth census, was made the order of the day for Monday next.

The senate then proceeded to the discussion of the resolutions offered by Mr. *Clay*, and, after a protracted but animated debate, in which Messrs. *Bates*, *Clay*, *Rives*, *Mangum*, *Walker*, *Woodbury*, *Calhoun*, *Wright* and *Preston* participated, the question was taken on the adoption of Mr. *Rives*'s amendment, and decided in the negative:

YEAS—Messrs. Archer, Allen, Bagby, Benton, Calhoun, Fulton, King, Linn, McRoberts, Preston, Rives, Sevier, Smith of Connecticut, Surgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Barrow, Bates, Berrien, Choate, Clay, Crittenden, Evans, Graham, Henderson, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Simmons, Smith, of Indiana, Tallmadge, White, Woodbridge—22.

Some further debate ensued between Messrs. *Mangum*, *Preston*, *King*, *Calhoun* and *Clay*. After which the first three resolutions were adopted; the second, third, fourth and fifth were referred to the committee on finance; and the remainder to the appropriate committees—retrenchment, judiciary, foreign relations, post office, &c.

The senate then went into the consideration of executive business, and soon after adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 24. A motion made by Mr. *Everett* to amend the journal of yesterday was rejected. Mr. *Mason* made an inquiry whether the second, third, fourth and fifth were referred to the committee on finance; and the remainder to the appropriate committees—retrenchment, judiciary, foreign relations, post office, &c.

The senate then went into the consideration of executive business, and soon after adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 24. A motion made by Mr. *Everett* to amend the journal of yesterday was rejected. Mr. *Mason* made an inquiry whether the resolution of Mr. *Weller*, Mr. *Calhoun*, of Mass. and Mr. *Howard*, of Michigan, spoke on the subject and it was finally passed by yeas 90 to 71.

Mr. *Botts* asked the attention of the house to the resolution offered by him yesterday and moved a suspension of the rules for the purpose of enabling him to offer the same, the yeas and nays on which motion, which were ordered. The resolution was as follows:

Resolved, That the committee on public expenditures be instructed to inquire into the nature of a claim formerly presented to congress by Charles J. Catlett, of Virginia, which by a law passed on the 24 July, 1838, "the proper accounting officers of the treasury department were authorised and directed to settle upon the principles of the acts of congress of the 9th of April, 1816, and 3d of March, 1817," whether such claim has been adjusted, and what amount paid; whether the accounting officers of the treasury department allowed said claim on principles established by the laws above referred to, or whether it was done upon the authority or order of the acting president of the United States; and if settled upon the principles authorised by law, why such settlement was not made at an earlier period; and if upon such order of the acting president, under what law or by what authority he directed the payment of such claim, and whether such claim was first or last to be paid out of such order, and by what authority and under what circumstances the said accounting officers ultimately allowed it; and to what fund such payment was charged; and to report any and all the circumstances deemed pertinent connected with the settlement of said claim.

And the question on the motion to suspend the rules was then taken and decided in the negative: yeas 77, nays 77. So (two-thirds not voting in the affirmative), the rules were not suspended.

Mr. *Thomas*, of Mississippi, asked leave to offer the following resolution:

Resolved, That the president of the United States be requested to communicate to this house, if not incompatible with the public interest, all information in his possession in relation to the citizens of the U States who were captured at Santa Fe and are now prisoners in Mexico; what has been done by our minister to the government of Mexico for their release; and what answer, if any, has been received by him from the Mexican authorities.

Mr. *Fillmore* said he had no objection to this particular resolution; but if the house gave way to one they must to another. Mr. *Stanly* said that he had no objection to this particular resolution at this particular time. So the resolution was not received.

Mr. *Mason* rose and asked leave to offer the following resolution:

Resolved, That the following be added to the rules and orders for the conduct of business of this house:

"Whenever any member of the house shall offer a resolution of censure upon any other member, rather the previous question nor any other rule of the house shall be construed or operate to deprive the member so censured of the right to be heard in his defence.

Mr. *Adams* then rose, (objection having by made by Mr. *Stanard*), and moved a suspension of the rules. By yeas 90 nays 92, it was decided in the affirmative, the rules were not suspended.

Mr. *Meriwether*, from the committee on public expenditures, reported the following bill: A bill to regulate the pay of officers of the army and navy.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That no payment shall be made to any officer of the army or navy, by way of pay or emoluments, who may have been or shall be restored to rank, for the time they may have been or shall be out of service.

And be it further enacted, That no officer of the army or navy shall receive any other compensation than the pay or emoluments of the office which he holds, notwithstanding he may perform the duties of any other office or employment.

The bill having been read by its title, Mr. *Meriwether* moved that it be referred to the committee of the whole on the state of the union, and, with the accompanying report, was ordered to be printed.

The pending question was one of order. Mr. *Wise* rose to state in favor of the motion that the amendment made by himself to repeal the bad bill was in order, and so decided by the chairman. The proposition was debated until nearly 4 o'clock by Messrs. *Wise*, *Cushing*, *Caleb Cushing*, *Adams* in favor of the decision of the chair except Mr. *Cavalher*. The vote being taken, the decision of the chair was reversed by 94 to 71.

After further progress and speeches from Mr. *Fillmore* and Mr. *Wise* the committee rose and the house adjourned.

FRIDAY, MARCH 25. Mr. *Calvary Morris* asked leave to offer the following resolutions, which were read for information:

Resolved, That it is the constitutional right of every American citizen to enjoy and express an opinion, either by word, resolution, or petition, on all subjects connected with the administration of our government; and if arraigned before any of the tribunals of the country in allusion, or in violation of that right, the constitution and spirit of the government guarantees to him the right of being heard in his own defence before he is tried, condemned and punished.

Resolved further, That whatever may be our individual opinions of the doctrine contained in certain resolutions submitted to this house on Monday last by the hon. Mr. *Giddings*, of Ohio, we believe that the resolution subsequently passed by the house, censuring said *Giddings* without permitting him to be heard in his own defence, except as a matter of special grace and favor, denying him the right which is conceded to the vilest malefactor, was a gross violation of his constitutional rights as an individual, and and especially as the representative of a people, and deserves the just condemnation of every American citizen.

Mr. *H. Williams* and Mr. *Hopkins* rose and objected. Mr. *Morris* moved a suspension of the rule for the purpose of enabling him to offer the resolutions, and asked the yeas and nays on that motion, which was refused. And the question being taken, the rules were not suspended.

The resolution offered yesterday by Mr. *Botts* on the case of Charles J. Catlett, of Va. having been modified by him so as to omit the word "acting" before the word "president" was then adopted.

Mr. *Fillmore* offered the following resolution:

Resolved, That in consideration of the urgent necessities of the treasury, from and after two o'clock on Wednesday next, all debate in committee of the whole on the state of the union upon house bill No. 29 shall cease, and the committee shall proceed to vote upon the amendments then pending, or that may be offered, and then report said bill, together with such amendments as may have been agreed to by the committee to the house, unless the same shall be sooner reported to the house.

The yeas and nays being ordered the resolution was carried, yeas 114 nays 76.

The house then went into committee of the whole, Mr. *Hoard*, of New York, in the chair, and took up the loan bill.

Mr. *Marshall*, of Kentucky, was entitled to the floor, and addressed the committee at length, in strictures upon the question before the committee, upon its magnitude and importance, and afterwards in reply to Mr. *Wise*, who yesterday had charged those whom he chose to call the enemies of the president, with the delay which had yesterday occasioned here. Within his argument, the speaker took the chair for the purpose of receiving a communication from the president of the U. States, which was read as follows:

To the senate and house of representatives of the U. S.

Notwithstanding the urgency with which I have on more than one occasion felt it my duty to press upon congress the necessity of providing the government with the means of discharging its debts and maintaining inviolate the public faith, the increasing embarrassments of the treasury impose upon me the imperative obligation of again inviting your most serious attention to the condition of the finances.—Fortunately for myself, in thus bringing this important subject to your view, for a deliberate and comprehensive examination, it is if in all its bearings, and, I trust I may add, for a final adjustment of it, to the common advantage of the whole union, I am permitted to approach it with perfect freedom and candor. As few of the burdens for which provision is now required to be made have been brought upon the country during my short administration of its affairs, I have neither motive nor wish to make them a matter of crimination against any of my predecessors. I am disposed to regard, as I am bound to treat them, as *facts*, which cannot be undone, and as deeply interesting to us all, and equally imposing upon all the most solemn duties; and the only use I would make of the errors of the past is, by a careful examination of their causes and consequences, to avoid if possible the repetition of them in future. The condition of the country, indeed, is such as may well arrest the conflict of parties. The conviction seems at length to have made its way into the minds of all, that the disproportion between the public responsibilities and the means provided for meeting them is no casual or transitory evil. It can be the contrary, which, for some years to come, notwithstanding a resort to all reasonable retrenchments, and the constant progress of the country in population and productive power, must constitute an insuperable barrier against any loans, unless we consent to give up or impair all our defences in war and peace. But this is a thought which, I am persuaded, no patriotic mind would for a moment entertain. Without affecting an alarm which I do not feel in regard to our foreign relations, it may safely be affirmed that they are in a state too critical and delicate to admit any momentous move in portion as to neglect in the least, much less to abandon entirely, those means of asserting our rights, without which negotiation is without dignity and peace without security.

In the report of the secretary of the treasury, submitted to congress at the commencement of the present session, it is estimated that, after exhausting all the probable resources of the year, there will remain a deficit of about $14,000,000. With a view partly to a permanent system of revenue, and partly to immediate relief from actual embarrassment, that officer recommended, together with a plan for establishing a government exchequer, some expedients of a more temporary character, viz. the issuing of treasury notes, and the extension of the time for which the loan authorized to be negotiated by the act of the last session should be taken. Congress accordingly provided for an issue of treasury notes to the amount of $5,000,000, but subject to the condition that they should not be paid away below par.

No measure connected with the last of the two objects mentioned was introduced recently into the house of representatives. Should the loan bill now pending before that body pass into a law, for its present amount, there would still remain a deficit of $2,500,000. It requires no argument to show that such a condition of the treasury is incompatible not only with a high state of public credit, but with any thing approaching to efficiency in the conduct of public affairs.

It must be obvious, even to the most inexperienced minds, that, to say nothing of any particular exigency, annual or immediate, there should be at all times in the treasury of a great nation, with a view to contingencies of ordinary occurrence, a surplus at least equal in amount to the above deficiency. But that deficiency, serious as it would be in itself, will, I am compelled to say, rather be increased than diminished, without the adoption of measures adequate to correct the evils at once. The stagnation of trade and business, in some degree incident to the derangement of the national finances, and the state of the revenue laws, holds out but little prospect of relief

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in the ordinary course of things for some time to come.

Under such circumstances, I am deeply impressed with the necessity of meeting the crisis with a vigor and decision which it imperatively demands at the hands of all entrusted with the conduct of public affairs. The gravity of the evil calls for a remedy proportioned to it. Nostrums, palliatives or temporary expedients will give the country the relief it needs. Such measures, on the contrary, will, in the end, as some manifest to all, too surely multiply its embarrassments. Relying, as I am bound to do, on the representatives of a people rendered illustrious among nations by having paid off its whole public debt, I shall not shrink from the responsibility imposed upon me by the constitution of pointing out such measures as will in my opinion ensure adequate relief. I am the more encouraged to recommend the course which necessity exacts by the confidence which I have in its complete success. The resources of the country, in every thing that constitutes the wealth and strength of nations, are so abundant—the spirit of a most industrious, enterprising, and intelligent people is so energetic and elastic, that the government will be without the shadow of excuse for its delinquency, if the difficulties which now embarrass it be not speedily and effectually removed.

From present indications, it is hardly doubtful that congress will find it necessary to lay additional duties on imports, in order to meet the ordinary current expenses of the government. In the exercise of a sound discrimination, having reference to revenue, but at the same time mindful of the fostering paternal protection to manufacturing industry, it seems equally probable that duties on some articles of importation will have to be advanced above 20 per cent. In performing this important work of revising the tariff duties, which in the present emergency would seem to be indispensable, I cannot too strongly recommend the cultivation of a spirit of mutual harmony and concession, to which the government itself owes its origin, and without the continued exercise of which jarring and discord would universally prevail.

An additional reason for the increase of duties in some instances beyond the rate of 20 per cent. will exist in fulfilling the recommendations already made, and now repeated, of making adequate appropriations for the defences of the country.

By the express provision of the act distributing the proceeds of the sales of the public lands among the states, its operation is ipso facto to cease so soon as the rate of the duties shall exceed the limits prescribed in the act.

In recommending the adoption of measures for distributing the proceeds of the public lands among the states at the commencement of the last session of congress, such distribution was urged by arguments and considerations which appeared to me then, and appear to me now, of great weight, and was placed on the condition that it should not render necessary any departure from the act of 1841. I felt with sincere regret that I now perceive the necessity of departing from that act; because I am well aware that the expectations justly entertained by many of the states will be disappointed, by any occasion which shall withhold from them the proceeds of the lands. But the condition was plainly expressed in the message, and was inserted in terms equally plain in the law itself; and amidst the embarrassments which surround the country on all sides and beset both the general and the state governments, it appears to me that the object first and paramount importance is to establish the credit of this government, and to place it on durable foundations, and thus afford the most efficacious support to the credit of the states, equal at least to what it would receive from a direct distribution of the proceeds of the sales of the public lands.

When the distribution law was passed there was reason to anticipate that there soon would be a real surplus to distribute. On that assumption it was, in my opinion, a wise, a just, and a beneficent measure. But to continue it in force while there is no such surplus to distribute, and when it is manifestly necessary not only to increase the duties, but at the same time to borrow money in order to liquidate the public debt and disembarrass the public treasury, would cease it to be regarded as an unwise alienation of the best security of the public creditor, which would with difficulty be excused, and could not be justified.

Causes of no ordinary character have recently depressed American credit in the stock market of the world to a degree quite unprecedented. I need scarcely mention the condition of the banking institutions of some of the states, the vast amount of foreign debt contracted during a period of wild speculation by corporations and individuals, and, above all, the decision of repudiation of contracts solemnly entered into by states, which, although as yet applied only under circumstances of a peculiar character, and generally rebuked with severity by the moral sense of the community, is yet so very licentious, and in a government dependent wholly on opinion so very alarming, that the impression made by it to our disadvantage as a people, is any thing but surprising. Under such circumstances, it is imperatively due from us to the people whom we represent, that, when we go into the money market to contract a loan, we should tender such securities as to cause the money-lender as well at home as abroad to feel that the most propitious opportunity is afforded him of investing profitably and judiciously his capital. A government which has paid off the debts of two wars, waged with the most powerful nations of modern times, should not be brought to the necessity of chaffering for terms in the money market. Under such circumstances as I have adverted to, our object should be to produce with the negotiator a feeling of entire confidence, by a tender of that sort of security which in all times past has been esteemed sufficient, and which for the small amount of our proposed indebtedness will inhesitatingly be regarded as amply adequate. While a pledge of all the revenues amount to no more than is implied in every indenture when the government forms a debt, and, although at ought in ordinary circumstances to be entirely satisfactory, yet in times like these the capitalist would feel better satisfied with the pledge of a specific fund, ample in magnitude to the payment of his interest and ultimate reimbursement of his principal. Such is the character of the land fund. The most vigilant money-lender will readily perceive that not only will his interest be secure on such a pledge, but that a debt of $18,000,000 or $20,000,000 would, by the surplus of sales over and above the payment of the annual interest, be liquidated within any reasonable time fixed for its resumption. To resume the treasury from its embarrassments, and to just as speedily as the requisite period time is allowed for any new tariff of duties to become available, it would seem to be necessary to fund a debt approaching to $18,000,000; and, in order to place the negotiation of the loan beyond a reasonable doubt, I submit to congress whether the proceeds of the sales of the public lands should not be pledged for the payment of the interest, and, whenever of the treasury be authorized, out of the surplus of the proceeds of such sales, to purchase the stock, when it can be procured on such terms as will render it beneficial to the public, and, whenever it shall not prevent the accumulation of such surplus while its distribution is suspended.

No one can doubt that were the federal treasury now in proportion, as it was a few years ago, and its fiscal operations conducted by an efficient agency of its own, co-extensive with the union, the embarrassments of the states, and corporations in them, would produce, even if they continued as they are, (were that possible), effects far less disastrous than those now experienced. It is the disorder here, at the heart and centre of the system, that paralyzes and deranges every part of it. Who does not perceive the permanent importance, not to the federal government alone, but to every state and every individual within its jurisdiction, of an efficient and independent and isolated individual pursuits, in the preservation of a sound state of public opinion and judicious administration here? The sympathy is instantaneous and the effect decisive. To attempt to remedy the evil of the deranged credit and currency of the states while the disease is allowed to rage in the heart and centre of the system, that paralyzes and derran

back, and the servile chain of unquestioning subservicency is bound on our free limbs! Yes—and insult is added. We must not only submit to wear a chain, but we must hold it up to public view, and clank our fetters that all the world may hear!—so that there shall remain no doubt on any man's mind that, on the greatest measure ever submitted, the national legislature is perfectly and absolutely subservient to the president's revealed good pleasure.

To what does all this lead? Why all this obscurity, this uncertainty, this fear of the wrath of the president for a time, till we have received and acted on the recommendations of his secretary, and then those recommendations are here openly avowed by one of his peculiar friends, and put weight after weight thrown on its progress through the house, and then, as soon as we have acted, are we thus rebuked? Could any thing have been more artfully designed to make the legislature unpopular, and present a majority of its measures openly disgraced, degraded, stained, before the eyes of the people?

He has spoken! Yes, and what has he said? It behoves us to listen, and give a true interpretation to his words, if such a thing be possible. What has he said? He has told us that an act, passed under his own express recommendation, distributing among the states the avails of the public lands, must be repealed. That, because we lie under a debt of seventeen millions, there is no other resource to save from our embarrassments but by taking this back from the states. While possessed of the whole revenue power with which the constitution has clothed us, and of which it has in the same breath divested the states, we have no other earthly means to sustain American credit in the eyes of the world, than to take away from the states the funds which are their own, and which by a tardy act of justice we have just restored to them. Yes, the self-same nation, who, with a population of but three millions, with its commerce broken up—its finances a government—its credit, without allies, save its own indomitable courage and heaven to smile upon it—contracted a debt of a hundred millions, and funded it, who had a body of land surrendered to the states, on condition that it should be paid from which the debts of the states were to be paid and its credit restored, and which paid this debt in nation which, twenty-five years after, contracted, at the call of the national honor, another debt of *a hundred and twenty* millions, and paid that too: this same nation, now laboring under the consequences, the crushing debt of seventeen millions—after shuffling off all action in promoting internal improvements, and shifting than upon the shoulders of the states—this nation, now no longer rules the revenue to pay off these seventeen millions, expended as they have, in part, been for national objects, which are the very sinews of our defence! No. With all our legislature and all our profitable sources of revenue untouched, we cannot raise these seventeen millions, but must snatch from the mouths of the states the remnant of that recently restored inheritance which we permitted us to enjoy long after the original objects of the grant had been more than fulfilled. And we are called to do this by a state representative! And if we do not comply, we are then to be denounced as acting from tactious principles and a desire and design to "head Captain Tyler!" And the friends of the president expect us to shoulder him up, and get a party to place him a second, or rather for the first, time in the chair of state, by disgracing and degrading congress.

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Another of our great and leading measures was the land bill; and just as the indebted states are expecting a rich blessing in their state of embarrassment from its beneficent provisions, we are called upon to undo our own work and nullify our own favorite measures. What are the substantial reasons that measure would secure, but which we are now called upon to forego? I hold in my hand a document in which those advantages are so admirably set forth, that I may be pardoned for quoting it, instead of arguing and employing it in place of my own. It is a speech delivered, if I mistake not, at a place, somewhere in Virginia, called Lynn, and in it we are told that old Virginia, who ceded to her sister states a territory far greater than the extent of her own boundaries, is, through the precious blessings of Mr. *Clay's* land bill, to be at length remunerated for her generous magnanimity.

[Mr. M. here quoted pretty largely from a speech of Mr. *Wise*, in which he speaks in very exalted terms of the land bill and its author. The reading elicited many smiles.]

This was in '33 the Virginia doctrine—the whig Virginia doctrine, at least; we may receive as authority the words of one who was at that time himself good evidence of what a Virginia whig meant. But now, so strangely have the doctrines of old Virginia—ay, of old whig Virginia—changed, that here we see a Virginia whig standing up on this floor and preaching to us that of all the whig measures, this land bill, which he says is really no whig measure at all, is the most execrable and abominable! Surely, surely, the gentleman who has for days together been thundering forth anathemas against this measure, could never in his extensive reading on constitutional law, have met with this document: never could he have conceived, surely, such sentiments as are here avowed were ever held in old Virginia by whig—ay, and by a Tyler whig! [Laughter.] Does the eloquent gentleman from Accomac recollect this language? Does he ask who could have been so recreant to the doctrines of '98. If he does then I shall have occasion, once more, to say to him as I did on a former occasion, in the words of Nathan to David, "Thou art the man!"

But how does all this happen? how is it to be explained? These charges, from the quarter and under the circumstances in which they are made, become matters of mighty moment. Has the state of things, and have the principles in which we came into power changed? Have the relations of this land change? Has the whig party changed? Has the great man who is the author of this land bill changed? No: not at all. And are we then to be charged with having abandoned our principles, or hostility towards a particular man? Ah, sir! we had changed our ground; ah, sir! if we had been found denouncing publicly, and *per se*, the president of the United States, and if we, the framers of the extra session, had denounced him and all he did, and then had abandoned our whole course, the charges made might rest with more justice upon us. But when we stand upon the same high impregnable ground on which we ever stood; when we say the same things and hold the same principles which we said and which we held during our twelve years' exile from office and from all the public honors of our country, are they who, with whatever views, have gone over to our adversaries, to taunt us here as changelings, and with acting from love or hatred of particular individuals?

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Mr. *Fillmore* rose and inquired of the speaker whether there was any project for a tariff accompanying the communication?

The *speaker* said no; all had been read.

The printing was ordered, when the speaker of the house again called Mr. *Ward* of New York, to the chair, and the debate on the loan bill was resumed.

Mr. *Marshall* resumed his argument where he had ceased at the time of the reading of the message from the president of the United States. He contended that in all the action of congress, in all the debates of congress, in all the discussions in congress, the peculiar friends of the president had been especial and prominent actors. They were responsible for delay, and had done much to embarrass the action of congress.

Mr. *Marshall* spoke until between three and four, and Mr. *Wise* rejoined after which the committee rose, and the house adjourned.

Saturday, March 26. The *speaker* announced the following members to compose the committee heretofore ordered to be appointed on Mr. *Underwood's* resolution to amend the constitution: *Messrs. Underwood, Cushing, J. P. Kennedy, Rayner, W. C. Johnson, Pickens, and Shields.*

The *speaker* presented several executive communications in answer to a resolution adopted by the house. One was from the treasury department, explaining a former communication in relation to the finances of the government. It explains the reason of an important item by which the government was represented to be a million and a half in better condition that it really is. The error occurred in supposing that an amount of treasury notes of March, April and May, 1841, bearing 2, 5 and 6 per cent. interest to have been redeemed, when they were still out. It was an error of one of the clerks in which the secretary was led in the hurry of the moment. The important error has been discovered sufficiently early to allow its correction. A report was also received from the secretary of the navy, and another from the post office department in answer to a resolution asking for information as to the transmission of letters between the Atlantic cities by foreign steamers.

On motion of Mr. *Fillmore*, the house went into committee of the whole on the loan bill. Mr. *Ward*, of N. York, was called to the chair.

Mr. *Wise*, went into a defence of himself from the charge preferred against him by the chairman of the committee of ways and means. He denied that he had done anything to embarrass or delay the proceedings of the house, and threw the responsibility on others. He defended also the amendments which he had submitted to the bill under consideration, and contended that they were proper and designed to preserve the honor and faith of the nation. Mr. W. also defended the president, and said much of the necessity of legislative control, and of the propriety of overcoming executive power whenever it should be enforced. The land bill was debated at some length. The repeal of the distribution act was favored for the purpose of appropriating the proceeds to the extinguishment of the public debt. Our foreign relations were also discussed, together with many other subjects relevant to the matter under consideration.

After Mr. *Wise* had closed, the committee rose.

Mr. *Morgan* offered a resolution that hereafter no member should be allowed to speak more than one hour, nor more than once on the same bill.

Objections were made, and Mr. *Waller* moved an adjournment, and the house adjourned.

Monday, March 28. The house having met, Mr. *Morgan* moved to refer the consideration of his resolution on the one hour rule to to-morrow, as gentlemen wished to offer amendments to it. His motion was adopted. After the reception of petitions chiefly in favor of a protective tariff, the house resolved itself into consul ter of the whole and resumed the consideration of the loan bill.

Mr. *Gentry* addressed the committee. He remarked that as to the expediency of passing a bill to authorize a loan every politician of every party entertained but one opinion: but as to the amendment offered by Mr. *Wise*, if he could suppose that it meant nothing more than it expressed on its face he would regard it as absurd and ridiculous; but he would not do the mover the injustice to believe this. He believed it had been offered as a peg on which to hang a speech and has been made use of a partisan character, which consisted in an attack on the majority and impugning the honor and character of the house. There was a fixed purpose on the part of the friends of the president to derogate from the character of the house in the public estimation. Mr. G. then alluded to the late meeting at N. York city, professing to be of all persons and parties and denounced it as having been got up for the special aid of the president. He would like to know if either Mr. Ketchum or Mr. Maxwell conspicuous at that meeting were democrats or not? Mr. G. repelled the insinuation held forth by them that the course of the majority in congress had been adopted as a means of securing the future election of Henry Clay to the presidency. If it were true, then congress would merit all the denunciations and indignant feelings that had been endeavored to be excited against them. The whigs had preserved their consistency to their principles but the two gentlemen from Virginia and Indiana, had voted with the opposition on the revenue and loan bills in the extra session. Now when the gentleman from Virginia proclaimed *ex cathedra*, as the executive organ, that congress must move, and move immediately, and move only in one way, rise into the open arms of John Tyler, who was inviting every thing, black, white, or gray, Turk or infidel, who would go for making him president, and denounced as the only alternative that congress must be d——d, all he had to say was, that if the case were really so, he for one would prefer an honorable political damnation to the utter and open surrender of every principle for which whigs had put on their armor and fought and triumphed. As to the exchequer project, Mr. G. held it to be in direct conflict with all the creeds heretofore avowed by the government. The president might well enough be willing to take on himself all the responsibility could such a measure pass for no sooner would it become a law than he would be a more absolute monarch than the emperor of Russia.

The gentleman from Virginia had taunting told Mr. G. and his friends that they were between two batteries, and could not escape: that they must take what was thus proposed for them, or go down. Well, Mr. G. preferred to plant himself on the platform of sound whig principles, and take the shot from both quarters, rather than basely and tamely yield to executive dictation.

The gentleman previously to the commencement of the call of session, had been personally alienated from a distinguished man at the other end of the capitol; he had thrown himself into the breach, and done all in his power to prevent the measure which had been proposed at the called session, predicting that that session would have a disastrous termination. The gentleman was at that time opposed to granting the country any relief, unless it proceeded from his own man; but finding that he had been completely foiled in all his attempts to thwart the remedial measures of the party he had abandoned, he threw himself upon the executive, and made him the instrument of gratifying the vindictive passions that flamed within his bosom; and he had continued to use

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him for the same end from that day to this. Mr. G. acquitted the gentleman, readily, from all mercenary motives in his political course. No, it was not from desire of pecuniary gain; it was to slake the thirst of the burning passions of his nature by glutting his vengeance on the subject of this letter; and for such an end he resolved to make a tool of a weak imbecile president; and too well had he succeeded; too well for the honor of the president, for his own character, and for the happiness and prosperity of his country. The gentleman had vilified the Whig party as the subservient followers of a great political leader in another part of the capital. And suppose it were true that the party did follow the lead of that distinguished individual. If that leader, must it not have been he? And could not a party, united in principles and action, follow the lead of such a leader, honorable and independent patriots? Must they necessarily be subservient, cringing, sycophantic slaves? What would the gentleman have had them do? What conceivable course could they have pursued to secure that gentleman's very singulated approbation? When the president's message approved them that there was a deficit in the treasury, that the currency was deranged, business prostrate, and the country in a state of general embarrassment and distress, what would the gentleman have had them do for the general good? Adjourn and go home. But he obstinate wings would not do that. They brought forward bills to relieve the government and the country—a loan bill, and a revenue bill; and, as soon as they were brought into the house, the gentleman encountered them with his fiercest opposition; and even when there was a bill to effect a regulation of the currency and to furnish a circulating medium, although the gentleman was the pledged advocate of the measure proposed, because it did not proceed from his man, he opposed this too; and, when he could not succeed, he flew to the president in that evil hour when he was vacillating between the trumpet call of patriotism on the one hand, and the dark mutterings of a vile and selfish ambition on the other. By that overpowering boldness, that daring courage which fears neither God nor nothing, he obtained the mastery over his feeble mind, and thus forced the country into a state of things which, according to his own declaration, "paralyzed every hope of relief for twenty years." And what must the majority in congress do now in order to secure the approbation of the gentleman? Crouch down at the threshold of executive mercy, like whipped hounds, receive merited chastisement for not having sooner complied with his mandates; and, having been well whipped, turn round and wag humbly to his man whose blows had cut them to the bone, and humbly assure him of the perfect meekness and submission with which they were ready to run any way, go any length, do or suffer any thing, to merit the stories of so able and so august a master, and recompense his fostering indulgence. No, nothing was now left for them to accomplish but to preserve the country and protect its honor. To relieve it, was, under such circumstances, beyond their power. He trusted they should do all that it became patriotic whigs to do, and if they must fall that they should fall with the flag of their country proudly waving over them. Mr. G. then referred to Mr. *Wise's* former votes against all appropriations for the defence of the country, and forcibly contrasted it with his present urgency on the majority to make appropriation after appropriation. Twenty millions were estimated, and the country must be made to believe that president Tyler are most anxious to provide for the public safety but the whigs would let him. After Mr. *Gentry* had concluded

Mr. Rayner arose and defended the whigs and assailed the course of Mr. Tyler. He also expressed his unwillingness to so far benefit Mr. Tyler as to enter into a war on the Creole case. He did not regard it as a justifiable cause.

Mr. Lane then spoke on the same side and denounced Mr. Tyler's course, after which the committee rose and reported progress.

Mr. Black hoped that the following resolution be read for information: And the resolution was read as follows:

Resolved, That the president of the United States be requested to communicate to the house, if in his opinion it be compatible with the public interests, all information in his possession on the subject of the Creole, including as well the evidence of the facts as the official correspondence relating thereto.

Mr. *Stanly* objected, and renewed a motion to adjourn, and the house adjourned.

TUESDAY, MARCH 29. The motion of Mr. *Black* for suspension of the rules in order to enable him to offer a resolution for information on the Creole case, was on motion of Mr. Cooper (Mr. *Black* being absent) postponed until to-morrow.

Mr. *Fillmore* offered the following resolution:

Whereas it is provided by the act of congress "to establish the treasury department," approved September 2d, 1789, "that it shall be the duty of the secretary of the treasury to digest and prepare plans for the improvement and management of the revenue and for the support of the public credit, &c. to make report and give information to either branch of the legislature in person or in writing (as may be required) respecting all matters referred to him by the senate or house of representatives, or which shall appertain to his office, and generally to perform all such services relative to the finances as he shall be directed to perform."

And whereas the secretary of the treasury, in his annual communication, December 30th, 1841, (Ho. Doc. No. 18,) states that the accruing revenue is insufficient to meet the wants of the treasury, and declares that "the state of the national affairs, the disposition of the government, is such it is believed the people fully participate, to put the country into a respectable state of defence, and especially to support and strengthen the military marine, *all appear to suggest the propriety of such increase of duties on articles carefully selected as*, while the amount shall not bear on individuals, by limiting their customary expenditures, nor oppress the foreign trade, or commerce of the country, shall yet supply the treasury, not extravagantly or excessively, but yet reasonably and justly, for all the expenses of government and defence."

And whereas the committee of ways and means, by their chairman, addressed, on the 26th February, 1842, an official letter to the secretary of the treasury in the following words:

"*Committee room of ways and means, Feb. 26, 1842.*

"SIR: I am instructed by the committee of ways and means to request you to communicate to them any plan which you may have for raising the necessary amount of revenue for defraying the expenses of government by an increase of duties on importations, or by an increase of duties on goods imported, or otherwise; also, any plan or view which you may have on the subject of house taxation, cash duties, a warehousing system, or any other matters incidentally connected with the revenue, and generally any information which can be afforded by your department as to the particular articles imported which will bear an increase of duty, and the amount of such increase.

"As the committee are now ready to take this subject under consideration, they would be happy to receive your views as early as they may be possible.

"Respectfully, yours,

"MILLARD FILLMORE, *chairman, &c.*

"*Hon. Walter Forward, secretary of the treasury.*"

And whereas the committee of ways and means have received no reply to the communication thus made; therefore,

Resolved, That the secretary of the treasury be required to communicate to this house the plans, views, information, and matters called for in the letter above mentioned from the chairman of the committee of ways and means.

Mr. *Cushing* had no objection to a call for information, but moved to strike out the preamble as he did not consider it proper to set just model of introducing the subject. Mr. *Fillmore* said if the preamble were struck out, the information of the efforts made by the committee would not be indicated. Mr. *Andrews* moved the previous question. Mr. *Stanard* moved the resolution be laid on the table. His motion was negatived. Mr. *Cushing* raised a point of order. It was overruled.

And the resolution was then adopted.

The house then on motion of Mr. *Fillmore*, resolved itself into committee of the whole, and resumed the consideration of the loan bill. The question being on the amendment offered by Mr. *Wise*, to the amendment offered by Mr. *Fillmore*.

Mr. *Colquit* alluded to the discordant materials of which the whig party had been composed, and said that its elements were falling apart because a minority of it would not yield to a majority. Would whigs forget they had refused to publish their creed. If the "*acting* president" as he had been called, had been called upon at Harrisburg for his political creed he would then have been told, "never mind, you are against a bank, and that is the whole creed." Because he adhered to the principles of his youth, he was denounced. On this question of bank the whig party had been all things to all men. They had no principles to bind them together. What were their so called "glorious principles of 1840?" He would like some organ to publish them. In his judgment congress ought not to pass this loan bill without a permanent fund to meet the debt. The distribution law ought to be repealed. Do that and he would uphold the loan bill. The pretext of this loan was to make room for a high protective tariff, and in the present condition of the country a high tariff would diminish the revenue.

Mr. *McKeon* drew a picture of the present financial distress. Our government had the public credit thundering at its doors, asking it to pay 100 cents on the dollar for its promises, for which in the market no man would pay more than 25 cents. He said with sorrow, it was a lamentable state of things. Mr. McK. would ask if the charge in the president's last message which stated these evils have not resulted from the present administration, was true? What was the state of the treasury on the 4th March last? Mr. McK. then entered into a financial exposé of the treasury at and since that period, and asked if the present deficiencies were justly chargeable to the last administration. Relief would not come by repealing the tariff. Repeal of the distribution law would, however, tend to the restoration of the country.

What was the remedy which he would recommend, he had asked, he would tell. The state of New York had come up to direct taxation, and its credit was better in Wall street than that of any other state, and he prophesied that, before ninety days, the stocks of that state would be at par. He referred to these things to show—and he spoke only for himself—that we could get through these difficulties and come out with flying colors. Could we get the money to pay loan abroad? He had been credibly informed that while the stocks of Spain, which he believed had not paid any interest for twenty years, were selling in market in London, ours would not sell at all. Was there any probability that we could get par for the U. States stocks, when Ohio stocks were sold for 60c. cents, and New York city stocks for seven or ninety-eight. In addition to this was the alarming condition of our foreign affairs. He was no believer in Lord Ashburton's mission: it would end in nothing. It was another effort to approach the present state of affairs in a spirit of patriotism. He looked on the present bill as one which would check the march of liberal principles. Every cent they added to the burden of the people of the country was a check on liberal principles.

Mr. *Smith*, of Virginia, said he felt a particular desire, in consequence of allegations made by gentlemen on the floor of the deep indebtedness of the government of the present administration, to recur to the facts; and, by reference to various documents, proceeded to estimate the amount of debt left by the administration of Mr. Van Buren, by means, of comparing the aggregate expenditure of government during that administration with the income for the time. The former had passed at $41,614,000, and the latter at 110,737,000, showing an amount of indebtedness left by that administration of about $4,877,000; and this he considered a mode of computation that could not be disputed.

He then adverted to the charge made by the gentleman from North Carolina (Mr. *Stanly*), that the appropriations during Mr. Van Buren's administration had exceeded the estimates, and proceeded to argue at some length, by reference to documents, the falsity of this charge. He also referred to Mr. Ewing's statement in his report made to the senate this session from the treasury department, to show the amount of public debt at the commencement of this administration; from all which he concluded that that amount was but little more than four millions.

He then, examined the matter of conducting the finances adopted by the present administration, charging the whig party which abandonment of their principles, abandonment of their professions of economy, and, while the revenue was constantly decreasing, with an increase of expenditures over the latter years of Mr. Van Buren's administration, &c. &c.

Mr. *Smith* having concluded the committee rose, and the house adjourned.

WEDNESDAY, MARCH 30. The discussion on the loan bill was resumed in committee of the whole.

Mr. *Rhett* addressed the committee at considerable length, in vindication of reserving the proceeds of the public lands instead of distributing them; and against the rule of proceeding under which the question on the bill was precipitated.

The hour of two o'clock having arrived, the chairman announced that under the order of the 25th inst. the committee were now to proceed to vote upon the amendments that were pending.

Mr. *Wise* modified his amendment at the suggestion of Mr. *Rayner*—and the question was taken on adopting the amendment—ayes 61, nays 90.

A great variety of propositions, slightly varying from the original one offered by Mr. *Wise*, were now successively moved by other members and negatived by like majorities. Many other amendments to other portions of the bill were proposed, and also voted down.

The previous question was finally called by Mr. *Wm. Cost Johnson*, before taking, which the house adjourned.

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CHRONICLE.

ALABAMA TARIFF CONVENTION. At a convention of the southern planters, held at Mobile Alabama, to take into consideration the best method of improving the cotton interests, it was agreed unanimously that cotton could not be afforded at Mobile at a less price than eight cents a pound—that they could hope to send cotton to England no longer than until that country could supply itself from India, and that there was every reason to believe that the day was close at hand. They also agreed, by a nearly unanimous vote, only three voting in the negative, *that the time was to benefit the cotton growers was to lay duties upon all imported manufactures, in order to secure a home market, the only sure market!* They also proposed holding a convention of all the planters of that state, at Tuscaloosa, for the same purpose. [*Lynch. Virginian.*

ARMORY AT HARPERS' FERRY. The citizens at this place have protested against the military superintendance substituted some time a year ago for the civil superintendency and more than 200 workmen visited Washington city, on March 24 to lay their grievances before the proper authorities.

ARMY MOVEMENT. The president, says the Madisonian, has directed the movement of eight hundred infantry and of nearly four hundred dragoons to the vacinity of Fort Towson on the Red River. This reinforcement to the troops already on that quarter, will place at the disposal of General Taylor, commanding the department, about two thousand men. He has been instructed, by every means in his power, to prevent the Indians from taking any part in the contest, and from crossing the boundary between us and Texas on any pretext whatever: and he is especially charged to afford adequate protection and security to the inhabitants of the frontier. It is believed that the force under his command will be ample for these purposes, controlled as they will be by an officer of acknowledged ability, experience and discretion." Gen. Gaines has left Washington for the southwestern frontier.

The brig Charles Wirgman arrived at New Orleans on the 9th instant, from Cedar Keys, E. F. with the following officers and companies of the 6th regiment United States infantry, on their way to Jefferson barracks, Mo.

Officers. Wm. Hoffman, major 6th infantry; C. McCormick, assistant surgeon, United States army; G. Dorr, captain, 6th infantry; A. Cady, captain, 6th infantry; B. Hendrickson, 1st lieutenant, 6th infantry; J. D. Bacon, 2d lieutenant, do. F. F. Flint, 2d lieutenant, do. R. F. Ernst, bv't. 2d lieutenant, do. Companies A, H and K, consisting of one hundered and ninety-one men.

The St. Louis Republican of the 12th instant, announces the arrival at Jefferson barracks of three hundred and fifty troop, from Cedar Keys, East Florida. They are a part of the 6th regiment of infantry, who have been in service in the swamps of Florida for four years. The following is a list of the officers:

Lieut. Col. G. Loomis, commanding; James Belger, adjutant; lieut. J. B. S. Todd, asst. com. sub.; captain Jacob Brown, company E.; captain J. D. Searight and Lieut. Gurnell, company F.; captain Wm. Hoffman and lieut. E. H. Fitzgerald, company D.; Lieuts. Monroe and Wetmore company E; lieuts. L. C. Easton, J. R. Emory and J. D. Nelson, company B. Staff officers attached to the command; capt. E. A. Ogden, assistant quarter master; T. C. Madison ass't surgeon.

BANK ITEMS. Notes of the United States Bank of Pa. are 65 per cent. discount in Philadelphia, owner of the Gerrard Bank 45 a 50; the other broken banks of that city 20 to 30. "Relief notes," as they are called, that is the notes of the Bank of Pennsylvania issued under contract with and founded upon the credit of the state, are 20 to 25 per cent. below par, and yet it is stated that the state government is still lending them!

The legislature of Virginia have passed a bill relative to resumption, by the banks, which is to take place on the 1st November next. It authorizes the banks to continue their issues of notes below five dollars to an amount not exceeding six per cent. of their capitals, until January next, but they are to be redeemable in specie on demand.

North Carolina adopts the same period fixed for resumption.

The Cincinnati Gazette complains that the resumption law of the state of Ohio as yet puts no coin on circulation. Their own notes have dropped and their currency now consists of Indiana notes. "Distress is almost universal!" says the Gazette.

Arkansas. The Little Rock Gazette of the 16th March, says, "Few persons now receive Arkansas bank paper except at a discount of one-half."

In review of the condition of the banks of that state which appears in the same paper, over the signature of *R. C. Byrd*, strongly urges the whole of the banks of the state to go into a state of liquidation. He says, "It is *not right* to disguise the true condition of our banks; and I assert, without fear of successful contradiction, that not a suspended bank in the state is able to pay her interest and resume the payment of specie on her notes, *or will be in the next five years to come*, I fear. Count all their specie, their bills receivable, bad and doubtful debts, banking houses, &c., and you will find, (taking all to be money), that the state has made nothing, or but a very small amount, by her banking operations. But deduct the bad, and half the doubtful debts, and she will be $150,000 minus. To arrive at this delectable state of bank prosperity, has required four years only, with a sprrit capital to begin on of $1,500,000. What are our prospects for the next four years, with neither specie, nor credit at home nor abroad, if we must still bank?"

Indiana State Bank. We understand that Mr. Merrill, the president of the bank, is now visiting the different branches in the state, ascertaining their situation, and preparing them for resumption. It is said he also has taken up all the Indiana bank bills he can find either with brokers or business men, and paying for them with Kentucky or southern funds. It has been stated to us that our banks are paying specie now on small sums for the accommodation of men and business, making the resumption gradual. But we can discover that their bills are retiring from circulation very slowly, and by August there will be little or nothing in circulation among us, except Indiana treasury notes. [*Brookville (In.) Amer.*

COTTON. A well written article upon the subject of the cotton trade will be found under the national head in this number.

A number of the cotton factories in and around Philadelphia have stopped—and others are expected to do so.

The Liverpool Allbion of the 28th February, says: "The sales of this week have been 23,190; the supplies, nearly wholly from the United States, 40,816 bales. The large supplies of cotton pouring in, and the want of activity in the demand for manufactured products, induce the consumers to continue a cautious policy in purchasing cotton, and we have, consequently, had a spiritless and depressed market this week, although the exporters have been operating to some extent." It is not to be wondered at that with so little encouragement from consumers, the holders despond, and yet only in the low qualities of American can we note any depreciation, and that is only to the extent of one-eighth penny per pound."

March 1. This week has opened auspiciously for business. Into the trade consumption generally have taken 5,000 bales, principally American descriptions, at fully Friday's rates. The market has closed firmer than for some days past.

March 2. The sales amount to 3,000 bales, 2,710 American, 4d. to 6d.

AN ELECTION. A mayor to fill the vacancy occasioned by the resignation of Mr. Brady, of the city of Baltimore took place on the 23d ult. Col. Solomon Hillen, the Van Buren candidate was elected, having received 5,156 votes. There were two whig candidates, Col. Small received 3,190, and Gen. Leakin 1,548 votes. Hillen's majority over both 120; total number of votes 10,192, being 4,429 less than at the October election.

FIRES. On the 13th February the greater part of the town of Uzari, in Honduras was reduced to ashes. An extensive conflagration at Columbus, Georgia, occurred on the night of the 15th inst. property valued at $100,000 was consumed; the St. Charles, New Orleans theatre was laid in ashes on the 13th inst. and the Jefferson college near that city was destroyed also by fire on the 6th inst. total loss $150,000.—Other destructive fires occurred on the 15th and 16th in the 2nd and 3d municipalities of New Orleans.

HOME LEAGUE. A large meeting of the citizens of the Schuylkill company convened at Pottsville on the 14th inst. B. F. Pomeroy, presiding and adopted a preamble and resolutions in favor of the protective system.

MAINE. The legislature has adjourned *sine die.*

RED RIVER RAFT. The steamboat S. Western, arrived at Fulton on the 28th, having passed through the raft which has hitherto interrupted the navigation of Red River. A fleet boat arrived also on same day with 20 families from Kentucky, bound to the Cross Timbers, Texas.

TREASURY NOTES are now at a discount, in Boston of 2 per cent, in New York 4, in Baltimore 5.

RHODE ISLAND. The constitution of the legal convention in this state has been rejected by the following vote:

	For.	Against.
Providence county,	9,579	5,343
Newport "	1,459	516
Kent "	784	838
Bristol "	683	238
Washington "	1,181	813
	6,677	7,748
		6,677
Majority against,		1,071

The Providence Journal says: That the people were told that by voting down the proposed constitution, the "people's constitution" would become the paramount law; they will now see what truth there is in the predictions and promises of their leaders.—A majority of the people of this state over twenty-one years of age, and two years resident in the state, have rejected a constitution which provided a liberal extension of suffrage. It now remains to be decided what reforms are necessary in the present government, and in what way they can be best carried legally into effect. In the meantime, we fall back upon the old charter, which has carried the state safely through worse trials than those which now threaten it. The general assembly will meet in this city next Monday.

NEW YORK LEGISLATURE. Mr. Cramer from the select committee on so much of the governor's message as relates to the distribution of the proceeds of the public domain, has submitted to the house of representatives a report which states that the committee had given to the subject an anxious and careful consideration: and believing the distribution law to be unjust, improper and unconstitutional, that it ought to be repealed; with a single exception, the committee were unanimous in its conclusions and positions."

THE INDIAN MAIL. The voyage of the India steamer from Calcutta to Suez, with its results, is well deserving of some further notice. It appears that the time occupied was exactly a month, stopping at Madras, Ceylon, Aden, and Suez; that the whole distance is about 4,900 miles, and that the rate of going averaged 190 miles a day. Her stoppages on the route caused a loss of six days. The letters brought by this vessel have been delivered in London in forty eight days from Calcutta, which, it seems, was the exact time occupied in the instance of the November mail from England to Calcutta in the delivery of the first portion of the government express, the greater delivery being of course some days later; and hence it is inferred by those interested in it that the "comprehensive scheme," when fully matured, will beat the route by way of Bombay. Whether or not this may prove to be the case, the experiment is justly a matter of great interest.

TEXAS—BETREAT OF THE MEXICANS. A letter from Mr. Eve, charge d'affaires of the United States to Texas, dated at Galveston, March 19, to the department of state, announces the retreat of the Mexicans from San Antonio. Gen. Burleson the V. P. and Gen. Johnston, with 2,500 men were in pursuit. General Houston has issued a proclamation that we shall never cease until Mexico acknowledges the Texian independence. The actual strength of the invaders is unknown.

The Hon. Isaac Smith, charge d'affaires from Texas to the courts of St. James and St. Cloud, accompanied by GEORGE K. FENLEN, Esq. secretary of legation, have arrived in Baltimore, and will sail for England by the first opportunity.

The New Orleans Bee says that Mr. Spencer, son of the secretary of war, arrived in New Orleans on the 21st, with despatches for president Houston, of Texas, and left the same evening in the steamship New York for Galveston. The Bee regards it as somewhat curious that Mr. Spencer applied to the Mexican Consul at New Orleans for a passport in travelling through Texas. The Bee says—the Consul refused to give him one; but countersigned his credentials received from the U. States government.

VIRGINIA. The legislature after a session of 110 days and passing 224 acts besides some resolutions adjourned on the 26th. Before adjourning Mr. Armstrong of Harrison submitted a protest in the name of the western members and signed by 50 of them, against the action of the house on the question of reapportionment. It was read and on motion of Mr. Verby laid on the table.

The banks of the state are to resume specie payments on the 1st November.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

Arrival of the British minister extraordinary to the United States. The British frigate Warspite, commander, Sir *John Hay*, arrived in the Annapolis roads on the morning of the 30, bearing Lord Ashburton, charged with a special mission involving matters of the highest importance to America, to Britain and to the world.

His lordship was saluted by the frigate upon quitting, and by the Annapolis artillery company upon his landing,—the flag of the Union waving gracefully from the slate house spire. He took passage the same evening by the rail road cars, and in two hours, reached the residence which awaited his arrival at Washington. The next day, Tuesday the 5th, he was in due form introduced to the president of the United States, and presented his official letters from the Queen.

The gentlemen composing his suite are understood to be Mr. Wildmay, from the foreign office, Mr. Bruce, brother of the Earl of Elgin, and Mr. Stepings, as private secretary.

After his presentation to the president, lord Ashburton proceeded to the capitol, and visited the two houses of congress.

ENGLAND.

Project on Eastern Coast of Africa.. The New York Commercial Advertiser has an article extracted from the London Times, which after lamenting the failure of their Niger expedition, and the defeat of their commercial projects by its channel for the present, suggests the expediency of trying the eastern coast, and alludes to the sultan of Muscat and the island of Zanzibar, where England as well as America has a resident at his court. The sultan, it calls a prince of considerable talent and comparative intelligence, full of ambitious views, who has converted this fine island into a depot for the commerce of eastern Africa. This commerce, it says, he offered as a free gift to England, when, at her instigation, he abolished the external slave trade of his dominions; but, unfortunately for English interests, the government of Bombay, through which the intercourse with him was conducted, neglected his proffer, and thwarted his projects; the Americans sought his friendship, negotiated with him a most favorable treaty, and down to within the last twelve months enjoyed trading advantages which nearly amounted to a monopoly of the commerce of his dominions, and American domestics supereeded the previously existing demand for British fabrics. The Herald then continues:

"To remedy this state of things, Captain Cogan, an able servant of the East India company, negotiated a commercial treaty with the sultan, which ought to have deprived the Americans of all advantages; but practically the fact is otherwise, and, *through the machinations of the American resident*, the treaty is violated to the injury of the British settlers. The subject of these violations has, however, been referred to the government of Bombay, and through its skillful interruption, the friendship of the sultan for England will we trust, be soon reanimated. The occasional visit of a war steamer of the Indian government to Zanzibar, Mombasa, and the other ports of the adjacent coast, to the various harbors of the Madagascar, in which island French influence is now in the ascendant, and among the Comoro Islands, would doubtless inspire the people of these seas with those high notions of the British power, which of late years seem to have been greatly shaken."

This extract, the Commercial considers to be full of momentous and important meaning. "Done into plain English, it says—The Americans, by superior sagacity and enterprise, have advantageously established themselves in the sultan's dominions—we must drive them out. We have tried to do so by a treaty, but as this plan is not successful, we must set the war-dogs of the East India government in motion. The sultan will not break faith with the Americans—we must see what effect the presence of war steamers will have upon him. He must break up the trade of the American resident, hamper his subjects, or we will bastinado capital with bombs and cannon balls, as we did Canton and Beyrout."

The Salem Register says "the American resident alluded to in the English extract, must mean the American consul at Zanzibar, R. P. Waters, esq. of this city. That he will faithfully attend to the interests of our commerce in that quarter, we have no doubt; nor have we any reason to suppose that our government will neglect the protection of our important and valuable trade to the sultan's dominions. Nearly the whole of this trade is carried on by Salem merchants, and we hope they will keep a watchful eye on the British movements in that region, and see that proper representations are made to the American government, if it is ever unmindful of any injurious tendency which English policy may have on our commercial relations with the sultan."

Daily steam packets. The Liverpool Bostonian April 1st for Halifax, with the English mail for the Columbia. The latter steamer, in consequence of the breaking of a shaft in her outward passage, will not be repaired at Halifax, will return to Liverpool under sail, and will probably not make a very short passage. Some of the passengers who had intended going in her will take passage in the packet from New York. The Trent left London for the West Indies, on Feb. 22th. The Solway arrived at Havana on the 16th March, in 8 days from Vera Cruz, via New Orleans. The Tweed left Porto Bello on the 8th Feb. for Kingston, on the 12th encountered strong northeast gales, exhausted her fuel, and put back for Porto Bello where she arrived on the 20th, and was not again on the 27th for Kingston. The Dee left Porto Cabello on 27th Feb. and afterwards went ashore on Turks Island. The Medway which left Porto Cabello a few days after, had arrived at St. Thomas by the 5th March. A letter at Boston from St. Thomas, dated on 8th ult. says

"The great advantages anticipated by us in the establishment of the British West India royal steam company line, we are afraid, will not be realized. The boats have got into sad confusion, and there is no making any thing of them. Some passengers for Jamaica were carried to Turks Island, and after waiting there twenty days, were returned to this place. Such is the confusion they have got into; in fact, Mr. McQueen's plan is not practicable."

Treaty of search.

The London papers of the 19th February, had already announced that the treaty would be signed on the following day, and when this announcement reached Paris, the Press, one of the ministerial organs spoke thus:

"The English journals deceive themselves; the ratification of the treaty is not only suspended, it is *refused*. It will be now required in six months than now. They deceive themselves, when they announce that the treaty, in case of the persistance of France in her refusal, will be ratified and executed by the other powers. This would be a very grave condition of things, and would, in fact almost necessarily give rise to a maritime coalition between the U. States, France, and other powers, a coalition before which England herself will recede. The truth is, England will consent to modify the treaty in the clauses, which have justly wounded the feeling of national dignity in France, or she will contest herself, until some new arrangement, with the stipulations of 1833, which unfortunately are irrevocable for the present."

On the 21st February, the Earl of Aberdeen laid before the house of lords the treaty ratified by Russia Austria and Prussia. The Press of Paris on receiving this information remarked:

"The news of the ratification certainly does not merit all the noise that has been made about it. What has taken place, in entirely just, what every one ought to have foreseen, and nothing more nor less. Now there are two alternatives; either the proposed modifications will be accepted and the treaty will then have lost the objectionable features of its first form; or they will not be accepted, and the treaty will remain as it is, and France will then withdraw definitively from the negotiation, and the dispositions of the treaty will be without her participation.

The London Times of the 19th, in announcing on the authority of its Paris correspondent, the non-ratification of the treaty, has the following article:

"Our correspondent communicates, in addition, a fact which, if any doubt could be entertained of the validity and *bonafide* of the French government, would bear a suspicious appearance. He states that a letter, in the nature of a protest, against the ratification of the treaty by France, had been presented to the minister for foreign affairs (M. Guizot) by Gen. Cass.

"The American minister in Paris, Gen. Cass, says our correspondent, states in that document, that it "being indisputable that under color of the treaty in question, England would pretend to a right to board and search American vessels, and that as the president of the United States had formerly declared if such pretext be permitted, war would necessarily follow any such outrage. That in such case all the parties to such treaty would be regarded by America as participating to the guilt of the power which should actually thus assail American independence. That he (General Cass,) therefore, called upon the French government to pause ere it committed itself to a treaty whence might result a war between France and the United States.

"That which would, but for our trust in the good faith of the French government in this transaction, appear suspicious is, that having already been informed that the French government would not ratify the treaty, here comes opportunely a representation which that government might use as an excuse for pausing (as Gen. Cass recommends) ere it ratifies a treaty from which, as the American minister predicts, might flow all the evils of war. The main facts are, however, all that we can fairly deal with at present, and these are, that within three days of the expiration of the two months allowed for the ratification of the treaty, the French government, a party to it, had not yet ratified it, and that the American minister in Paris protests against its ratification. With the American minister's proceeding we find no fault. He acts, we suppose, on the view taken of the matter by himself and his government, but the French ministry will, by their refusal to ratify a treaty to which France is a party, commit an error which we sincerely pray may not lead to unpleasant results."

A letter from the correspondent of the Times, dated at Paris, the 20th, says that a council of ministers was to be held that day at the Chateau of the Tuileries, under the presidency of the king, at which the protest of the American minister against the ratification would be discussed.

A writer in the Pennsylvanian of April 2, says of Mr. Cass' pamphlet: "Did the king wish him to write it? If so, he did well. If not, whatever his praise worthy ardor as an American citizen, it is not so clear that he did well as a foreign minister at the French court. He is accredited to the king, not the representative of the nation. The executive and legislative branches of the French government being at variance, if they were in *reality* so, was it for the representative of a foreign power to intermeddle, formally or informally? What should we say of Mr. Fox, if he acted in this way at Washington in a case analogous? From as much as passed in the British parliament we are authorised in inferring, that the French ambassador in London signed the slave-trade treaty with the other four powers, in full conformity with his instructions from the French court, yet this is the great crime of which Gen. Cass' pamphlet is levelled. The doctrines of the pamphlet I cordially acquiesce in, but wish he could have had a better text. For his able commentary, than a flippant article in the London Times.

The end of all his greatness. The following marriage notice appears in the Canada papers. It refers to an individual, whose name was recently echoed from every quarter of our country, and upon whose fate seemed to depend the peace of both hemispheres of this world. Alexander steps from a cold, comfortless prison to the arms of a wife. The new acquisition, it is presumed will be more satisfactory

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than all the notoriety that he ever gained by the exploit that he never performed.

Married at Stanford, Upper Canada, March 13, by the rev. W. Leaming, Alexander McLeod, esq to Helen Norman, eldest daughter of Capt. Morrison, of Stanford.

From an article in a late number of Blackwood's Magazine: "The existence of the United States would be of use, if it were only to make the world sick of republicanism. There never was a more shocking evidence of the absurdity of expecting a rabble to be rational, honest or moderate, or the government of a rabble, to be honest, or to keep their tools. But if they kept their follies to themselves, they might be suffered to call names, waste their lives in election squabbles, exhaust the public resources in worthless speculation, and swallow gin and bad politics to the end of the chapter. But the evil of republics never keeps itself within native bounds. It is always boiling over on its neighbors. A field of thistles is not more obnoxious to the honest farmer, who sees their seeds floating over his fence at every gust, and preparing vexation for his harvest, hour by hour.

America is now a land of sympathizers—tender phrase! A nest of cut-throats starts up in Canada.—All is sympathy for them at the other side of the St. Lawrence. A band of ruffians rises up in Ireland, roaring for the repeal of the union, which every man of common sense must know to be only preliminary to the separation of the empire, and scattering of impoverished bloodshed and misery, if not the signal for an universal war. America instantly exhibits her sympathies. We are at peace with her, we have offered no provocation, she is bound by solemn treaties,—but what are all those things to a "free and enlightened people?" All these gatherings of rabble orators pour out, in her public places, the most furious declamations against our country. But does her government ever interfere; does she ever protest against these violences; do any of her public organs point out to these marauding incendiaries the injustice, the faithlessness, and the atrocity of their language?—No. A republican government is always a government of tools, and the government leaves the mischief to take its way."

In connection with the above, it will be proper to see the following language of the Lord Mayor of Dublin:

Address of the people of Ireland,to their countrymen and countrywomen in America.

DEAR FRIENDS: You are at a great distance from your native land! A wide expanse of water separates you from the beloved country of your birth—from us and from the kindred whom you love, and who love you, and pray for your happiness and prosperity in the land of your adoption.

We regard America with feelings of admiration; we do not look upon her as a strange land, nor upon her people as aliens from our affections. The power of steam has brought us nearer together; it will increase the intercourse between us, so that the character of the Irish people and the American people, must in future be acted upon by the feelings and dispositions of each.

The object of this address is to call your attention to slavery in America, that foul blot upon the noble institutions and the fair fame of your adopted country. But for this one stain, America would indeed be a land worthy of your adoption, but the will never be the glorious country that her free constitution designed her to be, so long as her soil is polluted by the foot-print of a single slave.

Slavery is the most tremendous invasion of the natural inalienable rights of man, and of some of the noblest gifts of God, "life, liberty and the pursuit of happiness" What a spectacle does America present to the people of the earth! A band of professing Christian Republicans, uniting their energies for the oppression and degradation of three millions of innocent human beings, the children of our common father, who suffer the most grievous wrongs and the most degradation, for no crime of their ancestors or their own! Slavery is a sin against God and man. All who are not for it, are against it. None can be neutral. We entreat you to take the part of justice, religion and liberty.

It is in vain that American citizens attempt to conceal *their own and their country's degradation under this withering curse;* America is cursed by slavery! WE CALL UPON YOU TO UNITE WITH THE ABOLITIONISTS, and never cease your efforts until perfect liberty is granted to every one of her inhabitants, the black man as well as the white man: We are all children of the same gracious God, all equally entitled to life, liberty and the pursuit of happiness."

We are told that you possess great *power* both moral and *political* in America. We entreat you to exercise that *power* and that influence for the sake of humanity.

You will not witness the horrors of slavery in all the states of America; there are some free and thirteen of them are slave states. But in all, the pro-slavery feeling, though rapidly decreasing, is still strong. Do not unite with it; on the contrary, exert your whole influence against it, by all the power in your hands. *Join with the* ABOLITIONISTS EVERY WHERE! They are the only consistent advocates of liberty. Tell every man that you don't understand liberty for the white man and slavery for the black man; that you are for liberty for all, of every color, creed and country.

The American citizen proudly points to the National Declaration of Independence, which declares "that all mankind are born free and equal," and are alike entitled to "life, liberty, and the pursuit of happiness." Call him to carry out this noble declaration by obtaining freedom for the slave.

Irishmen and Irishwomen! *Treat the colored people as your equals*—AS BRETHREN. By all your memories—*by the memories of your ancestors*—*by the slavery—cling to the abolitionists*; and in America you will do honor to the name of Ireland.

Signed by DANIEL O'CONNELL,
THEOBALD MATTHEW,
R. R. MADDEN,
and 60,000 other Irishmen."

POLITICAL.

The revolution accomplished in Portugal is in favor of the charter of Don Pedro. On the 7th March the queen Donna Maria after a fruitless effort of coalition between the constitutionalists under the duke of Palmella and the democratic under Sa de Bandeira, remained without a ministry; this coalition was however shortly afterwards effected, and M. de Palmella was summoned to form the new ministry. The first measure of the new cabinet was the cause for its overthrow. This was the removal of the duke of Terceira from his military command, to make place for count Bonfim, and a national guard from the people was then about to be organized, when the troops of the line declared for the charter of 1826. The ministry dissolved, and the queen summoned to her aid the duke of Terceira, and on the 10th the charter was proclaimed by her as the law of the land and in its virtue the cortes convoked for the 15th. The author of the project of this insurrection commencing at Oporto, Casta Cabral will probably be appointed minister of the interior. The charter of 1826 differs from that of '38 in several important respects. It recognizes the hereditary peerage which had been done away with by the latter. It also reconfers upon the monarch the power of dissolving the cortes, the army and navy, of commanding in person and admits the absolute veto. It is therefore a retrocession from the late more liberal constitution and has created considerable sensation in the neighboring kingdom of Spain.

TEXAS.

DESPATCHES. In reference to some statements in the New Orleans papers, we are authorised and requested to declare that despatches have been sent by this government to President Houston, and that no son of the secretary of war has been employed to convey any despatches to any person or officer, or to render any other service whatever for the government or any of its departments.

[*Nat. Int. of 4th.*

SANTA ANNA. The Globe makes the following relation respecting the dictator of Mexico.

"It is singular that Santa Anna should again invade Texas. His views of his duty to Mexico have undergone a great change since his visit to Washington, or the opinions he expressed here were deeply imbued with dissimulation. We were present at his private interview with General Jackson, (Mr. Forsyth acting as the interpreter between them), when Santa Anna declared that there must be an everlasting separation between Mexico and Texas. He spoke of the character of the two people, and their respective positions, as rendering this inevitable, and their recent rupture as one that could never be healed. We remember the figure with which he illustrated this part of his eloquent conversation. He said that Texas was then to Mexico a broken limb, so utterly inexpable of a sound reunion, that amputation was indispensable, to preserve Mexico itself.

With the greatest apparent frankness, however, he told General Jackson, that, under the circumstances he was then returned to Mexico, he could not sufficiently to accomplish what was so desirable; that to advocate, in the prejudiced state of feeling in Mexico, the independence of Texas, would be looked upon him as treason, purchased by the gift of his life; and that to exert his influence immediately for that object, would only serve to cover him with dishonor, and deprive him of all power to accomplish, what, at the proper time, in another state of public feeling, he would most eagerly contribute to effect. From his letters, we should seem that all this was hypocrisy—and that he nourished nothing but feelings of revenge for his humiliation, without one grateful recollection of the magnanimity which restored him to life, liberty, and power."

New Orleans papers of the 23d, contain Galveston advices to the 20th ult.

The Galveston Advertiser of the 19th March, contained the following letter.

Coal Bowlen:

City of Houston, 17th March, 1842.

DEAR SIR: The news of express from Austin, up to the 13th inst. is that the enemy have evacuated San Antonio, and are retiring disordered to the west. They were laden down with baggage, and march slowly. Col. Hays is harrassing them on their march. They only march about eight miles every day. The troops from Austin and those on the frontier are marching to overtake and beat them.

War shall now be waged against Mexico, nor will we lay down our arms until we have secured the recognition of our independence. Until then I will never rest satisfied, nor will the people of Texas. We invoke the god of armies. Your friends,

Mr. H. Sevier. HOUSTON.

The Galveston Civilian, in publishing the foregoing letter says—No circumstance which has transpired of late has given more pleasure to our citizens than the announcement that the president of his determination to prosecute a war of retaliation upon Mexico, and force her to an acknowledgement of our independence. If the forces we have now in the field, it will be an easy matter to get a foothold in the territory of the enemy, around which other forces can be drawn. It is, we believe, the plan of the executive to have possession of some point upon the coast, to which troops from abroad can be shipped without the delay and fatigue of marching through our territory. Our fleet has and will keep complete possession of the gulf, and while both men and supplies can be shipped with safety to our army, the enemy may be prevented from obtaining supplies of any kind from abroad. Our people have once more taken up the line of march towards the setting sun, and the stock from which they are descended was never known to turn back from a land towards which they once set their faces.

From the Galveston Advertiser.

The general enthusiasm of the community has been so great that it has extended even to the fair sex, and several of the good ladies of our city have been industriously engaged for the last few days in moulding bullets and making cartridges for the use of the army. There has been contributed within two weeks past, in the citizens of Galveston, about twelve thousand dollars in provisions, munitions of war and money. The steamer Laffitte and two other vessels armed and equipped have proceeded down the coast. It is a worthy of remark, and does credit to the liberality of our citizens, that the large amounts contributed in this city have been entirely voluntary—nothing approximating to the odious practice of impressment has been attempted to be practised among us—all has been a spontaneous free will offering on the altar of patriotism. If this is a specimen of the spirit of liberty which pervades the whole republic—and we believe it is—the Mexicans have good cause to quake with fear at the prospect of a combat with such a people.

Correspondence of the New Orleans Bulletin. Galveston, March 18, 1842.

We do not think the present difficulties will greatly lessen the number of the current year. Most of the labor in the country is performed by slaves, and these will remain at home at work. The new Presbyterian church in this city will be permanently opened for the first time, next Sabbath, when a sermon will be preached by the rev. Isaac Henderson. We have a lecture from an agent of the Washington Total Abstinence society to-night.

Much doubt existed as to the number of the Mexican forces. One letter says 14,000 and another only 1,000. The Texian forces at Seguin were stated to be 140 strong, which was increasing. It was their intention to march upon San Antonio as soon as they collected 500 men.

General A. Somerville is in command of the Texian army. The papers do not seem to fear any danger.

General Burleston had marched for Austin with 350 men, and Col. Moore was on his way with 600. All the women and children in that neighborhood were removing down the Colorado. 4,200 men had mustered on the Guadalupe.

There were between 1,200 and 1,300 Texians at Gonzales, and 300 near Victoria, about the 10th inst. but these are probably by this time reinforced to 800 or 1,000.

News from Vera Cruz to the 2d instant had been received. The invasion of Texas was talked of there as a thing contemplated, and for which preparations

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were making, but nothing was said of an immediate attempt. No troops for the purpose were at Vera Cruz, though there were fifteen hundred men in the castle. When full manned it requires 3,000. It was reported at Vera Cruz that some fifteen or twenty thousand soldiers were assembling at the capital, for the avowed purpose of putting down Yucatan and Texas.

Commodore Moore was off Vera Cruz on the 16th ult. and though the signal "no enemy in sight" was hoisted at the castle, he came and went undisturbed.

The brig of war Wharton, the Zavala, steamer Lafitte, and schooner Washington were being fitted out for sea.

Mr. Cheralie, Morris, Van Ness, and Dunn had not been captured as had been reported. A New Orleans paper says: We have before us an official letter of President Houston, from which we make a few extracts, evolving more distinctly the objects now in contemplation.

"If troops should be raised in ——, (we leave the blank to be filled by the imagination of our readers.—Eds.) at the call of this government, and for conquest, they may rely upon the fact, that they will be allowed the privilege of the Texian banner to cross the Rio Grande, and pursue conquest in the Wilds of Mexico" Another extract which perhaps open up visions of romance to ardent minds, so bewitching in their character that we cannot refrain from inserting it. It is in these words: "The recompense tendered to our Friends will be the prosperity captured by them upon the most exalted and chivalric principles of honorable warfare and *the soil which they conquer—glory, victory and immortal fame!* Mexico has invaded our country, and her dictator has declared that the *Anglo Saxon race shall bow to the will of a despot!*"

The New Orleans Bee, of 25th ult. says, the arrival of the steamboat Colonel Woods, from Galveston, whence she was despatched on the 22d, brings the confirmation of the invasion of Texas by an overwhelming Mexican force. It appears that the retreat of the Mexicans from San Antonio, was a device to allure the Texian troops, assembled in haste, to go in pursuit, before they were fully drilled and disciplined. Shortly after the steamship Neptune left Galveston, (which vessel reported the retreat of the Mexicans from San Antonio) an express arrived bearing intelligence of the advance of 4,000 men on the Matamoras road towards Victoria, and reporting 12,000 additional troops on the upper road, marching upon San Antonio. The forces which recently occupied San Antonio, consisting of the van guard of the 12,000, under the command of Vasquez. The impression is that the Texian army of 1,500 men, under Burleson, will follow the retreat of the van guard, until brought within the power of the main army. Upon the receipt of this news, which was brought to Matagorda from different directions, rendering its truth indisputable, the commander of vigilance in Galveston despatched a pilot boat to this city, and a few hours afterwards the steamer Colonel Woods. The pilot boat has not yet reached New Orleans. The Colonel Woods met with favorable weather, and came to our levee in about fifty hours.

The Galveston Advertiser of the 22d instant, contains an address "to the friends of Texas in the United States," asking for prompt assistance. It says now that the spirit of our people has been roused we predict and where they will be willing to stop. Crossing the Rio Grande they will hardly stop short of steps towards the capital of Mexico, and we shall be greatly surprised if before their onward march is fully checked they shall not have planted the Tree of civil and religious liberty in the midst of the city of Palaces, and a branch of this noble tree shall and will yet extend its fostering shade over the present residence of the supreme dictator. We therefore cordially invite to our aid all who desire to be instrumental in the hands of Divine Providence in extending the blessings of civil and religious liberty over one of the fairest portions of the globe. We invite all who are desirous to aid in breaking the chains of papal superstition and bigotry, and opening the door for the introduction of Protestant Christianity into a long benighted portion of the earth, to rally around our standard; for we wish the lone star of Texas and the star of Bethlehem to travel in unison in their westward march, and never like one shall be stationed, we trust the other will be found close by its side.

The Macon Telegraph (Georgia), remarks thus:

"The course of the people of the United States is clear. They cannot and ought not to interfere in the matter. The quarrel is between the people of Mexico and those of Texas, and let them settle it in their own way. The people of the southern states especially, should not interfere. While complaining as we have a right to do, of the interference of others in our internal affairs, let us not be guilty of the same thing ourselves. Besides the manifest injustice to Mexico, what do we gain by taking part with Texas? Cannot the south see the error it has already committed, and the great injury it will do itself by interfering further? The south sees already a powerful rival in the production of her great staple built up; and should Texas succeed, she will not only compete with it in the production of cotton, but drain off most of the negroes and wealth from the old cotton growing states. We profess, though we do not sympathize for Mexico, we feel bitter for Texas. If they can work out their own salvation, well and good: if not, let them bide the result. Charity should begin at home. The people of the United States are already too much embarrassed, and have been threatened with still greater evils, to think of extending aid to foreigners. The people of Texas have no claims upon us—on the contrary, we have heavy claims upon many of them, who have sent their property from these parts to avoid paying their debts, and should they lose it in the scuffle, it will be no more than a just retribution."

Honorable Ashbel Smith, charge d'affairs from the government of Texas to Great Britain and France, and Mr. George K. Teulson, secretary of legation, arrived at Washington on the 23d ult.

Meetings in sympathy of the Texas cause have been held during the past three weeks at New Orleans, Mobile, Savannah, Augusta, New York and Philadelphia, contributing the amount of $1,000 made at Augusta, Ga. and a company of armed emigrants 70 in number left Mobile on 24th ult. "on an exploring expedition" for Texas, and one or two three hundred left New Orleans on 25th for the same destination. The abolition sentiments of Santa Anna expressed in his late letter to Gen. Hamilton have influenced the feelings of the south against him at the south. The Savannah Republican of March 31, says:

"Mr. G. B. Lamar requests us to say that he cannot complain of the use made of his name, in his absence, by the friends of Texas, at their meeting on Tuesday evening, because he once engaged ardently in their cause, and they were not advised of any change of his opinion on the subject. Time, reflection, and a more enlightened conscience, convince him, however, that any interference with the war in Texas by citizens of one of the United States is a violation of the law of nations, inconsistent, moreover, with our own interests, and the doctrines we hold of like conduct of others towards us; and he must, therefore, in justice to himself, not only decline the appointment tendered him, but refuse to contribute to the cause in any way whatever."

Mr. McRea on his return to Washington from his Mexican mission, received a letter dated at Montgomery, Ala. March 19, to the editor of the Fayetteville North Carolinian, in which he details the condition of the Santa Fe prisoners and says that the small pox certainly was introduced among them by their captors, and had been tolerably provided for." They were employed at cleaning the streets in the cities where they were distributed. Santa Anna's military strength he says does at 90,000 men and "his will is absolute law."

The Caddo Gazette of 12th ult. recounts the death of C. J. Robert Potter, formerly member of the United States congress from North Carolina, and lately senator of Texas. A dispute arose between him with a hitherto intimate friend of the name of Rose concerning some land claimed by Potter, on which was residing the widow of Rose's deceased brother. He was beset in his house by a gang of ruffians under Rose. He sprang from his couch, seized his gun, and, in his night clothes, rushed from the house. For about two hundred yards his speed seemed to defy his pursuers, but, getting entangled in a thicket, he was captured. Rose told him that he intended to act a generous part and give him a chance for his life. He then told Potter he might run, and he should not be interrupted till he reached a certain distance. Potter started at the word of command, and before a gun was fired he had reached the lake. His first impulse was to jump in the water and dive for it, which he did. Rose was close behind him, and formed his men on the bank ready to shoot him as he rose. In a few seconds he came up to breathe; and scarce had his head reached the surface of the water when it was completely riddled with the shot of their guns, and he sunk to rise no more."

This is but another of those frightful and lawless scenes so frequently enacted in that section, where also a few weeks ago, Mr. Alston the assasin of Gen. Rend of Tallahassee, Florida, killed a man named Steuart, but was himself also killed from the rencontre.

TEXAS AND CALIFORNIA. We have reason to suppose that the statement which we and most of our contemporaries have copied from the Louisiana papers, that, by a resolution of her congress, Texas had declared an extension of her limits so as to include California, is incorrect. Such a resolution was, we understand, introduced by a Member of the Texian congress, but was never acted upon, or even taken up for the purpose. *Nat. Intel.*

SWEDEN.

The session of the Storthing of Norway was opened at Christiana on the 11th instant, with the usual formalities, and the commissioner of the kingdom delivered a speech in the king's name. In this document his majesty congratulated the Storthing on the satisfactory condition of the country and its steady advance in the way of improvement. The king expressed his warm wish that the two sister kingdoms of Sweden and Norway should ever advance together in prosperity, and he assured members that the relations of the monarchy with all foreign powers were very satisfactory. The State Gazette of Stockholm remarks that, during the discussion in the French chamber of deputies on the treaty for the suppression of the slave trade, M. Guizot erroneously included Sweden among the powers which had acceded to the treaty of 1833. "The Swedish government, says this paper, 'which had made a similar treaty with Great Britain in 1824, did not accede to the treaty of 1834 and 1835, concluded between the latter and France, but on the 22d May, 1836, concluded a special treaty with France.'"

[*Corres. of Nat. Int.*

ALGIERS.

The French have finally expelled Abdel Kader from their dominions in Africa. Fort Tafroua, two days journey south of Tlemcen, his last hold, was delivered up on the 16th February. General Bugeaud then returned to Tlemcen to organize its government. Mohamed el Cheik a friend of the French has become the native ruler in place of Abdel Kader and the latter had fled to the district of Ouschda in Morocco.

M. Guizot has hitherto alluded to a conversation held with lord Aberdeen by the French ambassador in which his government had formally declared an acceptance of the de facto state of affairs in Africa and that he would no farther concern himself about the promises of evacuation. Yesterday, 30th March 1st, Mr. Sheil in the house of commons having interrogated sir R. Peel on the subject, the latter replied "that he is authorised to declare that my noble friend (Aberdeen) has not admitted the correctness of the version given to that conversation. He does not admit that he has said that he had no objection to the occupation of Algiers by France. He observed that he was simply, that he had no remarks to make on the subject.

The London Herald says:

"We expect to learn that the indiscreet revelations of M. Guizot in the chamber of deputies upon the language he pretends to have been held by lord Aberdeen with the French ambassador to our court, have already become a great subject of embarrassment and that communications but little satisfactory have been exchanged between the two governments. The noble secretary for foreign affairs, dissents from the interpretation of his language as publicly given by M. Guizot; and this statesman has replied to the British explanation by a formal note in which he recounts the words used and maintains the justice of his deductions from them.

INDIA.

The news from Afghanistan extends to the 15th of December. The position of General Sale at Jelalabad in the midst of the insurrection was still very critical. Col. McLaren, sent to deliver him, had failed. A fresh attack of the insurgents against the English had been successful.

Accounts from the city of Cabool of the 8th of December represent the state of affairs there to be much worse than they were before; provisions were becoming scarce, and the enemy more daring every day.—They had closely invested the entrenched camp at Seera-Sung, and, it is said, had made overtures of surrender to the army, the conditions of which were, that he should deliver Shah Soojah over to the Afghans, and leave the country with our troops. Major general Pollock had received orders to proceed to Ferozepoor, and thence to Peishwar, to assume the command of a force assembling at that point, to consist of 10,000 men, and the object to relieve the troops in Jelalabad.

CANDAHAR. We have letters from Candahar to the 3d December. All was quiet then at that place The principal intelligence which our correspondent forwards to us relates to the return of Col. McLaren's brigade, news of which had just reached Candahar. The brigade had found it impossible to overcome the difficulties in its way, and was therefore obliged to abandon the undertaking, and fall back again on Candahar, leaving a wing of one of the regiments at Khelat-i-Gailzee to strengthen that post.

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Oude, December 4. Confusion and anarchy are often talked of, but I may well say they exist to the very letter of the words in this devoted country.—The whole kingdom is up in arms; the Chuckladars are slaughtering the Ryots on one side, and the Phaloodars are, on the other hand, murdering the king's troops whenever they get the advantage. The Chuckladars of Sultanpore had received as great a licking as ever a merciless tyrant could have deserved, from the Rajah of Phalodar of Budivan, a place not three miles from the British cantonment of Sultanpore.—Roberts's 1st regiment was engaged in this bloody conflict with the rest of Sujjeeln, and it is reported that this native irregular regiment was now obliged to take to its heels under the command of Captain Hearsy, who gallantly, at the head of his men, showed the use of his stirrupers. They pursued the king's troops for two miles. Captain Hearsy suffered a loss of 80 men in killed and wounded; amongst the former, Lieut. Spry, nephew to Dr. Spry, of Calcutta, and a Mr. Nesbit.

NATIONAL AFFAIRS.

THE TARIFF BILL, as reported from the committee on manufactures by Mr. SAUNDERS, has just been published. It proposes, 1st, a general ad valorem duty of thirty per cent. for revenue purposes; 2d, specific discriminating duties for protection of our manufacturing interests, in some cases considerably over thirty, and in others as of raw materials, &c. under thirty per cent. In other respects the compromise act is adhered to.

Tea and coffee are on the "free" list in the bill.

The senate committee on manufactures is said to have nearly completed their tariff bill. It is on a different plan from that of the house, and regulates a home valuation of imports. It is stated to be no less favorable to American labor than the house bill.

We hardly allow ourselves to doubt that one or the other, or perhaps a portion of each of those projects will ultimately be adopted by congress, and the foundation thereby be firmly laid of RENEWED NATIONAL PROSPERITY—firmly persuaded as we are that the distress which has been accumulating for the last ten years has been mainly owing to a departure from the true interests of the people of this country in abandoning a good tariff and thereby prostrating the prices of the LABOR of our people. Labor is the first ingredient in the wealth of a nation—and is protected by every wise government.

The subject is at length awakening the long dormant attention of those who have endured the downward progress of American interests. Meetings of the laboring people are convening in every direction, with a view of pressing prompt and effective measures by congress to avert the still impending provisions of the existing tariff that must go into operation on the 1st July next, if it remains unrepealed.

APPOINTMENTS BY THE PRESIDENT.

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Alexander Hamilton, jr. to be secretary of the legation of the United States at Madrid, to the place of Joseph C. Cogswell, declined.

James W. McCulloh, of Maryland, comptroller of the treasury.

James H. Weakly, surveyor general for Alabama, reappointed.

Consuls. James Hagerty, for the port of Liverpool.

Alexander Powell, of Philadelphia, for the port of Rio de Janeiro. [Removed since.]

Thomas M. Rodney, of Delaware, of the United States for the port of Matanzas.

Marshal. Benjamin Fitzhugh, of the United States for the northern district of Alabama, from the 8th of May, 1842, when his present commission will expire.

CUSTOM HOUSE OFFICERS.

Collectors. Richard Hopkins, district of Brunswick, Georgia, vice A. W. Willey.

Leavitt Thaxter, district of Edgartown, Mass. vice John P. Norton.

James Gregory, district of Marblehead, Mass. vice Peter Dixey.

James E. Gibbie, Beaufort, North Carolina, reappointed.

Hiram Nourse, Apalachicola, Florida, vice Gabriel J. Floyd.

B. H. Crockett, Vienna, Maryland, vice Charles Leary.

Naval officer. Moses Richardson, district of Providence, R. I. vice Samuel Brown.

John Lester, appraiser of merchandise at Baltimore, Maryland, vice Lyde Goodwin.

Benjamin T. Fendall, surveyor of the revenue at Alexandria, vice James McGuire.

Surveyors. Samuel D. Turner, Beverly, Massachusetts, vice Aaron Foster.

Benj. Wormstead, Marblehead, reappointed.

Land officer. Samuel Dexter, receiver, Ioon, Michigan, vice Cyrus Lovell.

Receiver. Isaac Prescott, for the land office at Edwardsville, Illinois. Reappointed.

MINISTER TO SPAIN. Washington Irving, our minister to Spain, took passage in the packet ship *Independence*, which sailed on the 7th of April, for Liverpool.

MINISTER TO MEXICO. Gen. Waddy Thompson, the newly appointed minister to Mexico, arrived at New Orleans via Mobile, on the 24th ult, and is to embark thence for Vera Cruz.

THE ARMY.

GENERAL ORDERS.

Adj't. general's office, Washington, March 26, 1842.

The sixth regiment of infantry, now at Jefferson barracks, will proceed without delay, by the most expeditious route, to Fort Tyrson. Five companies of the first dragoons will be detached from Fort Leavenworth, with orders to proceed, without loss of time, to Fort Gibson. The colonel and lieutenant colonel, commanding the regiments, will report to Brigadier general Taylor, commanding the second military department.

The company of the first regiment of infantry, now at Jefferson barracks, will take post at Fort Leavenworth.

The officers in command are charged with the prompt execution of this order.

R. JONES, *Adj't Gen.*

GENERAL ORDERS.

Adj't. general's office, Washington, March 29, 1842.

The following order, received from the secretary of war, is published for the government of the army:

War department, March 28, 1842.

1. As a portion of the country along the western borders of Arkansas and Louisiana may become the theatre of active military operations, and as it is desirable on many accounts that direct communication should be had with the seat of government in relation to those operations, in the same manner as with the peninsula of Florida, the president directs that Brig. General Taylor, now having charge of military department No. 2, assume the command of all the troops that now are or hereafter may be ordered to that department, and that he adopt all proper measures to preserve the neutral relations of the United States, and to afford protection and security to the frontier. He will maintain a direct correspondence with general head quarters at Washington, whence he will receive his orders, and where only he will be responsible. Copies of his reports will, as usual, be transmitted to the head quarters of the western division.

II. The president directs that hereafter all officers of every branch of the service, assigned to duty in the second military department, shall only be relieved or be transferred through the orders of the general or other officer commanding the troops in that department; and when it may be necessary to withdraw any officer of the staff from duty there, the requisite instructions will be given through the adjutant general's office.

III. Officers of the general staff, serving in the second military department, will report to, and receive instructions from, the officer assigned to the command of that department.

IV. The relations existing between the city of New Orleans and the western geographical division, in connexion with the exposure of that city to attacks from abroad, render it proper to place it in charge of the general commanding, who, the president, therefore, directs that so much of the state of Louisiana as lies east of the Mississippi river shall in future be incorporated with and form a part of the western division.

By order: J. C. SPENCER.

R. JONES, *adjutant general.*

GENERAL ORDERS, NO 21.

Head quarters of the army, adjutant general's office, Washington, April 1, 1842.

At all posts with field batteries, the position of every gun mounted or to be mounted, will have its number, and this number be placed on the gun when in position.

For every such work a post-book of record will be kept, under the direction of the commander of the post, in which will be duly entered—the number of each mounted gun, its calibre, weight, names of founder and inspector, and other marks; the description of its carriage and date of reception at the post; where from and the greatest field of fire of the gun, in its position.

Every commander of a fort or other fixed battery, will, before entering on artillery practice, carefully reconnoitre and cause to be sketched for his record-book, the ranges of shot with the ordinary soundings, and other approaches to the work. Buoys or marks will be placed at the extreme and intermediate ranges of the guns, and these marks be numerically noted on the sketch. A buoy at every five hundred yards may suffice.

At the time of practice, a distinct and careful note will be made for the record-book of every shot or shell that may be thrown, designating the guns fired by their numbers, charges of powder used, the times of flight of shots and shells, the ranges and ricochets, and the positions of guns in respect to the horizontal and vertical lines.

The time of flight of a shell may be noted with sufficient accuracy by a stop-watch, or by counting the beats—previously ascertaining their velocity, of other watches, and the range may sometimes be computed by the time of flight. Other modes of ascertaining the range will readily occur to officers of science.

When charged shells with fuzes are thrown, the time of bursting will be noted. If they are intended to fall on land, only a blowing charge will be given to the shells so that they may be picked up for further use.

On filling from the barrel, the proof range of powder will be marked on the cartridges.

The principal objects of this practice are—to give to officers and men the ready and effective use of batteries; to preserve on record the more important results for the benefit of the same, or future commanders, and to ascertain the efficiency of guns and carriages.

Commanders of field artillery will also keep registers of their practice, so that not a shot or shell shall be thrown in the action, or instruction, without distinct objects, such as range, accuracy of aim, number of ricochets, time of bursting, in the case of shells, &c.

For all artillery, there will be, annually, three periods of practice in firing:—*April, June*, and *October*, for the latitude of Washington and south; and *May, July*, and *September*, north of that latitude.

Every company, with a field battery, will be allowed for annual practice, 200 blank cartridges, and a third of that number of shots or shells. Companies, with fixed batteries, will be allowed 100 cartridges each, with seventy-five shots or shells. This ammunition will be expended in nearly equal discharges in the three months designated, and if the company be mounted, eight blank cartridges will be allowed for each of the other months in the year.

As practice in gunnery is a heavy expense to government, and yet indispensable to the instruction of both officers and men, commanders of companies and their immediate superiors, are charged with the strict execution of the foregoing details; and all officers authorised to make tours of inspection will report through the prescribed channels, on such execution.

To determine accuracy of aim, in firing shots and shells, butts or targets will be sought for or fixed. Where no natural butt presents itself, targets will be erected. A form for floating targets will be sent to the commanders of the several forts. By command of Major General Scott.

R. JONES, *adjutant general.*

A medical board has been ordered to convene in Philadelphia, on the 3d of May next for the examination of assistant surgeons for promotion and of candidates for appointment in the medical staff of the army. The board is composed of

Surgeon T. G. MOWER, *president*,
Surgeon H. A. STINNECKE, } *members.*
Ass. surg. J. M. CUTLER, }

The steamboat Galena left this port yesterday, for Fort Crawford, (Prairie du Chien), having on board company C. 6th infantry under command of captain La Motte. Lieutenant Terrett, and Dr. M'Cormick were also passengers. [*St. Louis Era, March 23.*

The steamer Meteor at Jefferson barracks on Saturday last, from New Orleans, landed maj. Hoffman, Dr. McCormack, capt. Anderson, capt. Cady, capt. Dow, lieut. Hendrickson, lieut. Armistead, lieut. Bacon, lieut. Ernst, lieut. Flint, and lieut. Foot with 350 of the 6th regt. U. S. infantry, just from Florida. [*St. Louis Era, March 21.*

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Died at Fort Wayne, (Cherokee nation), on the February last, capt. *Isaac P. Simonton*, of the first regiment of the United States dragoons, aged about 36 years. Capt. S. was a graduate of the military academy at West Point. He entered the army in 1827, and from that time until the period of his death had been on constant duty either with his regiment or in removing Indians west of the Mississippi. Generous and open hearted, he was universally esteemed by his brother officers, by whom his memory will ever be held in affectionate remembrance.

THE NAVY.

The U. States sloop of war *Ontario*, lieut. Radford, arrived at New Orleans on the 27th ult. for the purpose of taking out the hon. WARDY THOMPSON, our new minister to Mexico.

Captain J. R. Nicholson is to take command of the Charlestown navy yard station. He is at present president of the court martial in session at Baltimore.

THE STEAM FRIGATES MISSOURI AND MISSISSIPPI. left New York at 8 o'clock on the morning of the 1st inst. for Washington. On the 4th inst. the Mississippi arrived at Washington—but the Missouri, with a pilot on board, deviated from the channel of the Potomac and grounded opposite to Port Tobacco, almost 60 miles below the city. Every effort was immediately made to get her off, by backing her main and taking the guns and other weighty articles off. Lieut. John P. Borden was sent out in charge of a boat's crew, with an anchor, for the purpose of heaving the vessel off; when by some accident he was unfortunately swamped, and this meritorious officer and fifteen men perished, while in the faithful performance of their duty. The Washington says: So far as the facts of the case have come to the knowledge of the department, every precaution usual in such cases seems to have been taken by the officers and there is no reason to attach blame to them for this deplorable accident. Of course, however, the subject will be fully investigated in the proper manner.

Immediately on the receipt of the intelligence, the Mississippi, which had arrived on Monday, was despatched to render aid if necessary. It was expected that the Missouri would be got off at the next high tide.

NORTHERN FRONTIER. J. SEARSMAN HOGAN. A late northern paper informs us that "this confessed participant in the Caroline affair has made a speech at Hamilton, C. and written a letter to the editor of the Rochester Evening Post in explanation of his present arrest at Lockport. He believes he has left through any fear of consequences, and says he did so at the earnest solicitation of those persons who thought the ends of justice would be much better answered if he were not prosecuted at all. He claims the right 'as a British subject to traverse the universe, and to plead my country as a passport;' and says *I shall do, as far as the United States are concerned, whenever I think proper.*"

We have since learned that on the 31st ult. having again entered the state he was again arrested in Rochester, N. York. His examination commenced the next day at the court house before the police justice.

INDIANS. See also Fox INDIANS. The Burlington (I. T.) Gazette says: We understand that the principal chiefs of the Sax and Fox nation of Indians have made application to the war department at Washington to be permitted to visit the seat of government, with the view of concluding a treaty for the cession of a portion of the country at present owned by them, to the general government. A gentleman well advised of the sentiments of the Indians, and direct from their country, assures us that they are not only willing but anxious to sell a portion of their lands, say one-half. They begin to perceive the necessity of such a step. The Indians have carried crediting them, except for articles of the most urgent necessity; and they have been given to understand that this course will be persisted in until at least a portion of the large amount already due is paid up. Should the policy of removing the Indians to the country designated in gov. Doty's Sioux treaty be abandoned, as it doubtless will be, and the government agree to treat for a given portion of their lands—say, as before, one-half—leaving them the other half to fall back upon, there is every reason to believe that the effort would be attended with success. Our territory has a deep interest in this matter, and therefore we hope the request of the Indians will be granted, although aware that of late years such visits have encountered the disapprobation of the war and Indian departments. The expenses of a deputation properly limited would not exceed those attendant on a treaty with commissioners in the Indian country.

HORRORS OF INDIAN WARFARE. The N. Y. Commercial publishes the following letter. The occurrences alluded to we have before noticed.

Fort White, E. F. March 16, 1842.

About the 24th of last month a party of the red devils attacked a Mr. Tillis's family, in his absence, about thirty miles from this fort, shot his wife down, in the yard, stabbed a young lady, shot an arrow into each of his children, and, after plundering the house retired.

As soon as news was brought me I repaired to the spot, with what force I could muster, for a portion of my command was securing the hammocks west of the Suwanee river, and found the mother and one child dead; a little boy, of six years old shot through with an arrow, but alive; a little girl, of about seven, with an arrow sticking from her back; a poor little boy, two years, a half mile off, with one sticking from his left breast, and the young lady stabbed twice, once on each side, nearly under the arm, and apparently with a butcher knife, plunged up to the handle.

I had taken our surgeon along. The last little boy died under the operation of extracting the arrow; the little girl died the next day. The arrow was extracted, but the barbed iron remained immovably fixed in the back bone.

A little babe, three weeks old, had been overlooked by the savages. Just imagine all these in one house, and fancy my feelings in seeing them suffer. I can see and assist at nothing now, but the little innocent children; for a time I felt like a woman. Strange as it may appear, I think that the young lady and the boy, the arrow from whose body was pulled through, will recover. All the rest are dead who were injured.

Again, (since) a woman, near the natural bridge, when stooping down to dip water, had an arrow shot by an Indian dead fifteen paces off, through her frock and out through her bonnet. She fled for her life and escaped.

Again, four days after the first occurrence, an old lady, named Ogeby, sent her son to grind wheat and he fell in with another young man, and seeing smoke proceed from the direction of his mother's, they proceeded in that direction, and saw the yard full of Indians, and the house on fire, and after alarming the neighborhood, and going to the spot, the old lady's bones were found among the embers, and the Indians gone. This was about fifty miles from this port.

It is gratifying to know that by a rapid movement, the dragoons crossing at Fort Fanning, these Indians were trailed to their camp, within about two miles of old Fort Mellon, and driven west, leaving their children taken. The Indian warriors, authors of this tragedy, were fired upon, and one of them shot down; but, owing to the darkness of the night, they finally escaped in a state of nudity.

MURDER OF WHITE MEN BY SIOUX INDIANS. The Burlington, (I. T.) Gazette, of the 19th, says—Intelligence of the murder of two of our citizens—L. W. Babbit and Washington Jones—by the Sioux Indians, and of the wounding of another person named Buckhalter, was brought to this place, a day or two ago, by a gentleman residing in the neighborhood of the Indian boundary line. They left this place about the close of last fall, for the Sac and Fox country, with the view of trading and trafficking with the Indians—having, as we are informed, procured permission so to do from proper authority previous to starting. Their object was not to establish a regular trading house; but, by traversing the country, to purchase from the Indians, on the most favorable terms, their furs and peltries. Nothing was heard of them until about a month ago, when a vague rumor of their murder by the Indians obtained currency; but as the story could not be satisfactorily traced, but little credence was given to it. The intelligence now brought comes almost directly from Buckhalter, who is in the neighborhood of English river. The informant of the gentleman who communicated it to our citizens, had it from B. "The whites were fired upon by a party of Sioux, and Babbit and Jones instantly killed. Buckhalter was wounded, but succeeded in effecting his escape. These are all the particulars we have learned. Whether the occurrence took place in the Sac and Fox or Sioux country, we are unable to say. The unfortunate men may possibly have penetrated entirely through the former and into the latter; or, what is more probable, they may have encountered the Sioux out of their country on one of their frequent predatory excursions.

From the Van Buren (Ark.) Intelligencer. The rev. R. R. Roberts, bishop of the Methodist Episcopal church, and the rev. E. R. Ames, corresponding secretary of the Missionary society of the same church, are now on a visit to the Choctaw, Creek and Cherokee countries. The latter spent the last Saturday and Sabbath in our town, while the former waited for him at Fort Smith. Mr. A. occupied our pulpit in two discourses on Sabbath day, and had crowded audiences, all of whom listened to his superior logic, his commanding eloquence, and convincing discourses, with the most deferential respect. The object of bishop Roberts and Mr. Ames, in visiting the Indian country, is to consult the Indians on the propriety of establishing manual labor schools among them—schools for the promotion of letters, and learning the boys agriculture, or some useful art, as the parents shall direct. This society has also made considerable progress among the tribes north of us, lying particularly on the Kanzas river. They have a school only two miles from the Missouri line, at which Potawatamies, Kickapoos, Kanzas, a few Chiefs and some others, are being taught with great success. The society has already expended exceeding fifteen thousand dollars in the erection of buildings, and have about one hundred and fifty scholars at their school.

The Arkansas Intelligencer of the 11th ultimo, published in the town of Van Buren, in copying the letter of Mr. Thurston, relative to contemplated grand council of the western tribes of Indians for the purpose of entering into a confederation, treats it as a ridiculous story having no foundation whatever in truth.

LAND OFFICE. Public notice has been given of the discontinuance of the land office at Boneyrus, Ohio, and the remaining lands in that land district are subject to sale at Lima in the same state.

STATES OF THE UNION.

MAINE.

The legislature at their late session, divided the state into eight congressional districts, on condition that an apportionment law shall be passed by congress, allowing to Maine eight members, but if the number assigned to the state should be more or less than eight, the governor is required to issue his proclamation, announcing the fact, and calling on the electors to choose the assigned number of representatives in congress by a general ticket.

MASSACHUSETTS.

LIFE BOATS. The Atlas says, "almost every tempest that occurs upon our coast, demonstrates the wisdom and philanthropy of the course pursued by our legislature, aided by the humane society, in establishing life boats at the most exposed points, along the line of our coast. By a resolve of the legislature, passed March 17, 1841, an appropriation was made, for three additional life boats, one of which was placed at Chatham, in October last—one at Race Point, and the third at Nantucket—and by the active exertions of the officers connected with the humane society, and a contribution from the funds of that society, a fourth boat was also procured, and placed at Plymouth."

RHODE ISLAND.

In the legislature on the 30th ult. the two houses joined for the purpose of receiving the report on the votes of the people on the question of ratifying the constitution. They reported that the whole number of votes given was 16,902

To reject,	8,689
To approve,	8,013
Majority,	676

The ballots and lists were ordered to be preserved in the secretary's office.

The N. Y. Journal of Commerce remarks "that the constitution thus rejected is a different thing from that which is called the free suffrage constitution, which was the result of a popular movement, and sustained by most of those who opposed the constitution thus rejected. This free suffrage party now claim that their own constitution is in force—it having been approved, as they say, by a majority of all the male inhabitants in the state above the age of 21 years. The other party contend that the proceedings in regard to the free suffrage constitution are utterly invalid, have been begun, continued and completed, not only without the concurrence of the state authorities, but in despite of them; and that consequently the old charter still is in force, and will continue to be in force, until a new constitution is adopted under the sanction of the existing government. The legislature are now in session, and their course in reference to this matter is regarded with considerable interest.

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There was a convention held some time since by a portion of the people of this state, *without legal authority*, who proceeded to form the project of a new constitution for the government of the state, which was published, and under the provisions of which the people were to assemble this spring in their respective towns, elect their officers and organize a new government. There was also a project for a new constitution, formed by legal authority, and which was submitted to the people for their ultimate decision thereon. These two parties participated in the former project joined those who are opposed to any change, and the popular vote decided against this new constitution. The legislature deeming all unauthorized proceedings tending to subvert the government of very dangerous tendency, at its late session, passed a law making these meetings illegal and void, and any person who shall act as moderator, warden, or clerk of such pretended town or ward meeting, shall be deemed guilty of a misdemeanor, and punished by indictment with a fine not exceeding $1,000, nor less than $500, and be imprisoned for the term of six months. Any person who shall under any pretended constitution of government of the state, assume to exercise any of the legislative, executive or ministerial functions of the office of governor, senators, representatives, &c., or shall assemble for the purpose of exercising such functions, such acts shall be deemed an usurpation of the sovereignty of the state, and are declared treason, and such person shall be punished by imprisonment during life, as is now by law prescribed.

This law is exceedingly unpopular with the opponents of the old constitution and demonstrations appear towards carrying out their own project of laying hold of the government, in consequence of which governor King has issued his proclamation, warning and admonishing all persons from participating in the unlawful enterprise of certain residents of the state, "who are conspiring and confederating to usurp the government thereof, are deceiving and seducing honest and well-meaning citizens, under various pretences to engage in said criminal enterprise, contrary to the laws in such cases made and provided," and admonishing them to cease all further proceedings therein, as they will answer the contrary at their peril. All judges and other magistrates, are enjoined to be vigilant and firm in detecting and bringing to condign punishment all persons engaged in such enterprises; and the support of the good people of the state is invoked to lend aid and support the civil authority in its exertions to suppress all unlawful combinations, and maintain the peace and dignity of the state.

The adjutant general, Elisha Dyer, jr. by command of the governor has also issued his order for the military throughout the state to assemble forthwith and be in readiness, at 30 minutes warning, armed and equipped to obey such orders as may be received from the commander-in-chief. We apprehend the factious spirits of Rhode Island will now begin to see that their governor is in earnest and will spare him the necessity of any further proceedings.

NEW YORK.

The legislature has passed a law to provide for paying the debt and preserving the credit of the state, by imposing a direct tax, and indefinitely postponing all the works of internal improvement. Gov. Seward, in a message to the legislature, intimates that these measures are contrary to the policy which he has, on all proper occasions, recommended, but as the question is of a nature purely legislative, and as the measures proposed are recommended by the fiscal administration to be urgently necessary, although he dissents from these opinions, he does not consider it consistent with the spirit of the constitution to attempt to control the deliberate action of the legislature under the circumstances, and he has given his assent to the bill.

NEW YORK AND VIRGINIA CONTROVERSY. In the legislature on the 31st ult. the following proceedings took place:

Mr. Dickinson called for the consideration of his resolution instructing the judiciary committee to report relative to the matters in issue in the controversy between the states of New York and Virginia and South Carolina. Mr. D. inquired if this motion was debatable?

The chair, (Mr. Paige), decided that it was not.

Mr. Dickinson appealed from this decision and proceeded to argue in favor of the appeal.

Mr. Strong said the judiciary committee had been frequently called upon to report relative to the matters in controversy between this state, Virginia and South Carolina. He had before told the senator from the sixth, (Mr. Dickinson), that the committee would report on this subject prior to the adjournment of the legislature. But a recent decision of the supreme court of the United States, had relieved the committee from what would otherwise have been an additional burden. That decision was that all laws of states regulating the delivery of fugitive slaves under the requisitions of the constitution, were unconstitutional and void.

If that decision be precisely what common notoriety says it is, then, whatever may be our individual opinions, we are bound by it. The committee were only waiting to obtain authentic and official information of the full extent of this decision, when they could report. But whether official information was or was not received, he could inform the senator, that as soon as sufficient to form the basis of legislation, was received, the committee would report in favor of the repeal of the law extending the right of trial by jury to fugitive slaves.

Mr. Root said the senator undoubtedly put forward this view in good faith, and the committee should not report upon this question. But he, (Mr. R.) thought that if the honorable chairman of the committee would take another view, he would be satisfied that there was a necessity of a report, notwithstanding the alleged decision of the U. States supreme court.

The decision of that court is, as he understood it, that the making of statute laws, relative to the manner of making demands for runaway slaves, and prescribing the subsequent action thereon, belongs to congress. But he would ask the honorable senator to take this view of the case,—when claimants for fugitive slaves come into our *state courts*, has not the legislature of the state the right to regulate the manner in which they shall proceed? It has been a question whether congress *could* confer United States jurisdiction upon state courts, but it has never yet been doubted that it could confer the power of congress to enforce its laws in the state courts. It cannot be done without the consent of the state.

If the legislature of this state, for instance, see fit to tell the judges of our state courts that they shall not take cognizance of United States causes, in certain cases, they would undoubtedly be bound to obey. If we tell them they *may* take such jurisdiction, then, as a matter of course, it must be exercised in conformity with our laws. If parties interested are not satisfied with our courts, let them go to the United States courts for their redress. If they voluntarily choose to appeal to our state courts, they must take them as they are.

The supreme court had never decided that we could not regulate the mode of our courts. They never could make such a decision. If they ever should, he, (Mr. R.) was prepared to meet any senator upon that ground, and demonstrate the correctness of his, (Mr. R.) position. They could pass laws to regulate the practice of the *United States' courts* within our borders, in relation to causes arising under the constitution of the United States, which then undoubtedly such laws would be unconstitutional and void. But the United States supreme court could never interfere with our state local laws to regulate our own local courts.

Mr. Furman thought the senator, (Mr. Strong), would find that the decision of the supreme court of the United States, would not bear him out in recommending a repeal of the law giving the right of trial by jury to fugitive slaves. That decision was on an entirely different case. Mr. F. here recited and commented upon the points involved in the case which had recently been decided upon by the supreme court. To be sure, in giving that decision, the judges went further and gave it as their opinion that all state laws interfering with the laws of congress, were unconstitutional and void. But that was a mere *obiter dictum* of the judges. No case was before them which required them to give any such decision.

They have not decided that if a slave is reclaimed in the state of New York, and should sue out a writ of habeas corpus, that he would not be entitled to the benefit of trial by jury, according to the facts of the case. They could never have made such a decision as that. He apprehended the judiciary committee would find that the decision would not bear them out in the construction which they had put upon it. Mr. F. concluded with giving some reasons why in his opinion, the decision of the chair, in this instance, should not stand.

Mr. Foster briefly supported the decision of the chair, when the same was sustained.

Mr. Dickinson's motion now to consider his resolution was negatived by a like vote. Mr. D. then moved to discharge the committee from this subject, and to refer the same to the committee of the whole. Mr. D. inquired if this motion was debatable? The chair replied in the affirmative. Mr. Dickinson then proceeded to address the senate at length in favor of the motion, and was followed on the same side by Messrs. Root and Hurd. Mr. Strong moved to lay this motion on the table, which motion was agreed to.

MESSAGE FROM THE GOVERNOR.

Executive chamber, March 29th, 1842.

To the assembly. The chief provisions of the act entitled "an act to provide for paying the debt and preserving the credit of the state," are the imposition of a tax and an indefinite suspension of all the works of internal improvement. These important measures are contrary to the policy which I have on all proper occasions recommended, and to which, with the most respectful deference to the legislature, I am obliged to recommend a public delay (postponement). But the question is of a nature purely legislative, and the measures proposed have not only the approbation of the fiscal administration, (from which the executive is constitutionally separated) but are represented by that administration to be absolutely and urgently necessary. Although dissenting from these opinions, yet believing that the executive could not consistently with the spirit of the constitution attempt to control the deliberate action of the legislature in regard to such measures under such circumstances, I have given my assent to the bill, and it has become a law.

WILLIAM H. SEWARD.

PENNSYLVANIA.

JUDGE OF COURT OF COMMON PLEAS. James Campbell, esq. has been appointed by the governor and senate of Pennsylvania, judge of the court of common pleas, in place of Judge Randall.

RAIL ROAD FROM HARRISBURG TO PINEGRAVE. The Harrisburg papers express much gratification at the passage of an act by the legislature of Pennsylvania, for the incorporation of a company to construct a rail road from Harrisburg to Pine Grove, in the Swatara coal region. It is a very important work, and must confer great advantages on Harrisburg, as well as on the extensive coal region which it will thus be connected with canal navigation at the former place. The Telegraph says: The Harrisburg and Pinegrove rail road has the privilege of connecting with any other improvements in Schuylkill county, which is a great addition to the value of the charter. The Swatara region will soon have facilities for mining annually at least a quarter million of tons, and in a few years will afford as large a tonnage as the great coal region located around the borough of Pottsville. With these evident prospective advantages, we have no hesitation in recommending this a most brilliant investment, and hope soon to see the stock taken and operations commenced.

DELAWARE.

The Wilmington, (Delaware), Gazette, after noticing the ease with which the banks of that state had resumed specie payments, says: "The ability and credit of our monetary institutions have not been impaired or destroyed by the intermeddling of headlong and ignorant legislatures. Without making pretensions to much abilities and profound sagacity, the men who make our laws and protect the interests of the state have proved themselves gifted with a wisdom that has led them forth in a path of safety, economy and prosperity. For a state, in these times of depression and embarrassment, to be not only out of debt, but to have a half a million of dollars surplus, is something to boast of, and we do feel a pride when we consider the safe and unburdened condition of *Delaware*."

VIRGINIA.

A few moments before the late adjournment of the Virginia legislature, Mr. Armstrong of Harrison, presented the following protest which after being read, on motion of Mr. Leake, motion and with Mr. A's consent laid upon the table.

"The *undersigned*, members of the present general assembly of Virginia, for themselves, and on behalf of their constituents, enter, and record their solemn protest, against the refusal of this general assembly, to execute the authority contained in the fifth section of the constitution of this state, which prescribes, that *the general assembly, after the year* 1841, *and at intervals thereafter of not less than ten years, shall have authority, two-thirds of each house concurring, to make re-apportionments of delegates and senators throughout the commonwealth, so that the number of delegates shall not at any time exceed* 150, *nor of senators,* 36." We are, at present, witnesses of this refusal, to pass a law, providing for taking the sense of the people upon calling a convention to amend the constitution of the state. Thus deliberately, and solemnly denying, in the only two forms in which the inequality of representation throughout the state can be corrected, and refusing to the people the only means of redressing grievances violative of equal rights, of equal freedom, and of those sacred principles unanimously affirmed by our fathers in June, 1776, and re-affirmed by the people of Virginia in convention assembled, in January, 1830.

We, therefore, cherishing as we do our love of

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country—"*that all men are by nature equally free and independent*"—"*that all power is vested in, and consequently derived from the people*"—and, believing as we do, that all of these fundamental principles, which are embodied in our declaration of rights, are grossly violated by the existing apportionment of representation, we avail ourselves of the only present right, that of spreading upon the legislative journal, this our protest. [Signed by 50 western members.]

At the late session, a new county, Marion, was created out of parts of Monongalia and Harrison, county seat to be at Middleton; another called Carroll was created out of part of the county of Grayson, county seat to be at Hillsville; another to be called Wayne, out of part of Cabell county, county seat on the Twelve Pole River at A. Trout's. Acts were also passed authorising the degree of graduate of the institute to be conferred on the cadets of the military school at Lexington; annexing part of the county of Pulaski to Montgomery county; ceding the land on which Fort Nelson was erected and ten acres on Hog island in Northampton county to the general government; appropriating $1,500 to the military school at Lexington and requiring the state's cadets to act as teachers for two years in some one of the schools of the state after finishing his course; authorising the treasurer of the state to issue certificates of stock to the James River and Kanawha co. to amount of $200,000, irredeemable for 25 years, and to be applied in redemption of its bonds contracted by the state and pledged to the house of Morrison Sons & Co. of London, or any other of said bonds hypothecated in Holland. Act 1st January until the 1st of November next, so much of any act as subjects the banks to pay ten per cent. damages and fifteen per cent. interest for non-payment of specie; and at the pleasure of the legislature; repealing the act as prohibits the banks from issuing notes for a less denomination than $20, and from receiving the bank notes of foreign banks of less denomination than $10; and prohibits the banks from putting in circulation the notes of any bank, *foreign or domestic*, of a less denomination than $5; but the banks may themselves issue notes of the denomination of ten and two dollars, not exceeding six per cent. on their whole capital, until the 1st of January next, the said notes to be payable in specie on demand whenever presented at the bank or branch where issued, and on failure they are liable to a penalty of 25 per cent. damages, recoverable by warrant before a justice of the peace. Requires the banks from and after the 1st of November next to resume specie payments, but exempt them from paying specie for any note held by or due to any other bank or incorporated company with banking powers which does not redeem its own notes and pay its deposites in specie.

SOUTH CAROLINA.

Anniversary oration of the state agricultural society of South Carolina, by gen. James Hammond. It has scarcely ever fallen to our lot to peruse an anniversary discourse, before an agricultural society, with more unalloyed satisfaction than the one whose title we have transcribed above. It is replete with valuable information, and pervaded by a spirit of patriotism that seeks to improve and elevate our agriculture of the state. The author appears to be fully impressed with the necessity of changing our existing objects of culture in South Carolina, and introducing that diversity in the application of labor and capital to agriculture and other pursuits, which will be attended by more profitable results than the present scheme of cultivation. We are glad to find so intelligent a coadjutor in a line of argument we have recently opened on this subject, and to discover that coincidence of opinion which strengthens our own deliberate impressions as to the overruling necessity for a change.

Gen. Hammond has convincingly shown, what must have been perceived by all thinking and observing men, that South Carolina, with a large part of Georgia, cannot grow cotton with a living profit, at the average price of 8 cents net on the plantation, while in the Gulf states such profit can be derived at 6 cents per pound—in other words that cotton yielding 8 cents per pound in South Carolina will produce a clear profit of only $61 per hand, while on the more productive lands of the west, it will yield from $110 to $140 per hand. The subject is in short viewed in all its aspects and relations, and the style of the address is no less worthy of commendation than the matter. It affords us less satisfaction to know that a citizen possessing such sound and enlarged views of the true sources of wealth, has been selected by his friends as a candidate for the gubernatorial chair.

[*Charleston Patriot.*

OHIO.

CINCINNATI SCHOOLS. We regret to observe by a publication in the *Cincinnati Chronicle* of the 19th ult. that the talented and indefatigable advocate of the common school system, ELAM P. LANGDON, esq. has resigned the presidency of the board of trustees, which he has filled for a number of years with distinguished ability and usefulness. In his address to the board upon the occasion he says, that engagements of both a public and private nature render the step indispensable, and adds:

"The pleasure which I have enjoyed in the harmonious deliberations and actions of the board,—in the teachers' meetings—in the exercises of the school room, and in the continued evidences of friendship and confidence that I have realised from trustees, teachers, and pupils, will ever be remembered as constituting some of the highest enjoyments of my life. And though I shall cease to act with you, as a member of the board, my interest in the cause of general education will not, thereby, in the least, be slated.

Our systems of public instruction should, by common consent, be placed on elevated ground. The labors in these fields of benevolence will be as enduring as our race, and every friend to the cause can, if he will, do something in help them forward and render them more light and efficacious. In our schools, should be inculcated upon the minds of the young, the pure and moral precepts of the bible; those excellent precepts which teach us to do to others as we would that others should do to us. A strict adherence to the rules of morality, and to those principles of freedom which are based in the legal security of our rights, cannot be too often nor too strongly cherished.

I shall ever feel a deep interest in the prosperity of our schools, and I rejoice in the efforts which have been made, and those that are now making, to elevate the character and to improve the qualifications of our teachers. I feel well pleased with the effects which their labors are producing upon the physical, moral, and intellectual culture of our youth, and what they are destined to produce, with their growth and future advancement upon society at large.

The board have published the following testimonial:

Council chamber, City of Cincinnati, March 14th, 1842.

Whereas it is deemed right and proper that all actions truly meritorious, whether such acts emanate from associations or individuals, should be acknowledged. And whereas as members of the board of trustees and visiters of common schools we feel that our acts should speak the language of our hearts in separating officially from members of our board, whose long tried and faithful services have been pre-eminent, as promoters of the true interests of the cause of common education, from the present being as we believe a proper time thus to manifest our convictions of the correctness of our views on this point, therefore

Resolved, unanimously, That the thanks of this board be returned to ELAM P. LANGDON, esq. for the faithful, untiring, and impartial manner in which he performed the many onerous duties devolving upon the presiding officer of the board, which station so long and faithfully filled, and unwillingly abandoned to meet the paramount calls of other public and private duties.

Resolved, That a certified copy of the foregoing preamble and resolutions be presented to Mr. Langdon.

By order of the board of trustees and visiters.

JOSEPH BONSALL, *president pro tem.*

Attest CHARLES SATTERLY, *city clerk.*

INDIANA.

BONDS. We understand that of the bonds issued by the state of Indiana, there are numbers amounting to over four millions of dollars which the state at present refuses to receive in payment of dues, alleging that no value was ever received for them. Among them are three hundred bonds for £225 sterling each, numbered from 701 to 1,000. The history of these three hundred bonds is as follows: Bonds with these numbers had been issued to Rothschild, but were not made payable at any place. This informality was complained of, and a new set of bonds made and executed for the Morris Canal company, to transmit and exchange.

Instead of going to their proper destination, however, these new bonds were sold in our market. A third set was subsequently made,—the exchange was effected, and the informal bonds returned to this market, where some of them were afterwards sold; but we believe in such a way that the state does not object to receive them. It is important that the numbers of all the rejected bonds should be published. Perhaps the fund commissioner of Indiana, who we believe is now here, will favor us with a list.

[*N. Y. Jour. Com.*

ILLINOIS.

NAVIGATION OF THE ILLINOIS RIVER. We have been favored with the following statement of the number of trips made by boats on the Illinois river, during 1840 and 1841. It may be proper to remark that in 1833, there were but *three* boats running on this river, viz: the Exchange, Utility, and Peoria.

[*Illinois.*

Memorandum of steamboats on the Illinois river, with the number of trips made by each, A. D. 1840.

Ice left on the 17th of February, and navigation commenced for the season.

The following comprises the names of the vessels, and the number of trips performed by each during each month.

February—Home, 23 trips; Gipsey, 25; Frontier, 9; Illinois, 9; Robert Emmet, 5; Tennessee, 24; Selma, 1; St. Louis, 2; Merrimack, 1; Fayette, 27.

March—Eagle, 5 trips; George Collier, 1; Prairie, 1; Ottowa, 4; Troubadour, 24; Manchester, 6; Alton, 1; Madison, 3; Toledo, 1; Keokuck, 1; St. Peters, 10; Winchester 1; Reporter, 1.

April—Athenian, 1 trip; Flora, 7; Empire 1; Corsican, 3; Jim Brown, 2; Montgomery, 2; Fulton, 1; Peoria, 2; Davy Crockett, 2; Pilot, 1.

May—John Shaw, 1 trip; Ion, 2; Valley Forge, 1; Mississippi, 2.

June—Detroit, 19 trips; Massachusetts, 1.

July—Victor, 14 do. Lilly, 1.

September—Pavilion, 10 trips.

November—Richmond, 1 do; Mermaid, 2.

List of steamboats on the Illinois river in the year 1841. Ice went out 22d of February; boats commenced running on the 27th.

February—Victor, 8 trips; Pavilion.

March—Troubadour, 20 trips; Tennessee 21; Wm. Paris, 4; Gipsey, 3; Marmion, 1; Fayette, 16; Lasalle, 23; Fontenay, 3; Detroit, 13; Peru, 2; John Mills, 2; Albany, 1; Demoine, 10; Girard, 3; Maid of Kentucky, 2.

April—Home, 2 trips; Constellation, 1; Gen. Morgan, 1; Lehigh, 1; Gluaens, 17; St. Louis, 2; Boreas, 2; Farmer, 1; Messenger, 1; Osceola, 2; Davy Crockett, 1; Moravian, 2.

April—Madison, 1 trip; Nonparell 1; Gov. Roman, 1; Sandusky, 1.

May—Norfolk, 1 trip; Tartar, 1.

June—Frontier, 1 trip; Leander, 1; Indian Queen, 1; Shawnee, 1; Oneida, 6; President, 1; Sarah Ann 5.

July—Ripple, 10 trips; Exact, 11; Warsaw, 2; Zephyr, 1.

September—Osage, 5 trips; Mungo Park, 6.

October—Nick of the Woods, 3 trips; Orphan Boy, 1; Juniata, 1.

November—Gosala, 2 trips; Mary Tompkins, 3; Lowl Hunter, 1; Tide, 1.

December—Osage Valley, 1 trip; Ohio, 1; Pearl, 2.

River closed 26th December.

During the low stage of water in August last, there were very few steam boats on the river, and large quantities of wheat, and other produce, were carried down on flat and keel-boats. A. B. S.

FLORIDA.

A St. Augustine paper of 26th March contained a letter dated at Camp Call, on Pease Creek E. F. of 17th, as follows:

Sir—Twenty-six Indians have come in to-day with a command composed of Capt. Ker's company, 20 dragoons, and Capt. Montgomery's company, 8th infantry, returned from a four days hunt. The Indians were induced to come in at the solicitations of Alligator and Holartoochee.

POLITICS.

LETTER FROM MR. CLAY.

The following reply was addressed by Mr. CLAY to an invitation given him by the whigs of Wake county, North Carolina, to attend the convention which was to assemble at Raleigh, on the 4th April.

Washington, March 21, 1842.

GENTLEMEN: I have the honor to acknowledge the receipt of your obliging letter, transmitting a resolution adopted by the whigs of Wake county, in conformity to which you have invited me to attend the convention of the whigs, which is to be held on the 4th of April at Raleigh.

Having long entertained an anxious desire to visit North Carolina, I have delayed answering your letter under the hope that I should find no circumstances or considerations opposed to my enjoying the gratification which such a visit, at this time, would afford. But I regret to be compelled to say, without adverting to other reasons, that the pressure of occupations, incident to the final termination of my service in the Senate of the United States, deprives me of the satisfaction of accepting your invitation, and obliges me to postpone a visit which I hope God will spare me to make hereafter.

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I rejoice to hear of the fine spirit which prevails in North Carolina, and that the great whig party of that state is about to assemble in convention for the purpose of deliberating on the present difficult and delicate posture of public affairs. Our country, brought to the verge of ruin by a long mal-administration of its general government, the sad effects of which pervade every section of the Union, and are painfully visible in every leading interest, had reason to hope, after the glorious issue of the ever-memorable struggle of 1840, that misrule would cease, and measures, founded in wisdom and experience, would be adopted to restore the prosperity of the nation. I need not say how cruelly, in some important respects, all have been disappointed. Our actual condition may be described in a few words. Instead of mutual confidence between the acting president and congress, there is mutual distrust. Instead of his throwing himself upon the principles and the party that elevated him, he makes war upon both. Instead of harmony and co-operation, there is discord and opposition. A president without a party, and parties without a president! A president disowning his friends and courting his political opponents, who, in their turn, without entertaining for him the least respect or confidence, give him flattery and praise enough just to deceive and delude him. A president who, affecting to soar in an atmosphere above that of all parties, and to place himself upon the broad and patriotic foundation of the whole nation, is vainly seeking, by a culpable administration of the patronage of the government, to create a third party!

This, gentlemen, is a fearful picture of the present posture of our national councils. There may be those who will think that it would be most prudent not to exhibit it to the gaze of the world. But I believe that public virtue and public intelligence are always better subserved by promulging rather than concealing the truth. And, accustomed as I have been to its language throughout my whole life, I trust that the previous privilege of plaining, in giving it will abide with me during the short remnant of my days.

The existing state of things is anomalous and embarrassing. But genuine patriotism takes counsel only from its duty and its devotion. Unappalled by difficulties, whatever may be their magnitude, it redoubles its resolution and its energies, and increases and multiply, and finally triumphs over all obstacles which lie in the way of the honor, the prosperity, or the happiness of the country.

The whig party, by a faithful adherence to its principles at the hazard of being proscribed by those whom it advanced to high power, and the members of the late cabinet, by a voluntary surrender of exalted stations, which they believed they could no longer hold without dishonor and disgrace, have demonstrated to the whole world that with them the love of country is paramount to the love of office. I am sure that, in the good old north state, in which the first Declaration of American Independence was made, there will be a cordial response to this sentiment.

Gentlemen, let us persevere in this upright course. I go into retirement, but I shall not be there a silent or indifferent spectator, without sympathy or interest in the welfare of the Union. I only pass from one sphere of action, where it is doubtful whether, in the actual condition of the public councils, I could render any public service proportionate to the private sacrifices I should certainly make, to another, although more circumscribed sphere, in which I shall still find duties to perform towards our common country.

I request you, gentlemen, and the whigs of Wake county, to accept my profound and grateful acknowledgments for the honor done me by the invitation to attend your convention, and by the friendly sentiments with which its transmission is accompanied.

I am, with great respect, your friend and obedient servant,

H. CLAY.

To Messrs. Richard Hines, &c.

SOUTH WESTERN FRONTIER.

The Little Rock (Arkansas) Gazette of the 2nd March, published a communication from Edward Cross, representative in congress from that state, enclosing a correspondence between himself and the secretary of war in relation to an increase of force on that frontier. Judge Cross' letter to the secretary bears date, "house representatives, January 31st, 1842. The reply of the secretary is dated February 9, and enclosed his [the secretary's] letter written to the governor of Arkansas. The secretary informs Judge Cross that "it will not be practicable at present without neglecting other frontiers or without an increase of the army to give a larger force to the west of Louisiana and Arkansas, Judge Cross in publishing his letter to the secretary, the secretary's reply to him, and also his reply to Governor Yell, takes occasion to say that at the time he addressed his letter to Mr. Spencer he had no knowledge of the call made by Governor Yell, and had just heard of the murder of Mr. Long and the assault upon Col. McClelland.

Executive dept. Little Rock, Ark's, 10th Jan. 1842.

To the honorable secretary of war. Sir: I have just been informed of an unprovoked murder in the Cherokee nation, of a citizen of Arkansas, by the name of George Long, of Madison county, by a Cherokee by the name of Moses Alberty, jr.

I have made a demand of Gov. Butler, Cherokee agent, for his apprehension and delivery to the United States marshal, for trial.

I have already issued an order to the major general of the 1st D. A. M. to organize and hold in readiness a regiment of volunteers, to aid in carrying into effect the laws of the United States.

The numerous outrages committed by the Indians on our frontier, have been caused by the weakness of our military posts. They make their boast, that out of the protection and shielding by the general government, and they have come to the conclusion that we are too weak and timid to protect our citizens. You must be aware, that to maintain peace and harmony with our red neighbors, but at the same time, I can assure you, that it will not be at the sacrifice of such indignities as have been of late offered to the citizens of Arkansas.

I am determined, in future, that, if your government is too *weak and inefficient* to afford us protection, we can and will protect ourselves, let the consequences be what they may. The state of Arkansas has repeatedly appealed (for a sufficient force upon the frontier to keep the Indians in subjection) to the general government, but all in vain. If we must, we are able, and will protect ourselves. Yours,

A. YELL.

Department of war, January 31, 1842.

Sir: Your letter of the 10th instant is received. It is presumed that the call for an convention for ordering into service the regiment of volunteers which you have directed to be organized and held in readiness, "to aid," "in carrying into effect the laws of the United States." If any present degree of excitement prevails in the region from which such volunteers may be collected, there is danger that their presence in the field may produce still greater irritation, and bring on an Indian war, by means of those depredations and retaliatory acts, which, under such circumstances, it is so difficult to prevent. Persuaded of that there is no necessity for the presence of regular troops of the United States, in and about the Cherokee settlements, not only to execute the laws of the United States, but to repress, effectually any hostile acts by those or any other Indians, and to afford protection to the inhabitants, I have to express to you the opinion of the president, that no volunteers in arms should be called into service, until notice is given by express directions from this office, or from the officer commanding the department. There are three companies of dragoons in and about the Cherokee nation—one at Fort Gibson, and two at Fort Wayne. There is also, a company of the 4th Infantry at Fort Smith, one at Fort Towson, and one at Fort Jesup. Two more of these five companies of dragoons now upon the river, whose direction was to Forts Jesup and Towson. Gen. Taylor, or lieut. col. Mason, was in command of the department, and the vigilance and efficiency of the officer, adopt the most effectual measures, which the case may require; and if any volunteer force had been deemed necessary, prompt application for it would have been made to your excellency.

The preceding enumeration of the force placed upon the frontier of Arkansas, for the protection of its inhabitants, it is hoped will be a satisfactory answer to your excellency's complaint against the general government, for any supposed deficiency in that respect. It is not perceived how any amount of military force can prevent brawls and quarrels between individual citizens and Indians, any more than between those who are citizens; nor how it could prevent the commission of crimes by individuals. These are to be expected, and their prosecution must be left to the ordinary operations of civil government. When there is any appearance of a combination of any number of Indians, for hostile purposes, the military force may with propriety be expected to be in readiness, and with sufficient means to prevent or punish aggressions.

The department has no information of the indignities offered to your citizens, to which you allude, and I am therefore unable to say whether they were of such a character as required the interposition of the military force of the United States, to prevent or redress them. Indeed, our information is quite different: it represents the Indians, and particularly the Cherokees, as being quiet and peaceable, and wholly unprepared for any hostile movement. And if the intelligence given by the newspapers in your state, can be relied on, that the Cherokee charged with the murder of which you complain, has been delivered up by his nation, voluntarily and previous to any demand, to the civil authorities for trial, it proves not only the peaceable disposition of those Indians, but how unfounded was the alarm which seems to have existed.

Very respectfully, your ob't serv't,

J. C. SPENCER.

His excy A. Yell, gov. of Arks.

Executive dept. Little Rock, Ark's, 25th Feb. 1842.

To John C. Spencer: Sir: I acknowledge the receipt of your letter of 31st January, on the subject of the western frontier. I have scarcely patience to reply to that communication, without betraying too much of the *style and manner* of your own; self-respect forbids that.

I can view your communication in no other light than as an intimation to the authorities of this state, that her protection is to depend upon the *slow* and *tardy* movements of the federal government, and, without a murmur or complaint, we are to suffer, without a murmur or complaint, all the indignities and insults that may be offered to the citizens of this state, by the savages on our borders.

If that is the course by which the lives and property of our citizens are secured, we are in no better condition than the people of Florida.

The executive of this state, however, does not yield the power and authority incident to a sovereign state, to *protect themselves*, whenever the federal authorities shall *fail or refuse* to do so; and, in future, I shall act upon that principle, if I have to look for protection. In the exercise of that discretion, I shall hold myself responsible to my constituents and my country.

I am, &c. A. YELL.

On the 29th of March the Louisiana and Arkansas delegations addressed the secretary of war a letter in respect to the propriety of increasing the strength of the S. W. Army as the Mexicans had invaded Texas, and might be disposed to excite the Indians, and thereby endanger our state.

To this the secretary replied on March 31st, stating the re-inforcements he had ordered thither, and saying that further orders to the troops was at the disposal of Gen. Taylor, will give him a force of not far from 2,000. The orders were despatched on the 26th inst. by a second lieutenant, as an express, and also by mail. It is hoped that this force will be entirely adequate to the object specified in your letter. It is hoped, however, that we shall be enabled to spare some of the troops now in Florida; and, if so, a detachment from that quarter will be put in motion for the southwestern frontier. This will be done for greater caution.

The numerous accomplishing the object stated in the instructions to Gen. Taylor is left to him, believing that his great experience and ability and his local knowledge would enable him to make better arrangements than any that could be directed from this department. Very respectfully, your obedient servant,

J. C. SPENCER.

Hon. John Moore, John B. Dawson, Edward White, and Edward Cross, House of Representatives.

INSTRUCTIONS TO GEN. TAYLOR, ENCLOSED IN THE ABOVE.

War Department, March 26, 1842,

Sir: Your letter to the adjutant general of the army, dated the 10th inst. has been laid before me. The nature and extent of the excitement among the Cherokees is unknown to this department, except so far as communicated by you, no report from the Indian agent on the subject has been received.

By the 6th article of the treaty of New Echota, the United States have agreed "to protect the Cherokee nation from domestic strife." This obligation it is the duty of all the officers of the government to fulfil to the utmost of their power. The mode and manner of performing this duty must of course depend on the circumstances of the case, and particularly on the means of accomplishing it. A small military force might be so inadequate to contend with a large number of excited Indians as only to aggravate the evil and exposure itself to certain destruction if an attempt should be made to employ it. On the other hand, the contention may be confined to comparatively few persons, and a timely interposition might check its further progress. At this distance from the scene of action, and in the absence of definite information of the cause, extent, or probable duration of the excitement, it is impossible to give specific instructions. Under the views herein expressed we must rely on your sound judgment and known discretion to do all that can be done to restore peace and quiet among the Cherokees, and to prevent violence, consistently with a due regard to the preservation of your command, and the probable consequences of employing it. You will at all events

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communicate with the leaders of the different parties, and endeavor by persuasive means to induce them to refrain from hostile acts against each other; and, if such means fail, intimate to them the displeasure of the president at such conduct—the probability that their annulties will be held, their claims upon the country disregarded, and the general disastrous consequences that may ensue to their whole nation if it becomes necessary to subdue them by force. If, notwithstanding all your efforts, they should commence the work of destroying each other, you should, if possible, secure the guilty and detain them in custody, until the contest shall cease or until you receive further directions. It is not perceived how the United States can in any other way fulfil the obligations of the treaty.

Orders have been given for the 6th regiment of infantry, which is now at Jefferson barracks, to move to Fort Towson, and report to you. The present force of the regiment is probably - - - - 800

One company of the 1st regiment of infantry is ordered from Jefferson barracks to Fort Leavenworth, force - - - 75

Five companies of dragoons are ordered from Fort Leavenworth to Fort Towson, 360

1,235

Your present force is—

Dragoons at Fort Towson,	-	184
Do. Fort Jesup,	-	132
Do. Fort Gibson,	-	71
Infantry at	-	140
Dragoons at Fort Wayne,		142
		669

Force at your disposal, - 2,004

We leave one company of dragoons and one of infantry at Fort Leavenworth, under the impression that at least that force will be necessary there, but this of course, subject to your discretion. These forces are placed under your command for the double purpose of preserving peace among the Cherokees and of preventing the Indians within our jurisdiction from crossing into Texas. On the latter subject special instructions are sent herewith.

Very respectfully, your obedient servant,

J. C. SPENCER.

Brig. Gen. Z. Taylor, Fort Gibson, western territory.

FURTHER CORRESPONDENCE.

Letter from the secretary of war.

War department, April 4, 1842.

GENTLEMEN: I perceive from the publications, in the Intelligencer to-day, of the correspondence between you and this department, that a letter of instructions to Gen. Taylor, of the same date with that sent you, but more connected with the subject of your inquiry, was not transmitted. I now send a copy of it, and am very respectfully, your obedient servant, J. C. SPENCER.

Hon. John Moore, J. B. Dawson, E. D. White, and Edward Cross, members of the House of Representatives.

LETTER OF INSTRUCTIONS TO GEN. TAYLOR.

War Department, March 26, 1842.

SIR: Information has been received that the renewal of hostilities between Mexico and Texas, the charge d'affaires of the government of the latter country has communicated to the president his apprehensions that the American Indians in the vicinity of the boundary line between us and Texas will avail themselves of the probable absence of the male population in that quarter for the purpose of resuming their invaders, to make incursions and commit acts of hostility and violence upon the defenceless inhabitants. Sincerely anxious to prevent such occurrences by all the means within his power, I am directed by the president to apprize you of these apprehensions, and to direct you to exercise your utmost vigilance in preventing any Indians belonging to the United States, or under our protection, from crossing into Texas on any pretext whatever, during the continuance of hostilities in that country. You will warn the Indians against any such movement, and announce to them the severe displeasure of the president against all who shall take any part in the contest, and particularly against those who shall commit any acts of violence upon the inhabitants of Texas; and you will assure them of every effort being made to bring them to condign punishment.

You are authorised to detain any Indians you may find violating these directions, and return them to their country, or keep them in such positions as to defeat their designs. If the other objects entrusted to your charge will permit, you will station any force you can spare at the points that will enable it most effectually to deter any Indians from crossing into Texas. Very respectfully, your ob'l servant,

J. C. SPENCER.

Brig. Gen. Z. Taylor, Fort Gibson, western territory.

AFRICAN SLAVE TRADE.

THE QUINTUPLE TREATY.

SIGNED AT LONDON, DECEMBER 20, 1841.

ART. I. Their majesties the Emperor of Austria, king of Hungary and Bohemia, the king of Prussia, and the Emperor of all the Russias, engage to prohibit all trade in slaves, either by their respective subjects, or under their respective flags, or by means of capital belonging to their respective subjects, and to declare such traffic piracy. Their majesties further declare, that any vessel which may attempt to carry on the slave trade shall, by the fact alone, lose all right to the protection of their flag.

ART. II. In order more completely to accomplish the object of the present treaty, the high contracting parties agree by common consent, that those of their ships of war which shall be provided with special warrants and orders, prepared according to the forms of the annex A of the present treaty, may search every merchant vessel belonging to any one of the high contracting parties which shall, on reasonable grounds, be suspected of being engaged in the traffic in slaves, or of having been fitted out for that purpose, or of having been engaged in the traffic during the voyage in which she shall have been met with by the said cruisers; and that such cruisers may detain, and send, or carry away such vessels in order that they may be brought to trial in the manner hereafter agreed upon.

Nevertheless, the abovementioned right of searching the merchant vessels of any one of the other of the high contracting parties shall be exercised only by ships of war whose commanders shall have the rank of captain or that of lieutenant in the royal or imperial navy, unless the commanding officer of such ship of war shall be furnished with warrants according to the form annexed to the present treaty, under letter A.

The said mutual right of search shall not be exercised within the Mediterranean sea. Moreover, the space within which the exercise of the said right shall be confined shall be bounded, on the north, by the 32d parallel of north latitude on the west, by the eastern coast of Africa, from the point where the 32d parallel of north latitude strikes that coast, down to the 45th parallel of south latitude: on the south, by the 45th parallel of south latitude, from the point where that parallel strikes the eastern coast of America to the 80th degree of longitude east from the meridian of Greenwich: and on the east, by the same degree of longitude, from the point where it is intersected by the 45th parallel of south latitude up to the coast of India.

ART. III. Each of the high contracting parties shall have a certain number of cruisers for the suppression of the slave trade, and to exercise the mutual right of search, reserves to itself to fix, according to its own convenience, the number of the ships of war which shall be employed in the manner stipulated in the second article of the present treaty, as well as the stations on which the said ships shall cruise.

The names of the ships appointed for this purpose, and those of their commanders, shall be communicated by each of the high contracting parties to the others; and they shall reciprocally apprise each other every time that a cruiser shall be placed on a station, or shall be recalled thence, in order that the necessary warrants may be delivered by the governments authorising the search, and returned to those governments by the government which has received them, when those warrants shall no longer be necessary for the execution of the present treaty.

ART. IV. Immediately after the government which employs the cruisers shall have notified to the government which is to authorize the search the number and the names of the cruisers which it intends to employ, the warrants authorising the search shall be made out according to the form annexed to the present treaty, under letter A, and shall be delivered by the government which authorises the search to the government which employs the cruiser.

In no case shall the mutual right of search be exercised upon the ships of war of the high contracting parties.

The high contracting parties shall agree upon a particular signal, to be used exclusively by those cruisers which shall be invested with the right of search.

ART. V. The cruisers of the high contracting parties authorised to exercise the right of search and detention in execution of the present treaty shall conform themselves strictly to the instructions annexed to the said treaty, under letter B, in all that relates to the formalities of the search and of the detention, as well as to the measures to be taken, in order that the vessels suspected of having been employed in the traffic may be delivered over to the competent tribunals.

The high contracting parties reserve to themselves the right of making in these instructions by common consent, such alterations as circumstances may render necessary.

The cruisers of the high contracting parties shall mutually afford to each other assistance in all cases when it may be useful that they should act in concert.

ART. VI. Whenever a merchant vessel, sailing under the flag of one of the high contracting parties, shall have been visited by a cruiser of the other, duly authorised to that effect, conformably to the provisions of the present treaty, such merchant vessel, as well as the master, the crew, the cargo, and the slaves who may be on board, shall be brought into such place as the high contracting parties shall have respectively designated for that purpose, and they shall be delivered over to the authorities appointed with that view by the government within whose possessions such place is situated, in order that proceedings may be had with respect to them before the competent tribunals in the manner hereafter specified.

When the commander of the cruiser shall not think fit to undertake himself the bringing in and delivery up of the detained vessel, he shall intrust that duty to an officer of the rank of lieutenant in the royal or imperial navy, or at least to the officer who shall at the time be third in authority on board the cruiser's ship.

ART. VII. If the commander of a cruiser of one of the high contracting parties should have reason to suspect that a merchant vessel sailing under the convoy of, or in company with, a ship of war of one of the other contracting parties, has been engaged in the slave trade, or has been fitted out for that trade, he shall make known his suspicions to the commander of the ship of war, who shall proceed alone to search the suspected vessel; and in case the above mentioned commander should ascertain that the suspicion is well founded, he shall cause the vessel, as well as the master, the crew, the cargo, and the slaves who may be on board, to be taken into a port belonging to the nation of the detained vessel, to be there proceeded against before the competent tribunals, in the manner hereafter directed.

ART. VIII. As soon as a merchant vessel detained, and sent in for adjudication, shall arrive in the port to which she is to be carried in conformity with annex B, to the present treaty, the commander of the cruiser which shall have detained her, or the officer appointed to bring her in, shall deliver to the authorities appointed for that purpose a copy, signed by himself, of all the lists, declarations, and other documents specified in the instructions annexed to the present treaty, under letter B; and the said authorities shall proceed, in consequence, to the search of the detained vessel, and of her cargo, as also to an inspection of her crew, and of the slaves who may be on board, after having previously given notice of the time of such search and inspection to the commander of the cruiser, or to the officer who shall have brought in the vessel, in order that he, or some person whom he may appoint to represent him, may be present thereat.

A minute of these proceedings shall be drawn up in duplicate, which shall be signed by the persons who shall have taken part in it, or who shall have been present at it; one and one of these documents shall be delivered to the commander of the cruiser, or to the officer appointed by him to bring in the detained vessel.

ART. IX. Every merchant vessel of any one or other of the five nations, which shall be searched and detained in virtue of the provisions of the present treaty, shall, unless proof be given to the contrary, be deemed to have been engaged in the slave trade, or to have been fitted out for that traffic, if in the fitting, in the equipment, or on board the said vessel during the voyage in which she was detained, there shall be found to have been one of the articles hereafter specified, that is to say—

1. Hatches with open gratings, instead of the close hatches usually used in merchant vessels.

2. Divisions or bulk-heads, in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade.

3. Spare plank fitted for being laid down as a second or slave-deck.

4. Shackles, bolts or handcuffs.

5. A larger quantity of water, in casks or in tanks, than is requisite for the consumption of the crew of such merchant vessel.

6. An extraordinary number of water casks, or of other receptacles for holding liquid, unless the master shall produce a certificate from the custom-house

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at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such vessel that such extra number of casks or other receptacles should only be used to hold palm-oil or for other purposes of lawful commerce.

7. A greater quantity of moss-tubs or kids than are requisite for the use of the crew of such merchant vessel.

8. A boiler, or other cooking apparatus, of an unusual size, and larger, or capable of being made larger, than requisite for the use of the crew of such merchant vessel; or more than one boiler, or other cooking apparatus, of the ordinary size.

9. An extraordinary quantity of rice, of the flour of Brazil manioc, or cassada, commonly called farina, or of maize, or of Indian corn, or of any other article of food whatever, beyond the probable wants of the crew; unless such quantity of rice, farina, maize, Indian corn, or any other article of food, should be entered on the manifest, as forming a part of the trading cargo of the vessel.

10. A quantity of mats or matting greater than is necessary for the use of such merchant vessel, unless such mats or matting be entered on the manifest as forming part of the cargo.

If it is established that one or more of the articles above specified are on board, or have been on board during the voyage in which the vessel was captured, that fact shall be considered as *prima facie* evidence that the vessel was employed in the trade; she shall in consequence be condemned, and declared lawful prize, unless the master or the owners shall furnish clear and incontrovertible evidence, proving to the satisfaction of the tribunal that at the time of her detention or capture the vessel was employed in a lawful undertaking; and that such of the different articles above specified as were found on board at the time of detention, or which might have been embarked during the voyage on which she was engaged when she was captured, were indispensable for the accomplishment of the lawful object of her voyage.

Art. X. Proceedings shall be immediately taken against the vessel detained, as above stated, her master, her crew, and her cargo, before the competent tribunals of the country, to which she belongs; and they shall be tried and adjudged according to the established forms and laws in force in that country, and if it results from the proceedings that the said vessel was employed in the slave trade, or fitted out for that traffic, the vessel, her fittings, and her cargo of merchandise, shall be confiscated; and the master, the crew, and their accomplices, shall be dealt with conformably to the laws by which they shall have been tried.

In case of confiscation, the proceeds of the sale of the aforesaid vessel shall, within the space of six months, reckoning from the date of the sale, be placed at the disposal of the government of the country to which the ship which made the capture belongs, in order to be employed in conformity with the laws of that country.

Art. XI. If any one of the articles specified in article IX of the present treaty is found on board a merchant vessel, or if it is proved to have been on board of her, during the voyage in which she was captured, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, either to the master, or to the owner, or to any other person interested in the equipment or in the lading, even though a sentence of condemnation should not have been pronounced against the vessel, as a consequence of her detention.

Art. XII. In all cases in which a vessel shall have been detained in conformity with the present treaty, as having been employed in the slave trade, or fitted out for that traffic, and shall, in consequence, have been tried and confiscated, the government of the cruiser which shall have made the capture, or the government whose tribunal shall have condemned the vessel, may purchase the condemned vessel for the service of its royal navy, at the price fixed by a competent person, selected for that purpose by the said tribunal. The government whose cruiser shall have made the capture shall have a right of preference in the purchase of the vessel. But if the condemned vessel should not be purchased in the manner above pointed out, she shall be wholly broken up immediately after the sentence of confiscation, and sold in separate portions after having been broken up.

Art. XIII. When by the sentence of the competent tribunal it shall have been ascertained that a merchant vessel detained in virtue of the present treaty was not engaged in the slave trade, and was not fitted out for that traffic, she shall be restored to the lawful owner or owners. And if, in the course of the proceedings, it shall have been proved that the vessel was searched and detained illegally, or without sufficient cause of suspicion; or that the search and detention were attended with abuse or vexation, the commander of the cruiser or the officer who shall have boarded the said vessel or the officers who shall have been intrusted with bringing her in, and under whose authority, according to the nature of the case, the abuse or vexation shall have occurred, shall be liable in costs and damages to the masters and the owners of the vessel and of the cargo.

These costs and damages may be awarded by the tribunal before which the proceedings against the detained vessel, her master, crew, and cargo, shall have been brought, or before the tribunal of the country to which the officer who shall have given occasion for such award shall belong shall pay the amount of the said costs and damages within the period of six months from the date of the sentence, when the sentence shall have been pronounced by a tribunal sitting in Europe, and within the period of one year when the trial shall have taken place out of Europe.

Art. XIV. When in the search or detention of a merchant vessel affected in virtue of the present treaty any abuse or vexation shall have been committed, and when the vessel shall not have been delivered over to the jurisdiction of her own nation, the master shall make a statement upon oath of the abuses or vexations of which he shall have to complain, as well as of the costs and damages to which he shall lay claim; and such declaration shall be made by him before the competent authorities of the first port of his own country at which he shall arrive, or before the consular agent of his own nation at a foreign port, if the vessel should in the first instance touch at a foreign port where there is such an agent.

This declaration shall be verified by means of an examination upon oath of the principal persons amongst the crew or the passengers who shall have witnessed the search or detention; and a formal statement of the whole shall be drawn up, two copies whereof shall be delivered to the master who shall forward one of them to his government, in support of his claim for costs and damages.

It is understood, that if any circumstance beyond control shall prevent the master from making his declaration, it may be made by the owner of the vessel, or by any other person interested in the equipment or in the lading of the vessel.

On a copy of the formal statement above mentioned being officially transmitted to it, the government of the country to which the officer to whom the abuse or vexation shall be imputable shall belong, shall forthwith institute an inquiry; and if the validity of the complaint shall be ascertained, that government shall cause to be paid to the master or the owner, or to any other person interested in the equipment or lading of the molested vessel, the amount of costs and damages which shall be due to him.

Art. XV. The high contracting parties engage reciprocally to communicate to each other, when asked to do so, and without expense, copies of the proceedings instituted, and of the judgments given, relative to vessels searched or detained in execution of the provisions of this treaty.

Art. XVI. The high contracting parties agree to insure the immediate freedom of all the slaves who shall be found on board vessels detained and condemned in virtue of the stipulations of the present treaty.

Art. XVII. The high contracting parties agree to invite the maritime powers of Europe, which have not yet concluded treaties for the abolition of the slave trade to accede to the present treaty.

Art. XVIII. The acts or instruments annexed to the present treaty, and which it is mutually agreed to consider as forming an integral part thereof, are the following:

A. Forms of warrants of authorization, and of orders for the guidance of the cruisers of each nation, in the searches and detentions to be made in virtue of the present treaty.

B. Instructions for the cruisers of the naval forces employed in virtue of the present treaty, or the suppression of the slave trade.

Art. XIX. The present treaty, consisting of 19 articles, shall be ratified, and the ratifications thereof shall be exchanged at London at the expiration of two months from this date, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the present treaty, in English and French, and have thereunto affixed the seal of their arms.

Done at London, the 20th day of December, in the year of our Lord, 1841.

ABERDEEN.
KOLLER.
ST. AULAIRE.
SCHLEINITZ.
BRUNOW.

Annex—Instructions to Cruisers.

1. Whenever a merchant vessel belonging to, or bearing the flag of, any one of the high contracting parties, shall be visited by a cruiser of any one of the other high contracting parties, the officer commanding the cruiser shall, before he proceeds to visit the said vessel, exhibit to the master of such vessel the special order which confers upon him by exception the right to visit her; and he shall deliver to such master a certificate, signed by himself, specifying his rank in the navy of his country, and the name of the ship which he commands, and declaring that the only object of his visit is to ascertain whether the vessel is engaged in the slave trade, or is fitted out for the purpose of such traffic, or has been engaged in that traffic during the voyage, in which she has been met with by said cruiser. When the visit is made by an officer of the cruiser other than her commander, such officer shall not be under the rank of lieutenant in the navy; unless he be the officer who is second in command of the ship by which the visit is made; and in this case, such officer shall exhibit to the master of the merchant vessel a copy of the special orders above mentioned, signed by the commander of the cruiser, and shall likewise deliver to such master a certificate signed by himself, specifying the rank which he holds in the navy of his country, the name of the commander under whose orders he is acting, the name of the cruiser to which he belongs, and the object of his visit as hereinbefore recited.

If it shall be ascertained by the visit that the ship's papers are regular, and her proceedings lawful, the officer shall certify upon the log-book of the vessel that the visit took place in virtue of the special orders above mentioned, and shall likewise deliver to such master a certificate signed by himself, specifying the rank which he holds in the navy of his country, the name of the commander under whose orders he is acting, the name of the cruiser to which he belongs, and the object of his visit as hereinbefore recited.

If it shall be ascertained by the visit that the ship's papers are regular, and her proceedings lawful, the officer shall certify upon the log-book of the vessel that the visit took place in virtue of the special orders above mentioned, and shall likewise deliver to such master a certificate signed by himself, specifying the rank which he holds in the navy of his country, the name of the commander under whose orders he is acting, the name of the cruiser to which he belongs, and the object of his visit as hereinbefore recited.

2. If, in consequence of the visit, the officer commanding the cruiser shall be of opinion that there are sufficient grounds for believing that the vessel is engaged in the slave trade, or has been fitted out for that traffic, or has been engaged in that traffic during the voyage in which she is met with by the cruiser, and if he shall in consequence determine to detain her, and to have her delivered up to the jurisdiction of the competent authorities, he shall forthwith cause a list to be made out, in duplicate, of all the papers found on board, and he shall sign this list and the duplicate, adding, after his own name, his rank in the navy, and the name of the vessel under his command.

He shall, in like manner, make out and sign, in duplicate, a declaration, stating the place and time of the detention, the name of the vessel, and that of her master, the names of the persons composing her crew, and the number and condition of the slaves found on board.

This declaration shall further contain an exact description of the state of the vessel and her cargo.

3. The commander of the cruiser shall, without delay, carry or send the detained vessel, with her master, crew, passengers, cargo and slaves found on board, to one of the ports hereinafter specified, in order that proceedings may be instituted in regard to them, conformably to the laws of the country under whose flag the vessel is sailing; and he shall deliver the same to the competent authorities, or to the persons who shall have been specially appointed for that purpose by the government to whom such port shall belong.

4. No person whatever shall be taken out of the detained vessel; nor shall any part of her cargo, nor any of the slaves found on board, be removed from her, until after such vessel shall have been delivered over to the authorities of her own nation, unless the removal of the whole or part of the crew, or of the slaves found on board, shall be deemed necessary, either for the preservation of their lives, or from any other consideration of humanity, or for the safety of the persons who shall be charged with the navigation of the vessel after her detention. In any such case, the commander of the cruiser, or the officer appointed to bring in the detained vessel, shall make a declaration of such removal, in which he shall specify the reasons for the same; and the masters, sailors, passengers or slaves so removed, shall be carried to the same port as the vessel and her cargo, and they shall be received in the same manner as the vessel, agreeably to the regulations hereinafter set forth.

Provided always, that nothing in this paragraph shall be understood as applying to slaves found on board of Austrian, Prussian or Russian vessels, but such slaves shall not be disposed of as is specified in the following paragraphs.

5. All Austrian vessels which shall be detained on the stations of America, or Africa, by the cruisers of

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the other contracting parties, shall be carried and delivered up to the Austrian jurisdiction at Trieste.

But if slaves shall be found on board any such Austrian vessel at the time of her detention, the vessel shall, in the first instance, be sent to deposite the slaves at that port to which she would have been taken for adjudication if she had been sailing under the English or French flag. The vessel shall afterwards be sent on, and shall be delivered up to the Austrian jurisdiction at Trieste, as above stipulated.

All French vessels which shall be detained on the western coast of Africa by cruisers of the other contracting parties shall be carried and delivered up to the French jurisdiction at Goree.

All French vessels which shall be detained on the eastern coast of Africa by the cruisers of the other contracting parties shall be carried and delivered up to the French jurisdiction at the Isle of Bourbon.

All French vessels which shall be detained on the coast of America, to the southward of the 10th degree of north latitude, by the cruisers of the other contracting parties, shall be carried and delivered up to the French jurisdiction at Cayenne.

All French vessels which shall be detained in the West Indies, or on the coast of America to the northward of the 10th degree of north latitude, by the cruisers of the other contracting parties, shall be carried and delivered up to the French jurisdiction at Martinique.

All British vessels which shall be detained on the western coast of Africa by the cruisers of the other contracting parties, shall be carried and delivered up to the British jurisdiction at Bathurst on the river Gambia.

All British vessels which shall be detained on the eastern coast of Africa by the cruisers of the other contracting parties, shall be carried and delivered up to the British jurisdiction at the Cape of Good Hope.

All British vessels which shall be detained on the coast of America by the cruisers of the other contracting parties shall be carried and delivered up to the British jurisdiction at Bermuda, or Halifax, or at Port Royal, in Jamaica, according as the commander of the cruiser may think most convenient.

All British vessels which shall be detained in the West Indies by the cruisers of the other contracting parties shall be carried and delivered up to the British jurisdiction at Port Royal, in Jamaica.

All Prussian vessels which shall be detained on the stations of America or Africa, by the cruisers of the other contracting parties, shall be carried and delivered up to the Prussian jurisdiction at Stettin.

But if slaves shall be found on board any such Prussian vessel at the time of her detention, the vessel shall, in the first instance, be sent to deposite the slaves at that port to which she would have been taken for adjudication if she had been sailing under the English or French flag. The vessel shall afterwards be sent on, and shall be delivered up to the Prussian jurisdiction at Stettin as above stipulated.

All Russian vessels which shall be detained on the stations of America or Africa by the cruisers of the other contracting parties shall be carried and delivered up to the Russian jurisdiction at Cronstadt or at Revel, according as the season of the year may allow the one or the other of those ports to be reached.

But if slaves shall be found on board any such Russian vessel at the time of her detention, the vessel shall, in the first instance, be sent to deposit the slaves at that port to which she would have been taken for adjudication if she had been sailing under the English or French flag. The vessel shall afterwards be sent on, and shall be delivered up to the Russian jurisdiction at Constadt, or at Revel, as above stipulated.

6. As soon as a merchant vessel, which shall have been detained as aforesaid shall arrive at one of the ports or places above mentioned, the commander of the cruiser, or the officer appointed to bring in such detained vessel, shall forthwith deliver to the authorities duly appointed for that purpose by the government within whose territory such port or place shall be, the vessel and her cargo, together with the master, crew, passengers, and slaves found on board, and also the papers which shall have been seized on board the vessel, and one of the duplicate lists of the said papers, retaining the other in his own possession. Such officer shall at the same time deliver to the said authorities one of the original declarations, as hereinbefore specified, adding thereto a statement of any changes which may have taken place from the time of the detention of the vessel to that of the delivery, as well as a copy of the statement of any removals which may have taken place, as above provided for.

In delivering over these several documents the officer shall make, in writing and on oath, an attestation of the truth.

7. If the commander of a cruiser of one of the high contracting parties, who shall be duly furnished with the aforesaid special instructions, shall have reason to suspect that a merchant vessel sailing under convoy of, or in company with, a ship of war of any one of the other contracting parties, is engaged in the slave trade, or has been fitted out for the purpose of that traffic, or has been engaged in the traffic in slaves during the voyage in which she is met with by the said cruiser, he shall confine himself to communicating his suspicions to the commander of the ship of war; and he shall leave it to the latter to proceed alone to visit the suspected vessel, and to deliver her up to the jurisdiction of her own country, if there be cause for doing so.

8. By Article IV. of the treaty, it is stipulated, that in no case shall the mutual right of visit be exercised upon ships of war of the high contracting parties.

It is agreed that this exception shall apply equally to vessels of the Russian-American company, which, being commanded by officers of the imperial navy, are authorised by the imperial government to carry the flag which distinguishes them from the merchant navy, and are armed and equipped similarly to transports of war.

It is further understood that the said vessels shall be furnished with a Russian patent, which shall prove their origin and destination. The form of this patent, shall be drawn up by common consent. It is agreed that ship-passes, when issued by the competent authority in Russia, shall be countersigned at St. Petersburgh by the consulates of Great Britain and France.

9. In the 3d clause of article 9 of the treaty it is stipulated that, failing proof to the contrary, a vessel shall be presumed to be engaged in the slave trade if there be found on board spare planks fitted for being laid down as a temporary slave deck.

In order to prevent any abuse which might arise from an arbitrary interpretation of this clause, it is especially recommended to the cruisers not to allow to Austrian, Prussian or Russian vessels employed in the timber trade, whose manifests shall prove that the planks and joists which they have, or have had, on board are, or were, a part of their cargo for trade.

Therefore, in order not harrass lawful commerce, cruisers are expressly enjoined only to act upon the stipulations contained in the 3d clause of article 9, when there shall be found the vessel suited spare plank evidently destined to form a slave-deck.

The undersigned plenipotentiaries have agreed, in conformity to the 15th article of the treaty signed by them this day, that these instructions shall be annexed to the treaty signed this day between Great Britain, Austria, France, Prussia and Russia, for the suppression of the African slave trade, and shall be considered as an integral part of that treaty.

In witness whereof, the plenipotentiaries of the contracting parties have signed this annex, and have thereunto affixed the seal of their arms.

Done at London, the 20th day of December, in the year of our Lord 1841.

ABERDEEN,
KOLLER,
ST. AULAIRE,
SCHLEINITZ,
BRUNOW.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

March 31. After several reports from committees on private claims, and ordering two or three private bills to be engrossed—Mr. *Clay* said that, before proceeding to make the resolution for which he had risen, he begged leave to submit, on the only occasion afforded him, an observation or two on a different subject. It would be remembered that he had offered, on a former day, some resolutions going to propose certain amendments in the constitution of the United States: they had undergone some discussion, and he had given the decision of obstinacy and an expression of the sense of the senate upon their adoption; but owing to the infirm state of his health, to the pressure of business in the senate, and especially to the absence of his colleague, who was ill at his lodging, he had concluded this to be unnecessary; nor should he deem himself called upon to reply to the arguments of such gentlemen as had considered it their duty to oppose the resolutions. He should commit the subject, therefore, to the hands of the senate, to be disposed of as their judgment should dictate: concluding what he had to say in relation to them with the remark, that the convictions he had before entertained in regard to the several amendments, he still deliberately held, after all that he had heard upon the subjects of them.

And now, said Mr. C. allow me to announce, formally and officially, my retirement from the senate of the United States, and present the last motion I shall ever make in this body. But, before I make that motion, I trust I shall be pardoned if I spell myself of the occasion to make a few observations which are suggested to my mind by the present occasion.

I entered the senate of the United States in December, 1806. I regarded that body then, and still contemplate it, as a body which may compare, without disadvantage, with any legislative assembly, either of ancient or modern times, whether I look to its dignity, the extent and importance of its powers, or the ability by which its individual members have been distinguished, or its constitution. If compared in any of these respects with the senates either of France or England, that of the United States will sustain no derogation. With respect to the mode of its constitution, of those bodies I may observe that in the house of peers in England, with the exception but of Ireland and Scotland—and in that of France, with no exception whatever—the members hold their places neither on delegated authority, but derive them from the grant of the crown, transmitted by descent, or expressed in new patents of nobility; while here we have the general title of representatives of sovereign states, of distinct and independent commonwealths.

If we look again at the powers exercised by the senates of France and England, and by the senate of the United States, we shall find that the aggregate of power is much greater here. In all the members possess the legislative power. In the foreign senates, as in this, the judicial power is invested, although there it exists in a larger degree than here. But, on the other hand, that vast, undefined, and undefinable power invested in the right to co-operate with the executive in the formation and ratification of treaties, is enjoyed in all its magnitude and weight by this body, while it is possessed by neither of theirs: because, which, there is another of very great practical importance—the right, which, with the executive branch in distributing the vast patronage of this government. In both these latter respects, we stand upon grounds different from the house of peers either of England or France. And then as to the dignity and decorum of its proceedings, and ordinarily as to the ability of its members, I can with great confidence, speaking from the whole long period of my knowledge of this senate it can, without arrogance or presumption, sustain no disadvantageous comparison with any public body in ancient or modern times.

Full of attraction, however, as a seat in this senate is, sufficient as it is to fill the aspirations of the most ambitious heart, I have long determined to forego it, in order that I might repose with you, in enjoyed only in the shades of private life, and amid the calm pleasures which belong to that beloved word, "home."

It was my purpose to terminate my connexion with this body in November, 1840, after the memorable and glorious political struggle which distinguished that year: but I learned, soon after, what indeed I had for some most anticipated from the result of my own reflections, that an extra session of congress would be called: and I felt desirous to co-operate with my political and personal friends in restoring, if it could be effected, the prosperity of the country by the best measures which their united counsels might be able to devise; and I therefore attended the extra session. It was called, as all know, by the lamented Harrison; but his death and the consequent accession of his successor produced an entirely new aspect of affairs. Had he lived, I have not one particle of doubt that every important measure for which the country had hoped with so confident an expectation would have been consummated by the co-operation of the executive branch of government. And here allow me to say, only, in regard to that so much reproached extra session of congress, that I believe if any of those who, through the influence of party spirit or the bias of political prejudice, have loudly censured the measures then adopted, will look at them in a spirit of candor and of justice, their conclusion, and that of the country generally, will be that if there exists any just ground of complaint, it is to be found not in what was done, but in what was left unfinished.

Had President Harrison lived, and the measures devised at that session been fully carried out, it was my intention then to have resigned my seat. But, the hope (I feared it might prove a vain hope) that at the regular session the measures which we had left undone might even then be perfected, or the same object attained in an equivalent form, induced me to postpone the determination: and events which arose after the extra session, resulting from the failure of those measures which had been proposed at that session, and which appeared to throw on our political friends a temporary show of defeat, confirmed me in the resolution to attend the present session also,

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and, whether in prosperity or adversity, to share the fortune of my friends. But I resolved at the same time to retire as soon as I could do so with propriety and decorum.

From 1806, the period of my entry on this noble theatre, with short intervals, to the present time, I have been engaged in the public concerns, at home or abroad. Of the nature or the value of the services rendered during that long and arduous period of my life it does not become me to speak; history, if she deigns to notice me, and posterity, if the recollection of my humble actions shall be transmitted to posterity, are the best, the truest, and the most impartial judges. When death has closed the scene, their sentences will be pronounced, and to that I appeal and refer myself. My acts and public conduct are a fair subject for the criticism and judgment of my fellow men but the private motives by which they have been prompted are known only to the great Searcher of the human heart and to myself, and I trust I may be pardoned for repeating a declaration made some thirteen years ago, that, whatever errors—and doubtless there have been many—may be discovered in a review of my public service to the country, I can with unshaken confidence appeal to that divine arbiter for the truth of the declaration that I have been influenced by no impure purpose, no personal motives—have sought no pecuniary emolument, but that all my public acts I have had a sole and single eye, and a warm and devoted heart, directed and dedicated to what in my best judgment I believed to be true interests of my country.

During that long period, however, I have not escaped the fate of other public men, nor failed to incur censure and detraction of the bitterest, most unrelenting, and most malignant character; and though not always insensible to the pain it was meant to inflict, I have borne it in general with composure, and without disturbance here, [pointing to his breast,] waiting as I have done, in perfect and undoubting confidence, for the ultimate triumph of justice and of truth, and in the entire persuasion that time would, in the end, settle all things as they should be, and that whatever wrong or injustice I might experience at the hands of man, He to whom all hearts are open and fully known, would in the end, by the merciful and fatal dispensations of His providence, rectify all error, redress all wrong, and cause ample justice to be done.

But I have not meant while been unsustained. Everywhere throughout the extent of this great confederacy I have cordial, warmhearted, and devoted friends, who have known me and justly appreciated my motives. To them, if language were susceptible of fully expressing my acknowledgments, I would now offer them as all the return I have now to make for their genuine, disinterested, and persevering fidelity and devoted attachment. But if I fail in satisfied language to express my gratitude to them for all the kindness they have shown me—what shall I say—what can I say at all commensurate with those feelings of gratitude which I owe to the state which I have the representative and servant I have been in this chamber? [Here Mr. Cs feelings appeared to over power him, and he proceeded with deep sensibility and with difficult utterance.]

I emigrated from Virginia to the state of Kentucky now nearly forty-five years ago; I went as an orphan who had not yet attained the age of majority—who had never recognised a father's smile nor felt his caresses—poor—penryless—without the favor of the great—with an imperfect and inadequate education, limited to the ordinary business and occupations and suits of life; but scarce had I set my foot upon her generous soil when I was seized and embraced with parental fondness, caressed as a child, I had been my favorite child, and patronised with liberal and unbounded munificence. From that period the highest honors of the state have been freely bestowed upon me; and afterwards, in the darkest hour of calumny and detraction, when I seemed to be forsaken by all the rest of the world, she threw her broad and impenetrable shield around me, and, bearing me upon aloft in her courageous arms, repelled the poisoned shafts that were aimed at my destruction, and vindicated my good name from every false and unfounded assault.

But the ingenuity of my assailants is never exhausted, and it seems I have subjected myself to a new epithet; which I do not know whether it should be taken in honor or derogation. I am held up to the country as a "dictator." A dictator! The idea of a dictatorship is drawn from Roman institutions; and at the time the office was created the person who wielded the tremendous weight of authority it conferred concentrated in his own person an absolute power over the lives and property of all his fellow-citizens; he could raise armies; he could build and man navies; he could levy taxes at will, and raise any amount of revenue he might choose to demand; and life and death rest d on his fiat. If I had been a dictator, as I am said to have been, where is the power with which I was clothed? Had I any army? any navy? any revenue? any patronage? in a word, any power whatever? If I had been a dictator, I think that even those who have the most freely applied to me the appellation must be compelled to make two admissions: first, that my dictatorship has been distinguished by no cruel executions, stained by no blood, nor marked by any act of disheartening and, in the general phrase, I think that they must own (though I do not exactly know what date my commission of dictator bears—I imagine, however, it must have commenced with the commencement of the war) that the power of a dictator—I at least voluntarily surrendered it within a shorter period than was allotted for the duration of the dictatorship of the Roman commonwealth.

If to have sought, at the extra session and at the present, by the co-operation of my friends, to carry out the great measures intended by the popular majority of 1840, and to have desired that they should all have been adopted and executed; if to have anxiously desired to see a disordered currency regulated and restored, and irregular exchanges equalized and adjusted; if to have labored to replenish the empty coffers of the treasury by suitable duties; if to have endeavored to extend relief to the unfortunate participants of the country, who had been ruined in a great measure by the erroneous policy, as we believed, of this government; if to ask in timid, circumspective, and restrained manner, that the public expenditures—necessary expenditure and abolish useless offices and institutions, if, whilst the public honor is preserved unturnished by supplying a revenue adequate to meet the national expenditure, the industrious classes can be afforded to the national industry; if to entertain an ardent solicitude to redeem every pledge and execute every promise fairly made by my political friends with a view to the acquisition of power from the hands of an honest and confiding people; if these objects constitute a man a DICTATOR, why, then, I suppose I have deserved the epithet, and I will only share with my friends, the odium or the honor of the epithet, as it may be considered on the one hand or the other.

That my nature is warm, my temper ardent, my disposition, especially in relation to the public service, enthusiastic, I am fully ready to own; and those who suppose that I have been assuming the dictatorship have contributed a misnomer to designate that fervent ardor and devotion which is natural to my constitution, and which I may have displayed with too little regard to cold, calculating and cautious worldly wisdom, in my anxiety to carry out some important national measures of policy which I have presented and proposed.

Having a long and arduous career of service in the public councils of my country, especially during the last eleven years I have held a seat in the senate, from the same ardor and enthusiasm of character, I have no doubt, in the heat of debate, and in an honest endeavor to maintain my opinions against adverse opinions equally honestly entertained, as to the best course to be adopted for the public welfare, I may have often inadvertently, or unadvisedly, in moments of excited debate, made use of language that has been offensive, and susceptible of injurious interpretation towards my brother senators. If there be any here who retain wounded feelings of injury or dissatisfaction produced on such occasions, I beg to assure them that I now offer the amplest apology for such departures from the rules of decorum and the rules of parliamentary decorum and courtesy. On the other hand, I assure the senators, one and all, without a single exception and without reserve, that I retire from this senate chamber without carrying with me a single feeling of resentment or dissatisfaction to the senate or to any one of its members.

I go from this place under the hope that we shall, mutually, consign to perpetual oblivion whatever personal collisions may at any time unfortunately have occurred between us; and that our recollections shall dwell in future only on those conflicts of mind with mind, those intellectual struggles, those noble exhibitions of the powers of logic, argument and eloquence, honorable to the senate and to the country, in which each has sought and contended for what he deemed the best mode of accomplishing one common object, the greatest interest and the most happiness of our beloved country. These are the dwelling and delightful scenes it will be my pleasure and my pride to look back in my retirement.

And now, Mr. President, allow me to make the motion which it was my object to submit when I rose to address you. I present the end-etials of my friend and successor. If any void has been created by my own withdrawal from the senate, it will be filled to overflowing by him; whose urbanity, whose gallant and gentlemanly bearing, whose steady adherence to principle, and whose rare and accomplished powers in debate, are known already in advance to the whole senate and to the country. Power that his credentials he received, and that the oath of office be now administered to him.

In retiring, as I am about to do, forever, from the senate, suffer me to express my heartfelt wishes that all the great and patriotic objects for which it was constituted by the wise framers of our constitution may be fulfilled, and the high destiny designed for it may be fully answered, and that its deliberations, now and hereafter, may eventuate in restoring the prosperity of our beloved country, in maintaining its rights and honor abroad, and in securing and upholding its interests at home. I retire, I know it, at a period of infinite distress and embarrassment. I wish I could take my leave of you under more favorable auspices; but, without meaning at this time to say whether on any or on whom reproaches for the sad condition of the country shall fall, I appeal to the senate and to the world to bear testimony to my earnest and anxious exertions to avert it, and that no blame can justly rest at my door.

May the blessing of heaven rest upon the whole senate and each member of it, and may the labors of every one redound to the benefit of the nation and the advancement of his own fame and renown. And when you retire to your homes, be honor of your constituents, may you meet that most cheering and gratifying of all human rewards—their cordial greeting of "well done, good and faithful servant."

And now, Mr. President and senators, I bid you all a long, a lasting and a friendly farewell."

"Speaking of this farewell the correspondent of the United States Gazette says:

"The meeting of Mr. Clay and Mr. Calhoun after the former retired from the senate, shows that political strife, though it may for a while deaden the finer feelings of the heart, cannot destroy them, especially in those hearts that beat with generous and manly sensibilities. As Mr. Clay was passing towards the door to leave the senate chamber, Mr. Calhoun meeting—they had met before to every other for five years; but they now simultaneously extended their hands, and rushed into each other's arms; neither spoke, but they wept. Had length Clay cared, on parting, "give my best regards to Mrs. Calhoun." How much more noble was this reconciliation and parting, than if they had separated looking defiance at each other. They had almost spent their lives together in congress, and at various times stood shoulder to shoulder, animated by patriotism and emulous only of serving the country. Time had passed over both, and the scene had become old. Age was about to retire, and both must ere long "sleep the sleep that hath no waking." The retirement of the one would leave the other with no companion or friend of his younger days, and it told him emphatically that he too must soon follow. Thoughts like these soften the heart not wholly indurated, and cause the fountain of generous feeling to gush forth—tears, and the two distinguished rivals and antagonists under the influence of these sympathies were drawn together. Would that they had never been separated. You will be surprised when I tell you that Mr. Clay drew tears from Colonel Benton during his farewell address; yet I believe there is no doubt of it."

The National Intelligencer gives the following account:

"Yesterday, in conformity to his letter of resignation, some time ago transmitted to the legislature of Kentucky, Mr. Clay, after a continuous service of nearly thirty-six years in the public councils, laid down his senatorial office and withdrew from that body into private life. Previously to retiring, Mr. Clay made use of the occasion of presenting the credentials of his appointed successor to address to the senate some valedictory remarks, in which he touched the subject successively on the high constitutional attributes and character of the senate, on his long service in that and other departments of the public service, on the state of public affairs, with some references personal to himself. This address, delivered with unusual earnestness and depth of intonation was received by the senate and an immense concourse of auditors in the deep silence and the most profound attention. As it was an event and a moment calculated to fill the veteran statesman with emotion, it was one which imparted a sympathetic interest to the public; and, in the expectation and hope of hearing again, and for the last time, the manly tones of that voice which had so often thrilled every heart with delight and admiration, the chamber and galleries of the senate were early filled with an eager and anxious auditory of both sexes. Seldom have the anticipations of any assemblage in the capitol been more richly realized, or their sensibilities more profoundly excited. The scene was indeed most impressive, and will never be forgotten by any of the

Mr. *Crittenden* was then duly qualified and took his seat; when Mr. *Preston* rose and said: What had just taken place was an epoch in their legislative history, and from the feeling which was evinced, he plainly saw that there was little disposition to attend to business. He would therefore move that the senate adjourn; which motion was unanimously agreed to.

April 1. The following memorials and petitions were presented and appropriately referred:

Mr. *Smith*, of Indiana, proceedings of a convention of delegates, convened at Washington, in that state, on the 11th of last month, from counties directly interested in the completion of that portion of the Wabash canal which lies between Terre Haute, on the Wabash river, and Evansville, on the Ohio river.

Mr. S. said that the state, after expending large sums of money on her public works, had been compelled to abandon them, at least for the present.—The legislature, at the late session, had authorized companies to take any of the unfinished works upon advantageous terms. Under this law the convention anticipates the completion of that portion of the works to which he had alluded, and he hoped that their laudable exertions might be crowned with success. The convention had memorialized congress for aid in the matter by a grant of some portion of land (the latter being authorised by the state law) to the object.

On motion of Mr. S. the proceedings and memorial were referred.

Mr. *Prentiss*, the memorial &c. of citizens of the county of Washington, Vermont, on the subject of the tariff, and the necessity of further protection, by discriminating duties.

Mr. *Linn*, from a gentleman who deals largely with the republic of Mexico, stating that in the lars of silver coinage, there is a considerable loss of gold, and that the expense of separating it averages about two per cent. at the United States mints; and says that if that charge were removed there would be large importations of bullion.

Mr. *Simmons*, from citizens of Westerly, Rhode Island, asking a revision of the tariff.

Mr. *Kerr*, from citizens of Maryland, asking that the duty on iron, after June next, may be restored to what it was in 1839.

Mr. *Mangum*, from the committee on naval affairs, reported a bill for the establishment of a board to prepare rules and laws for the government of the navy. Mr. M. said he hoped this bill would be acted on at once, as it involved no expense to the government. There was, it was true a large book of rules, compiled by officers of the highest grade, which had given satisfaction to themselves, but the greatest dissatisfaction to the others. The present bill represented five grades, thus affording all an opportunity of being heard. The bill originally framed at the department gave all the officers eight dollars a day, which the committee thought was a species of, he would not say prodigality, but of high extravagance. The committee thought, as the board was to be assembled for their benefit and that of the navy, that they should have their mileage allowed to and from the city of Washington. The only other expense would be for printing the rules after they were prepared, and for clerk hire, for which they proposed to allow five dollars per day.

Mr. *Allen* said this was the first time this subject had been called to his mind, and his impressions were against the measure. He thought it attributed to lead to factions among the officers. Difficulties would be brought together, each anxious to sustain its own peculiar interest. This whole subject belonged to the executive, or more properly to the secretary of the navy, who, from his station, was supposed to be better acquainted with the duty than any other person could be. He would therefore move to lay the bill on the table.

Mr. *Calhoun* concurred entirely with the senator from Ohio. From what experience he had on such matters, he would undertake to say that it would be an utter failure. Let the new organization be made, and the secretary first draw up the laws himself. It was what he (Mr. C.) did when at the head of another department of the government. Strange the bureaus, and then lay the matter before congress.

Mr. *Mangum* contended that the head of the department had not time, and, if he had, he was wholly incompetent. He meant no reflection; but no man not conversant with such affairs could be supposed to be able to draw up notes and regulations for a service the details of which he could not be supposed to have a proper knowledge of. The other rules had been drawn up, he had before stated, by the higher grade of officers, and were not suited to the more subaltern grades.

Mr. *Woodbury* said the laws of the navy which had been drafted before were still in force, and that some of them were not exactly applicable in all cases, yet, in the main, were very proper. The whole might be revised, and what was objectionable taken away, and what was wanting could be added. In 1823 or 1834 the rules had been revised and amended by the officers of the higher grades. It was true; but then it was from their own experience and consultation with the officers of inferior grades, and he had sought to make them as acceptable as possible, consistent with the interests of the navy. These rules had been matured with great trouble and submitted to congress, but had never gone into effect. He was a idea of bringing the grades together to establish rules would fail. It would be reversing the order of things. The court establishes rules for the bar, and not the bar for the court.

Mr. *Calhoun* said it was with great reluctance that he ever opposed any bill emanating from the committee on naval affairs, as it was a branch of the service in which he felt deeply interested. He was as confident, however, as that he then addressed them, that this whole matter would end in expense and trouble, and in the end a total failure. This business should emanate from the head of the department, who, man of mind as he was, could find ample time to draw up his rules and arrangements. They all knew that his department found time, in the hurry and turmoil of battle, to organize and arrange matters, and certainly it might be done now, when there was nothing serious to distract the attention. The secretary should retain this whole matter in his own hands.

Mr. C. renewed the motion to lay the bill on the table; which was agreed to.

Mr. *Allen* moved to take up a resolution submitted by him some time ago, calling for the opinion of the secretary of the treasury whether the revenue would be sufficient for the administration of the government without the proceeds from the public lands, &c. &c., to which an amendment had been proposed by Mr. *Rives*.

The question having been taken on this motion, there appeared for it 17, against it 28.

Mr. *Kerr* called up the resolution submitted by him yesterday calling for the proceedings of the court of inquiry held upon Col. De Russey, in relation to complaints made for a breach of the sixth article of the Rip Raps. Mr. *King* suggested that the complaint in relation to Col. De Russy should be sent to the president of the United States. Mr. *Kerr* said it was impossible to obtain the proceedings. He had used every endeavor to do so before making the present call, but without effect. With all due deference to the senator he did not think the president of the United States the proper officer to apply to. That high functionary was represented by the secretary of war, to whom application had been made, and who would cheerfully have furnished it but for the rule he had alluded to. There was no other way in which the citizens could obtain the redress they desired. As their representative he had sought the information at the proper place, and was disappointed. He tried down to the president, and ask that he would permit the secretary to be allowed to furnish what these citizens had the right to demand through their representative.

The resolution was then adopted.

On motion of Mr. *Evans*, the senate then proceeded to the consideration of executive business, and after some time spent therein the doors were again opened. In this session the nomination of J. W. McCulloh, esq. of Baltimore, as first comptroller of the treasury, was concurred in by a large vote].

The loan bill was received from the house, read by its title, and referred to the committee on finance.

Mr. *Preston* submitted a resolution, calling on the secretary of the navy for all the correspondence between the navy department and the exploring expedition. And then the senate adjourned over to Monday.

April 4. Various memorials were presented praying the adoption of measures for the relief of the country, exaction of duties on goods sold on foreign account, &c.

Mr. *Evans*, from the committee on finance, reported the bill from the house to extend the time of the loan of the late session, and to add five millions thereto. Mr. E. said that he would not move to take up the bill then, but gave notice that he should call it up to-morrow.

The senate then proceeded to the consideration of executive business, and, after sitting until a late hour, adjourned.

April 5. Mr. *Merrchad* presented the resolutions of the legislature of Kentucky in relation to the culture of hemp, and asking to have an agency established in that state for the inspection of American water rotted hemp.

Mr. *Berrien* presented a communication from the executive of Georgia in relation to the exposed condition of that frontier.

Mr. *Preston* from the military committee reported a bill to raise two new regiments, one artillery, one of infantry, and also companies of horse artillery.

Mr. *Mangum* from the naval committee reported a bill to authorise the secretary of the treasury to build certain war steamers.

Mr. *Merchad* from the committee on Indian affairs reported a bill to provide for carrying into effect the 14th and 19th articles of the treaty of Dancing Rabbit Creek made in 1830 with the Choctaws. Made the special order for Monday next.

Mr. *Allen* moved to consider a resolution submitted by him on the 11th ult. calling upon the secretary of the treasury to inform the senate whether the government can in his opinion be carried on without a repeal of the distribution act, or an increase of duties, or by means of direct taxes, or borrowing in form of loan or treasury notes, and if not, which of these alternatives will be the most economical—taxes, loan or recall of that revenue. Mr. *Rives* on the motion proposed the following as an amendment to it. "Strike out after the word resolved, and insert the following: That the secretary of the treasury be directed to report to the senate, by what means adequate provision can best be made for meeting the necessary expenditures of the government, in the present condition of the country; submitting his plans for the raising of revenue, with estimates of the probable product of each source of supply proposed; and, also, to what extent retrenchments in the various branches of the public expenditure are likely to arise from the cessation of disbursements and of charges on the treasury now existing, or may be further effected, by a sound economy, adapted alike to the wants and resources of the government."

On this the yeas and nays were asked and were as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, Clayton, Collamer, Crittenden, Graham, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Prescott, Rives, Simmons, Smith, of Ct. Southard, Tallmadge, Wm. Smith, Wilcox, Woodbury, Wright, Youngs—25

And thus the resolution as amended was adopted.

The senate then took up the loan bill; when Mr. *Evans* rose and expressed at great length the object of the bill, and the necessity that existed for some immediate legislation.

Mr. *Wright* rose to reply; and had spoken some ten or fifteen minutes, when he gave way, against his inclination, to a suggestion to adjourn, the hour being late. The senate then adjourned.

April 6. Copies of the proceedings of the court of inquiry on the case of Colonel De Russey were laid before the senate; also, a memorial for protection of our interest, rather than protection against annexation of Texas; resolutions of Kentucky in relation to proposing their representatives to procure a law for improving the navigation of the great western waters; also resolutions of the same state in favor of so amending the constitution as to prohibit an election of president for two consecutive terms, and when such chair is vacated that the vice president shall be ineligible for the next term, to restrict the appointment of members of congress, and modification of veto power, &c. Mr. *Williams* presented the resolutions of Maine legislature on the exposed condition of its frontier, and for repeal of the distribution law. Mr. *Merrick* presented a petition from jewelers of Baltimore in favor of low duties on jewelry in order to prevent their business being thrown into the hands of smugglers.

Mr. *Tallmadge* presented a memorial of the importers and dealers in foreign goods in the city of New-York, praying that congress will impose such a tariff of duties on imports as will sustain and encourage our home products and industry, and as the only means of adequately regulating the business and currency of the country.

Mr. T. said it gave him great pleasure to be the organ of presenting this memorial. It is some sort of an era in the history of the political economy of the country. It shows the revolution which is going on in the public mind in regard to the pro-

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tection of our domestic industry. By domestic industry, he did not mean the manufactures of the country exclusively, but every kind of labor, and every branch of industry. This memorial comes from those, many of whom, perhaps most of whom, have heretofore been opposed to a protective tariff, and in favor of what has been so inaptly called *free* trade—that is, a trade free from any sort of reciprocity.

These memorialists constitute nearly all of the principal dealers in foreign goods in the city of New York. Mr. T. said he could in no way so well describe the character of the memorialists as by reading the letter which accompanied the memorial from the highly respectable committee by whom it was transmitted to him. Mr. T. read the letter as follows:

"The undersigned, a committee of merchants, have the honor to transmit to you, as our representatives in the Senate of the United States, the accompanying memorial from 'the importers and dealers in foreign goods in the city of New York,' with a request that you will present the same to the consideration of the Senate.

"We beg leave to state that this memorial is signed by nearly all the principal dealers in dry goods, hardware, and crockery in our city, without regard to ordinary political distinctions, but as expressing our opinions as American merchants and citizens; and we earnestly urge upon you that the paralysis which has seized upon all branches of industry, crushing the credit of institutions as well as individuals, renders prompt and energetic action by congress imperative."

Mr. T. said he fully agreed with the memorialists that, without such a tariff as they prayed for, there could be no adequate regulation of the currency of the country. No system, said he, which we could adopt, whether it be a national bank or a national exchequer, can, of itself, give a uniform currency or regulate the exchanges of the country. We must first have such a tariff on imports as will give ample revenue for the economical wants of the government, and, by proper discriminations give adequate protection to the labor of the country. This being done, Mr. T. believed the exchequer plan now before the senate would answer the purposes for which it was intended. And that with these two measures, with such other legislation as is expected from congress, public confidence would be once more restored, and the country would again be on the high road to prosperity. In what he had remarked, Mr. T. said, he did not mean to be understood that a national bank, in connection with such a tariff as this memorial asked for, would not subserve the great interests of the country; but, as a practical man, a national bank would, out of the question, he meant to say, he believed that such a tariff, with the exchequer plan before the senate, would give the relief so generally desired.

Mr. T. moved that the memorial be read, referred to the committee on manufactures, and that it be printed for the use of the senate.

After receiving a few reports and bills from committees, the senate took up the loan bill and Mr. *Wright* concluded his remarks chiefly against its features and in reply to Mr. *Crittenden*.

Mr. *Walker* then addressed the senate and moved an amendment so as to pledge the public lands for the payment of the principal and interest of the public debt.

Mr. *Smith*, of Indiana, replied to him and addressed the senate at length.

Mr. *Bates* replied to him at some length and Mr. *Berrien*, of Geo. moved the senate proceed to executive business; and after some time passed therein, the senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 31. Mr. *Saltonstall*, on leave given, reported from the committee on manufactures a bill of the following title: "a bill supplementary to the act entitled 'an act to modify the act of the 14th of July, 1832, and all other acts imposing duties on imports,' approved March 2d, 1833." Which said bill was accompanied by a report. The bill was read twice by its title, and, on motion of Mr. S. was committed, with the accompanying report, to the committee of the whole on the state of the union, and ordered to be printed. And, on motion of Mr. *Saltonstall*, 5,000 extra copies of the bill, report, and accompanying documents were ordered to be printed.

Mr. *Habersham* gave notice that a minority of the committee on manufactures proposed to submit a counter report as soon as possible. On the suggestion of Mr. *Jaren V. Brown*, it was ordered that the counter report (when made) should take the same direction in all respects as the report of the majority.

Mr. *Green*, by general consent, reported from the committee on public expenditures a bill to abolish the branch mints. The bill was read twice by its title, and, with the accompanying report, was referred to the committee of the whole on the state of the union, and ordered to be printed.

The house then resumed, in committee, the consideration of the loan bill. Mr. *Fillmore's* amendment, followed by the previous question moved last evening by Mr. *Johnson*, of Maryland, were the questions pending. A call of the house was ordered, and 184 members answered to their names. The call being continued, 196 members responded, when the call was suspended. Mr. *Caruthers*, of Tennessee, made an appeal to Mr. *Johnson* to withdraw the previous question upon the amendment of Mr. *Fillmore*. Mr. *Johnson* declined, and the amendment moved by Mr. *Fillmore* as a substitute for the 4th section was rejected by ayes 97, noes 99. The yeas and nays were then called upon the second section, which makes the stock redeemable after six months notice at any time thereafter and exemplifies the 1st of January next. This amendment was agreed to, by yeas and nays, 103 to 90. The next amendment was that of Mr. *Everett*, that the bonds should run for 20 years. Agreed to without a division. The other amendments, without opposition, were also agreed to.

The question returned upon the engrossment of the bill. And by yeas 103 to nays 87 the bill was ordered to be engrossed and read a third time. Mr. *C. Johnson* moved that the bill be recommitted to the committee on ways and means with certain instructions but after some debate withdrew his motion and moved to recommit the bill with the 4th section amendment offered by Mr. *Fillmore* had been rejected. The vote for engrossment for a third reading was then reconsidered and the bill was lost. Mr. *Bowlin*, of Louisiana, then moved to reconsider Mr. *Fillmore's* proposed amendment, which was as follows, viz:

"Strike out all after the word 'that,' in the first line, and insert—'the stock now authorized to be issued by the said act is hereby repealed; and the secretary of the treasury is hereby authorised to cause the stock hereafter to be issued to be disposed of at the highest price which he can obtain for the same, on its being advertised a reasonable time for proposals; but no stock whatever shall be sold below par, except upon the purchase of a specific advertisement and by virtue thereof.'"

And by yeas 101 nays 90 the vote to reject it was reconsidered. And the vote was then taken on adopting it, and yeas 99, nays 94, the amendment was agreed to. And then the main question on the passage of the bill was taken and decided as follows:

YEAS—Messrs. Adams, Alexander, Allen, J. W., Andrews, S. J. Andrews, Arnold, Ayerigg, Baker, Bar-ard, Barton, Bedinger, Bell, Boardman, Borden, Bess, Bocock, Bowlin, Boyd, Brown, William Brown, Cabaniss, T. J. Campbell, Childs, Clintonden, J. C. Clark, James Cooper, Cowen, Crawford, Cushing, G. Davis, R. D. Davis, Dean, Dixon, John Edwards, Ellsworth, Fessenden, Fentry, P. G. Gaule, Granger, Green, Habersham, Hall, William S. Hastings, Hiram, Hopkins, Howard, Hudson, Joseph R. Ingersoll, Jones, Jenifer, Jenifer, Dawson, James, W. C. Johnson, Isaac D. Jones, J. P. Kennedy, Lane, Lawrence, Mallory, S. Mason, Maulsbat, Maycock, Mitchell, Maryland, Morris, Morrow, Osborne, Osborne, Parmenter, Pendleton, Pope, Powell, Pr flin, Benjamin Randell, Alexander Randall, Randolph, Reynolds, Rogers, William Russell, James M. Russell, Saltonstall, Sheppard, Simonton, Slade, Truman Smith, Solomon Smith, Stanly, Alexander H. H. Stuart, Summers, Tallifer, John B. Thompson, R. W. Thompson, Thompson, Tilden, Tomlinson, Triplett, Trumbull, Van Buren, Wallace, Warren, Washington, E. D. White, Thos. W. Williams, Cornwooler H. Williams, Winthrop, Wise, York, A. Young—195.

NAYS—Messrs. Arrington, Atherton, Beeson, Black, Boyd, Bowmer, A. V. Brown, Milton Brown, C. Brown, Burke, Wm. O. Butler, G. W. Caldwell, P. C. Caldwell, Wm. B. Campbell, Cruttenden, Carr, Casey, Chapman, Clifford, Cluiton, Coles, Colquitt, Mark A. Cooper, Cross, Dimel, Dawson, Doig, Eastman, John C. Edwards, Egbert, Ferris, Fornance, Fowler, J. A. Gade, Gordon, Graham, Grim, Harris, John Hastings, Hays, Holmes, Houck, Hubard, Hunter, C. J. Ingersoll, Jack, Cave Johnson, Irwin, Andrew Kennedy, Lewis, Littlefield, A. McClellan, R. McClellan, McKay, McKeon, Marchand, Mathews, Miller Newhard Owsley, Pickens, Reed, Rettig, Rhett, Rhetts, Reynolds, Rhett, Rogers, Rogers, Roosevelt, Sanford, Saunders, Shields, William Smith, Snyder, Spring, Steenrod, J. T. Stuart, Sumter, Jacob Thompson, Turney, Underwood, Ward, Weller, Westbrook, Joseph L. White, James W. Williams, Wood—88.

So the bill was passed in the following form:

A BILL for the extension of the loan of eighteen hundred and forty-one, and for an addition of five millions dollars thereto.

Be it enacted, &c. That the time limited by the first section of the act of congress, entitled "an act authorising a loan not exceeding the sum of twelve millions of dollars," approved July twenty-first, eighteen hundred and forty-one, for obtaining said loan, shall be, and the same is hereby, extended for one year from the passage of this act.

Sec. 2. *And be it further enacted*, That so much of said loan as may be obtained after the passage of this act shall be made reimbursable, and shall be agreed upon and determined at the time of issuing said stock, either at the will of the secretary of the treasury, after six months' notice, or at any time not exceeding twenty years from the first day of January next.

Sec. 3. *And be it further enacted*, That the certificate hereafter to be issued for said loan may, when required, be in such form as shall be prescribed by the secretary of the treasury, so that the stock may be transferable by delivery of the certificate, instead of being assigned on the books of the treasury.

Sec. 4. *And be it further enacted*, That the proviso to the second section of the said act is hereby repealed; and the secretary of the treasury is hereby authorized to cause the stock hereafter to be issued, to be disposed of at the highest price which he can obtain for the same, on its being advertised a reasonable time for proposals; but no stock whatever shall be sold below par, except upon the purchase of a specific advertisement and by virtue thereof.

Sec. 5. *And be it further enacted*, That the moneys arising from duties on goods, wares, and merchandise which may be imported into the United States, or so much thereof as shall be equal to the payments from time to time, of the interest, and to the ultimate redemption of the principal of said stock, be, and the same are hereby, appropriated for the payment and redemption of the stock hereafter to be issued under and by virtue of this act and the said act of July 21, 1841, hereby amended, and so much thereof as may be necessary to be paid from time to time on said, and redeem the same when due, is hereby appropriated to that object, to be first applied by the secretary of the treasury to such payments and redemptions.

Sec. 6. *And be it further enacted*, That it shall be the duty of the secretary of the treasury to report to congress, at the commencement of the next session, the amount of money borrowed under this act and the said act, the amount of stock issued, and upon what terms it shall have been obtained, with an abstract or brief statement of all the proposals submitted for the same, distinguishing those from those accepted and those rejected; and a detailed statement of the expense of making such loans.

Sec. 7. *And be it further enacted*, That all the provisions of the said act, not hereby modified or changed, shall be and remain in force, and apply to this act.

Sec. 8. *And be it further enacted*, That the president of the United States is hereby authorized to borrow an additional sum, not exceeding the sum of five millions of dollars, if, in his opinion, the exigencies of the government may require the same; which additional loan shall be made within the time and according to the provisions of said act, as modified by this act.

Sec. 9. *And be it further enacted*, That all treasury notes heretofore issued under the act entitled "an act to authorise the issuing of treasury notes," approved the twelfth day of October, eighteen hundred and forty-one, and which shall become subsequent thereto, and now outstanding and unredeemed, or which may hereafter be issued under and by virtue of the same, shall, if due and unpaid before the fifth day of March, eighteen hundred and forty-two, bear interest at the rate of six per cent. per annum from that day; and when they may become due hereafter, or may have become due since the said fifth day of March, eighteen hundred and forty-two, shall bear interest from the day of their becoming due, at the rate of six per cent. per annum, until they shall be respectively redeemed: *Provided*, That such interest shall cease at the expiration of sixty-days' notice, to be given at any time by the secretary of the treasury, in one or more of the principal papers published at the seat of government, of a readiness to redeem the same. And the said interest shall be payable semi-annually at the treasury of the United States, on the first days of January and July in every year.

The title of the bill having been read, Mr. *Fillmore* moved an amendment thereto, the precise words of which could not be ascertained from the journal. Mr. *W. B. Campbell* moved to amend the amendment so as to make the title read, "to authorise the hawking and peddling of the bonds of the United States." Mr. *W. C. Johnson* moved the previous question. And the amendment to the amendment was proposed by Mr. *Campbell*) was rejected. And the amendment of Mr. *Fillmore* was agreed to. And, thus amended, the title of the bill was agreed to. Mr. *Arnold* moved a reconsideration of the vote by which the bill had been passed, and demanded the previous question. And the main question (being on the reconsideration) was ordered, and being taken, the vote was *not* reconsidered.

The *speaker* laid before the house the following message:

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Washington, March 30, 1842.

To the house of representatives of the United States:

I transmit to the house of representatives two extracts from a note of the charge d'affaires of the republic of Texas, accredited to this government, to the department of state; one suggesting in behalf of his government such modifications of the existing laws of the United States as will impart greater facility to the trade between the two countries, particularly to that which passes across their frontier; and the other expressing a desire for some regulation on the part of this government by means of which the communication by post between the United States and Texas may be improved.

As the wishes of the Texian government in relation to those subjects can only be gratified by means of laws to be passed by congress, they are accordingly referred to the consideration of the two houses.

JOHN TYLER.

The message and the extracts of the note having been read and disposed of The house adjourned.

FRIDAY, APRIL 1. Mr. *Roosevelt*, from the committee on the judiciary, reported a bill to define and limit the compensation of custom house officers.—The bill having been read twice, Mr. *Roosevelt* observed that its object was to correct a judicial interpretation of the existing laws, under which an officer whose annual compensation might be limited to five thousand dollars would, if removed ten days after the commencement of the year, retain the whole salary of the year, if, in that short interval, he had been so fortunate as to receive fees to that amount. The same difficulty also applied to causes of death or resignation. As the evil, he said, was manifest and pressing, he would request the expediency of ordering the bill immediately to its third reading.

Mr. *Winthorp* said that the bill had been reported under a resolution offered by himself; that it was designed to put a stop to a very great abuse, of which he might offer many illustrations; but that he would content himself with uniting with his friend from New York, of opposite politics, (Mr. *Roosevelt*), in expressing the hope that the house would act upon it without further debate or delay.

The bill was then read a third time and passed, and sent to the senate for concurrence.

On leave given, Mr. *Levy*, of Florida, presented certain communications from the governor of Florida in relation to the affairs of that territory, and in connexion therewith, offered the following resolution, which was adopted:

Resolved, That the committee on military affairs be instructed to report to this house such measures as may be necessary and proper for the protection of the people of Florida against Indian aggressions, and for the more speedy termination of the Seminole hostilities in said territory.

After the consideration of private bills, and the presentation of many memorials, among them, one for a civil instead of military superintendancy at Harper's Ferry, increase of duties, the tariff, reduction of tariff, reduction of congressional mileage, improvement of mail transportation, countervailing duties, complaints of disorderly conduct of the house, from Bethany, Elba and Wyoming in N. York, and against impairment of the right of petition, annexation of Texas, &c. &c. the house adjourned.

SATURDAY, APRIL 2. On motion of Mr. *Tillinghast* a bill appropriating $1,000 for repair of the custom house at Providence, R. I. was reported and passed.

Many private bills were then acted upon, and the house adjourned.

MONDAY, APRIL 4. Mr. *Fessenden*, of Maine on leave given, presented certain joint resolutions from the legislature of that state on the subject of military defences. Referred to the committee on military affairs, and ordered to be printed.

The house resolved itself into committee of the whole on the state of the union, (Mr. *Thompson*, of Indiana, in the chair). Mr. *Cushing* moved that the committee now take up house bill No. 206, entitled "A bill amendatory of the several acts establishing the treasury department." The motion was rejected.

And the house resumed the consideration of the bill making appropriations for the civil and diplomatic expenses of the government for the year 1842, (which said bill had been heretofore laid aside, for the purpose of taking up the loan bill), and after progress therein, there being no quorum, the committee rose, and the house adjourned.

TUESDAY, APRIL 5. Mr. *Calhoun* submitted a resolution asking information of the secretary of war of the names of all agents, commissioners or boards of officers who have been sent to Europe since 1825 on ordinance business, statement of their expenses and the authority for their appointment; also, the number of graduates at West Point since 1812 and how many thereof have continued in service or have resigned.

Mr. *Black* asked leave to offer the following resolution, which was read:

Resolved, That a special committee be appointed by the speaker to take into consideration the insufficiency of protection afforded to the people of the state of Georgia and their property by the United States troops stationed upon the line dividing said state from the territory of Florida; also to take into consideration the outrages said to have been committed by said troops on the persons and property of the people of said state, and to report the same to this house; and said committee are instructed to inquire into the expediency and propriety of authorising the governor of the state of Georgia to employ such a militia force as will be sufficient to protect the people of Georgia resident near the Florida line from future incursions, and to authorise said services to be paid for out of any money in the treasury not otherwise appropriated, and to report as early as practicable by bill or otherwise.

Objection being made to its present consideration the house resolved itself into committee of the whole on the state of the union, (Mr. *Thompson*, of Indiana, in the chair,) and resumed the consideration of the bill making appropriations for the civil and diplomatic expenses of government for the year 1842.

After progress therein the committee became without a quorum and thereupon rose and the house adjourned.

WEDNESDAY, APRIL 6. Mr. *Black* asked leave, at this time, to offer the same resolution which he had unsuccessfully endeavored to present yesterday, and to have certain testimony in relation thereto read:

Objection being made, he moved a suspension of the rules, in order to consider it, and the motion was negatived.

Mr. *Warren* asked leave to offer the following resolution, which was read for information:

Resolved, That the secretary of war be requested to report to the house of representatives all the correspondence between the governor of Georgia and the department of war since the 4th of March, 1841, in relation to Indian depredations in Georgia, near the Florida line; and also, the complaints made, and evidence submitted, of depredations on the citizens of Georgia and their property by the United States troops; and what course has been adopted (if any) to prevent in future the violation of the rights of the citizens by the United States troops.

And that the letter of the governor of Georgia, with the accompanying documents, asking the Georgia delegation to have an appropriation made for the payment of the troops ordered out by the governor, near the Florida line, in Georgia, to protect the citizens against Indian incursions, be referred to the committee on military affairs, with instructions to examine into the expediency of making the appropriations asked, and to report by bill or otherwise.

The rules were then suspended by a vote of 130 to 21 in order to consider it. Mr. *Adams* argued that the two resolutions were totally different and founded on totally different principles and put together were the identical resolution offered by Mr. *Black*. He understood the fact of the gentleman from Georgia (Mr. W.) and though willing to support the first he was opposed to the second resolution. Mr. *Warren* modified his resolution so as to insert "required" instead of "requested" and then stated the difference of his proposition from that of Mr. *Black*.

Mr. *Adams* moved to amend the resolution by striking out the following words:

And that the letter of the governor of Georgia, with the accompanying documents, asking the Georgia delegation to have an appropriation made for the payment of the troops ordered out by the governor, near the Florida line, in Georgia, to protect the citizens against Indian incursions, be referred to the committee on military affairs, with instructions to examine into the expediency of making the appropriations asked, and to report by bill or otherwise.

Mr. A. asked the yeas and nays on the motion; which were ordered, and, being taken were: yeas 117, nays 51. So the amendment was agreed to. And the resolution, as amended, was adopted.

Mr. *Yorke* under direction of the committee on expenditures offered the following:

Resolved, That the secretary of the navy be, and he is hereby, instructed to cause a tabular statement to be prepared for the use of congress, showing, first, the names of the commissioned officers of the navy of the United States who have been in actual service during the five years preceding the date of this resolution, second, what time each officer has been in actual service during that period; third, what officers have been absent, on leave or otherwise, during the said period of five years, and the cause of the absence, and how long they have been absent respectively; fourth, the compensation, regular and extra, allowed, to the officers of the navy, and for what services the extra allowances have been made; fifth, the number of naval officers (if any) who are engaged in the civil service of the department, and compensation of every description allowed each of them.

The resolution was adopted. After which, on motion of Mr. *Wise*, the house resolved itself into committee of the whole on the state of the union, (Mr. *Thompson*, of Indiana, in the chair.) And on motion of Mr. *Wise*, the committee took up the bill from the senate appropriating $250,000 for the construction of an iron war steamer for coast defence, the builder to be Robt. Y. Stevens of N. Y. and the steamer to be bomb and shell proof. Mr. *Wise* remarked that the bill had passed the senate by an unanimous vote. The bill had been well considered and digested in both houses—the committee on naval affairs of the house having reported a bill precisely similar. He asked that the question might be taken, and that the committee should at once resume the consideration of the general appropriation bill.

No amendment having been offered, the bill was laid aside, to be reported to the house.

Mr. *Fillmore* then called for action upon the general appropriation bill.

There was no opposition, and the committee began where the debate left off yesterday, the pending item being in relation to the salary of the Georgia judges.

The house went on to the debate until half past 2, and finally adjourned without a question. The next hour was devoted to a call of the house.

Mr. *Andrews* moved a call of the house; 117 answered and absentees being called, 132 appeared to be present. The doors being closed 136 were present. The sergeant at arms then brought up 26 members under process; a few gave valid excuses for absence.

The following are the names of the members absent on the call of the house:

Messrs. Arrington, Babcock, Barton, Beeson, Bidlack, Black, Blair, Botts, Bowne, Boyd, Brewer, Briggs, Brockway, A. V. Brown, J. Brown, Burke, Burwell, Wm. Butler, Wm. O. Butler, Calhoun, J. Campbell, Cary, Chittenden, Staley N. Clarke, Clinton, J. Cowen, Craven, Cushing, Dawson, Delaplaine, Doig, John G. Floyd, Charles A. Floyd, Fornance, A. L. Foster, Thomas F. Foster, Gamble, Gates, Gentry, Gerry, C. C. Goode, Granger, Gustine, Habersham,* Hall, Harris, William S. Hastings, J. Hastings, Hays, Henry, Holmes, Houston, Hubard, Hunter, James Irvin, James, Cave Johnson, John W. Jones, Isaac D. Jones, Keim, J. P. Kennedy, J. H. Lane, Lawrence, Linn, Littlefield, Lowell, McKay, McKeon, Mallory, Alfred Marshall Maynard, Medill, Mercer, Miller, Morris, Morse, Oliver, Patridge, Pickens, Plumer, Ramsey, Randolph, Rayner, Reding, Rencher, Reynolds, Rogers, William Russell, Saunders, Shaw, Shields, Simonton, Slade, Sollers, A. H. B. Stuart, Benjamin Thompson, Turney, Van Buren, Wallace, Ward, Watterson, James W. Williams.

The following members were excused on account of sickness, indispensable absence, or other reasons deemed sufficient by the house:

Messrs. Bidlack, Botts, Bowne, Brockway, Burke, Burwell, Charles A. Floyd, A. L. Foster, Houston, James, John W. Jones, Isaac D. Jones, Lawrence, Mallory, Meriwether, Miller, Oliver, Plumer, Ramsey, Randolph, Rencher, Slade, Ward, James W. Williams.

The following members were excused with fine:

Messrs. Arrington, Beeson, Black, Aaron V. Brown, William Butler, Cary, Cowen, Craven, Cushing, Dawson, Gates, Gerry, Patrick G. Goode, Granger, Harris, John Hastings, Holmes, Hubard, James Irvin, John P. Kennedy, Littlefield, McKeon, Medill, Pickens, Reding, Shields, Toffey, William Wallace.

Mr. *Andrews*, of Kentucky, offered the following resolution:

Resolved, That all such members of the house as have not appeared in pursuance of the call of the house, and given satisfactory excuses, shall be fined the amount of fees of the sergeant-at-arms, subject to be released from the payment of the same on appearing hereafter and making such excuse as shall be deemed satisfactory to the house. Which, by yeas 80 nays 53, was adopted. After near three hours being spent on the call, the house adjourned.

* Mr. *Kennedy* of Md. stated that his absence was but casual being at the time of the call detained a short time in another part of the building by some of his constituents. Mr. *Andrews* of Ky. moved that his excuse be admitte i, as he was one of the most punctual and regular members, but the house refused to excuse him.

Mr. *Habersham* of Ga. at the time, was engaged in drawing up a counter report on the subject of the tariff, he being a member of the committee on manufactures.

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CHRONICLE.

ARMS. The Monongahela steamer left Pittsburg, Pa. on the 4th with 17 thirty-two pounders, for New Orleans.

BANK ITEMS. *The Dayton Bank*, Ohio, notifies that 15 per cent. of the amount of their stock will be repaid to the stockholders on the 11th April. It was a small specie paying bank, but the laws of the state induced the directors to relinquish business.

The old *Bank of Columbia*, Georgia, after a long struggle, and exhausting every means in their power to hold on to specie payments, was obliged, on the 31st ult. to follow the example of the other institutions of the place, and gave in.

"*The State banks of Illinois*," says the St. Louis Republican of 26th March "has consented to allow the drawers of exchange on New Orleans, to pay them here in state bank paper at par with ten per cent. damages added. This will greatly facilitate the employment of their circulation."

The *Mechanics bank* of New Orleans has gone into a state of liquidation. Its notes as well as those of the Orleans and exchange have gone up to 50a60 discount in N. Orleans.

Virginia bank notes are at 8½ discount in Baltimore. Baltimore and Ohio rail road orders 42 discount.

The resumption of specie payments at Philadelphia and Baltimore had the immediate effect of turning exchange upon New York in their favor, and specie to the amount of over half a million was transferred from the New York to the Philadelphia banks, leaving a large balance still in favor of the latter.

BANKRUPT APPLICATIONS. The number of applicants in both the districts of New York, says the Journal of Commerce, is 1,755; in New England 2,191; in the middle states and District of Columbia 1,953; in Alabama 181; Illinois 132; in all the other states 321. Total so far 4,781.

BANKRUPT DECISIONS. It has been decided by Judge Heath, of the United States district court of this state, and also by Judge Gilchrist, of Washington Capitolin, that a debtor who has filed his petition for a decree of bankruptcy, is privileged from arrest under a writ of capias satisfaciendum, issuing out of the state court subsequently to the date of his petition and before the decree of bankruptcy.

COLONIZATION. An adjourned meeting of citizens and strangers interested in the objects of the American Colonization society, was held at Washington on the 16th ult. Rev. Wm. Hawley, presiding. The object of the meeting was explained by the secretary of the society, Mr. Gurley, who concluded by offering a series of resolutions which were adopted, the last as follows:

Resolved, That a committee be now appointed to confer with gentlemen in congress who may regard favorably the object of the American Colonization society, and especially to make arrangements for a public meeting or convention of the friends of this society, not only of this District, but other regions of the country, to be held in this city at such time as the committee may judge best, in order to adopt the best measures to awaken the mind of the nation to a sense of the importance of the cause, and suggest the best means of prosecuting it with energy adequate to its importance and to full and complete success.

The following gentlemen were appointed on said committee, viz: E. Whittlesey, G. W. P. Curtis, H. L. Ellsworth, Thos. Sewall, Walter Jones, *Washington*. Rev. Mr. McVean, *Georgetown*. Hugh Smith, *Alexandria*.

DEATHS. The number of deaths in New York last week, was 182 of which 64 were under two years of age. *Five were of the small-pox.*

ELECTIONS. The Connecticut election has resulted in favor of the Van Buren party. The particulars not yet received.

The municipal election at Mobile, Ala. has also resulted in favor of that party.

The New Bedford election has resulted in favor of the whigs; last year it was V. B.

EKE'S COMET, after an absence of four years, is now again within range of good telescopes, and approaching the sun. It will pass its perihelion on the 12th inst. and be then within 33 millions of miles of that luminary. It re-appeared at the time and in the precise place in the celestial hemisphere that the calculations had assigned.

EXCHANGES. Bills on London, continue to decline in New York, owing to the scarcity of money. On 6th they were at 5; to 6½. On France, 5f. 40a45. Exchanges on Boston, Philadelphia and Baltimore were quoted at par or ¼ premium. On Richmond 9 per cent. discount; Raleigh 6; Charleston 2; Augusta 3; Macon 15; Mobile 25; New Orleans 7; St. Louis 16a20; Louisville 5; Cincinnati 6; Nashville 20. U. States treasury notes, 2a2½ discount.

EX-PRESIDENT VAN BUREN, his son, major Van Buren, and ex-secretary Paulding, reached Columbia, S. C. on the 28th ult. and left on the 30th for N. Orleans, through Georgia and Alabama.

FELTED CARPETS. The new carpet mentioned in the long descriptions of the recent royal christening, as having been laid for the occasion in St. George's chapel, was the invention of Mr. A. Wells, esq. an American. It is a new patent felted carpet, which is made without spinning or weaving. The order was given for one thousand yards for the floor of the chapel and for the state apartments of the castle.—In precisely nine days from the date the order was given, one thousand yards were at the castle and on the floor. The carpets were most admired and gave universal satisfaction. The most brilliant and beautiful colors are printed from blocks of every possible variety, and it is said these carpets can be sold by the retailer at about three shillings sterling per yard, and afford a remunerating profit to the manufacturer and wholesale dealer. These patent felted carpets appear likely to supercede the more expensive carpets now in general use. [*English paper.*

THE CROPS of wheat and rye are represented to look very promising for this period of the year, in every direction of the union from which we have seen them noticed.

FIRES. On the 1st inst. forty or fifty houses were destroyed by a fire in the city of New York, principally on Chrystie, Broome, Delancy and Forsyth streets. The firemen were distracted by fires occurring in three different parts of the city at the same time.—The cotton factory of the United Manufacturing company at Pottowanut, R. I. insured to the amount of $24,500.

THE NATIONAL HOME INDUSTRY CONVENTION met in New York, on Tuesday last. Delegates were in attendance from Maine, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Michigan and Illinois. The convention was organized by the appointment of gen. James Tallmage, of New York, president, and a number of vice presidents.

THE NEW YORK CITY COLLECTOR. Thomas Lloyd, late collector of the city revenue, has absconded, carrying with him about $30,000 of the public money.

The debt of the city of New York on the 1st of January last, was $13,341,117 15, which requires annually a payment of $698,000 interest. The taxable property in that city was valued at last year at $251,194,922 00. The interest on the city debt requires a tax of over 27¾ cents on each $100 of the said property.

ILLINOIS ON THE WING. The people of Stevenson county, by a vote of 509 to 1, have decided in favor of attaching the northern part of Illinois to Wisconsin.

LOUISIANA. The legislature closed their session on the 26th ult.

HOGAN, after an examination before justice Warren, at Rochester on the 4th inst. was re-committed. Dr. A. McKenzie was one of the witnesses against him.

The Rochester Democrat of the 4th contains the examination of witnesses before the police justice, Warner, as to the agency of the prisoner in the burning of the Caroline. A Dr. Alex. McKenzie testified directly that Hogan had on several occasions, related to him the occurrences of the attack, as having himself been a party in it. The prisoner was recommitted—with instructions to the jailor to provide him with as good accommodations as were in his power.

PENNSYLVANIA. The legislature adjourned on the 5th to meet again on the 9th of June. The bill laying a tax to sustain the credit of the state was left amongst the unfinished business.

FAIRBAIN GUNS. Commodore Chauncey and Major Wade, have been engaged in inspecting thirty of these guns, lately cast at Alger's foundry, south Boston. They will soon be proved at the South Boston Point, to which place a number of them are already conveyed, and a heavy cannonading may be expected. The guns are about nine feet in length, weigh 7,200 pounds each, calibre eight inches, and throw a solid shot of sixty-eight pounds.

RHODE ISLAND is quite in a ferment. The cause is briefly noticed under the head of "States of the Union." A letter received from Providence says, it a single person acting under the new constitution is imprisoned, "we shall open the prison doors forthwith. We have two thousand men, at least, pledged to defend, at all hazards, the lives, persons and properties of our candidates. Two thousand men in Smithfield and Cumberland are ready for every emergency."

SPRAWBERRIES were in the N. Orleans and Charleston, S. C. markets, at the latest dates from thence.

ST. LOUIS, MO. TRADE. Four steamboats left this port for New Orleans a few days since, with 1,900 tons of produce of Illinois and Missouri.

Savannah, Ga., is awaking to the cause with great spirit.

THE TARIFF. We reserved room for the report of the committee on manufactures accompanying their bill for the house of representatives to the last hour, but have not yet been furnished with a copy.

It is understood that the minority of the committee are preparing a counter report and bill.

A very large meeting convened on Thursday evening at the Exchange, Baltimore, and unanimously adopted spirited resolutions advocating the protective system.

TEMPERANCE CAUSE. One of the members of the Washington temperance society was creating quite a sensation in Texas, just before the invasion took place.

The labours of the Baltimore temperance missionaries have been crowned with signal success in Kentucky.—Messrs. Vickers and Brown have administered the total abstinence pledge to 12,350 persons. There are now 30,000 teetotalers in that state.

TONNAGE OF BRITISH SHIPPING. From state ments laid before parliament of the number and tonnage of British vessels which entered and cleared at the ports of the United Kingdom in the two last years, we ascertain the following results:

	Years ending Jan. 5, 1841.	1842.
Number of vessels entered	22,752	21,858
Tonnage of do.	4,105,207	3,982,129
Number cleared outwards,	19,710	20,861
Tonnage of do.	3,392,626	3,543,465
	Coasting vessels.	
Number of vessels entered,	133,869	130,402
Tonnage of do.	10,666,056	10,876,650
Number cleared outwards	146,127	143,877
Tonnage of do.	11,417,991	11,750,152
Gross receipts of customs duties,	£23,584,404	23,736,135
Drawbacks and allowances	312,556	300,865
Net receipts of customs duties	£23,271,848	23,435,270

TOBACCO. The low rate of exchange has not prevented prices of Maryland from improving some what. Shippers are enquiring for the article. Inspections in Baltimore last week consisted of 703 hhds. Maryland, 143 Ohio and 25 Kentucky. Prices for Inferior Maryland $3 to $4; middling to good $4 50 to $6 50; good $7a8; fine $8a12.

TEXAS. At Augusta, Geo. about $4,000 were promptly subscribed towards aiding the invaded Texians.

WAGES. It is stated in a recent London paper, that the competition in what is technically called *slop work*, is carried to such a tremendous extent at the east end of that vast metropolis, as to be ruinous to the numerous and industrious class of women who maintain themselves by the needle. A few years ago shirt making was reduced to three shillings a dozen, yielding then a miserable subsistance; but from that price it is said to have become gradually lessened, till many of the Jew employers and sellers pay but nine pence a dozen, or three farthings a shirt!

WASHINGTON MEDICAL UNIVERSITY OF MARYLAND. Dr. Dunbar having resigned, Dr. HENRY WILLIS BAXLEY late professor in the University of Maryland has been appointed to the anatomical chair.

YUCATAN. The following intelligence from Yucatan, we find in the New York Herald, said to have been received in New Orleans.

"It appears by our advices from Campeachy, which are to the 3d ult. that the treaty, which Yucatan agreed to abide by with Mexico, has been refused by the latter government, and Yucatan has therefore bristled up and joined Texas in the war upon Mexico. Commodore Moore sailed from Campeachy on the 24 ult. and the Yucatanese were fitting out their vessels with despatch for a cruise against the Mexicans."

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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GREAT BRITAIN.

BLACK AND WHITE SLAVES. The following extract from a speech made by an English operative, at a chartist meeting, is one of the many proofs of the degraded condition of the masses in England:

"I was a slave in the West Indies, between St. Thomas and Barbadoes, and saw how the slaves ate and drank; and I do standing here, say, *so help me God*, I would rather be a slave in the plantations, than be as I now am. The man there have an interest in them as their property, and that they should be able to do work; and five Englishmen would do as much work as twenty of their negroes. I am a slave to the classes above me. I work hard and cannot get food for myself and children, and I have no one to own me or care for me. Every one with whom I deal is endeavoring to take all he can from me; they have all a hand in cheating and swindling me out of my rights and not in paying and feeding me; and I therefore lie down on my pillow with an empty stomach, I am therefore whipped in the belly, while the black slaves was eating and drinking of the best.

SPAIN.

The project of a counter revolution in Spain is denounced by the press in England, France and Spain. The Sentinel of the Pyrenees states that "great events are being prepared for the spring in the peninsula; a vast conspiracy is plotting against Spanish liberty; the Carlists and Christinos have formed an alliance. Don Carlos has named Villareal to the command of the Basque provinces and they were to be excited with the cry of the *fueros* while the moderados would take the mask of republicans and agitate Catalonia Valencia and Andalusia. Cabrera was at Paris, gen. Jauregay (el pastor) at Bayonne. It is rumored also that Don Carlos himself disavows the acts of his adherents in his name. Espartero meanwhile is preparing to meet the occasion.

JAMAICA.

Files of the Kingston Journal to the 11th of March inclusive are received.

The paper to that date contains late advices from Central America which show that the seizure of Don Manuel Quijano, at San Juan del Norte, by order of Colonel Macdonald (of which we published accounts some time ago) has been taken up with great spirit by the government of Guatemala—or rather by Gen. Carrera, who seems to be still the ruler over that government.

A correspondence took place between Carrera (the governor of the state assenting to his proposition) and Mr. Hall, the British vice consul at Guatemala.—Carrera objected to the explanations which Mr. Hall offered, and Mr. Hall in reply regrets that he could not make them more satisfactory promising to send copies of the correspondence to London.

The accounts from Belize were to the 15th of January. In consequence of some disagreement between the executive (Col. Macdonald) and the legislature, the latter had resolved to suspend the business until the decision of sir Charles Metcalfe, the governor of Jamaica, could be obtained; an appeal having been made to him. The dispute seems to be altogether of a political character—the legislature contending for more liberal institutions than the superintendent is willing to allow.

British ships of war, arrived at Jamaica from New Grenada, have brought intelligence of the complete restoration of tranquillity in that republic. Carmona had surrendered, perfectly resigned to exile himself. The constitutional authorities had been reinstated in Santa Martha—two of the most revolutionary federalists, Dr. Lenel de Goda and Gen. Carrabano, having previously departed for Curacao.

A detachment of the West India (colored) regiment had left Tobago to reinforce the garrison of Demerara; part of which, it is stated, was under orders to march into the interior, to watch the movements of the Venezuelians, who dispute the territorial limits of British Guiana as laid down by British authorities.

Capt. Crothers, of the schooner O'Kelley, from Baltimore, at Kingston, had been washed overboard during a gale in the gulf of Florida.

TURKEY.

The Protestant bishop of Palestine, Dr. Alexander, arrived at Jerusalem on the 21st Jan. last. On the 22d colonel Rose, Dr. Alexander, and a large party, inspected the intended site of the new church. It will be built upon the most elevated part of the city; the body of the church will be Gothic, and the towers in the style of Mosque minarets; which accords admirably both with the church itself and with the other public edifices of the city, for Gothic and Saracenic are the twin daughters of the Byzantine style. The stone necessary for the edifices will be procured from the Mount of Olives. On the 23d the bishop preached the introductory sermon, choosing for his text Isaiah, chapter 65, and verse 15: "Whereas thou (alluding to Jerusalem and the Jews) has been forsaken and hated, so that no man went through thee, I will make thee an eternal excellency, a joy of many generations." The tendency of the right rev. prelate's discourse was to show that, although Jerusalem had endured, and might still endure much suffering in the fulfilment of inspired prophecy, nevertheless brighter days were at hand."

The Smyrna correspondent of the *Malta Times* writes, on the 9th instant: "We have news from Beyrout to the 25th and from Rhodes to the 29th ult. From the former places they state that the Seraskier pacha had appointed Osman pacha governor general of the mountain, to the dissatisfaction of the Maronites, who wanted a chief of their own sect. The Druses, on the contrary, preferred a Turkish governor, and even, it is said, expressed a willingness to embrace Islamism rather than submit to the Maronites.

CHINA.

The ship Hannibal, Captain Scott, arrived on the 8th from Canton. There are received by her papers and letters to the 11th December. Mr. Edwards, the supercargo of the Hannibal, it will be recollected was seized by the Chinese and maltreated. He informs that when he left Macao, all was quiet about Canton, though the Chinese were again erecting forts around that city and endeavoring to render the approach to it by water impracticable by sinking large quantities of stone.

We learn, however, one important fact by this arrival, and that is, that the emperor of China has restored Keshen (who was at Canton when the English attacked it) to his former rank, and directed him to proceed to Ningpo for the purpose of communicating with the British plenipotentiary.

The British forces were in winter quarters at Chusan, and were not expected to make any further movement for some time.

About seven Chinese trading vessels had been seized by the British ships in the vicinity of Canton, taken to Hong Kong, the British settlement, and condemned as lawful prizes. Their cargoes were of little value except one, on board of which $1,400 were found.

The French ship of war L'Erigone, 46, Captain Ceville, arrived at Macao on the 7th December from Manilla. On board of her the papers say is col. Dubois de Jansigny, envoy from the king of the French to the court of Pekin.

The U. S. ships Constellation and Boston were at Singapore on the 20th Nov. and would sail for China about a month afterwards.

INDIA.

The following interesting letter from one of the American cultivators who went to India from the interior of this state with capt. Bayles, is worthy of perusal on more accounts than one:

Zilla Bundlecund Sumepoore, October 1, 1841.

That you may understand the position of my affairs, I must make an explanation of the tenure by which landed property is held in this country. The British government claims the proprietorship of the whole soil, which is divided into villages. A body of land is allotted to each village, and considered as belonging to it. On this the government fixes a rent for a term of years to such of the most responsible men of the place as are desirous of hiring it. These men do not cultivate all the lands, but rent them out again to the poorer classes at an increased rate. So long as the rent is paid punctually, the lessees cannot be ejected from the property; but under the present government they manage so badly, that they are seldom able or willing to pay their rents for a succession of years. When this happens, the villages are put up at auction and sold for the amount of the government dues. Under the native princes the thing was managed differently; for when they refused to pay up, he only marched his troops down upon them, killed a few, and then the rent was always forthcoming. It may seem strange, but so it is, the villages were more prosperous under that system of government than at present, probably owing to other circumstances. For instance, the Rajah who owned the village where I am now living, collected a revenue from it of 22,000 rupees, ($12,000) and now it only pays 4,000 ($2,000) and that with the greatest difficulty. As a matter of course, the person who purchases at these auction sales by government, will meet with opposition and all kinds of annoyance, especially if he is a native man; for all their ancient rights and privileges are sold with the village. This creates heart-burnings and discontent, especially where the purchaser is a foreigner and a stranger to their feelings. For my part, at least I have found it so in my case, for I have had to fight my way inch by inch with them, and so far with success; for instead of the collections being smaller, as was expected by the government, it has increased 4,000 rupees. I fear, however, that they will not be able to pay the whole, for there has been almost a total failure of the crops of all descriptions this season.

I arrived at this place in May, and employed myself in looking at the lands until the planting season should arrive, which, this season, was unusually late. The farming months are June, July, August and September, and the periodical rain ceased a month before the usual time, so that we had but two months rain, which is not sufficient to bring the crop to that state of forwardness requisite for standing the dry weather. For the East India company I have done but little this year, owing to their not having furnished the requisite working cattle, all work here being performed by oxen. I have therefore planted but forty or fifty acres, which I hope will make a few bales for them; but for my own account I stepped in rather larger, and had cultivated for me by the natives, about 200 acres, which, until a few days, promised me 150 heavy bales. It was as full of bolls, squares, and blossoms as it could stick; but now it has commenced feeling the premature drought to which I referred, and is shedding badly.

[*Savannah Republicam.*

TEXAS.

TO THE CITIZENS OF NEW ORLEANS AND VALLEY OF MISSISSIPPI.

The fate of Texas is at this moment suspended on the issue of the conflict waging on the plains of the Colorado. The forces of ruthless and perfidious Mexico, are suddenly precipitated on the country in numbers to render certain the repetition of the scenes of Goliad, with aggravated horrors. The people though taken by surprise, are rallying *en masse* with enthusiasm unexampled to the rescue. They are fully resolved not again to lay down their arms until they extort the acknowledgement of their independence in the heart of the Mexican capital. From the unprepared state of the country every one expects to encounter much of distress and privation; but they count the conflict, meeting it with spirits elate and buoyant, looking with cheerful confidence to the ultimate result.

Encouraged by the recent manifestations of sympathy for their cause, by the citizens of New Orleans, and by the abhorrence expressed by the legislature of Louisiana, of the gross violation of all the rights of humanity and usages of civilized warfare in the treatment of the prisoners of Santa Fe,

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the people of Texas look with much of hope to the spirit of chivalry and liberality in the Valley of the Mississippi for assistance in their present exigency.

The undersigned have been therefore deputed by the committee of vigilance of the city of Galveston, representing as they believe the feelings of the whole people of Texas, to repair to this place and make known speedily the condition of the country, and to ask such contributions of useful materials as their condition demands, and as may be convenient for their friends to appropriate.

We publish forthwith the letter of our instructions and appointment, which will explain the objects of our visit, and shall be most happy to confer promptly and freely with any of the friends of Texas in furtherance to those objects.

LEVI JONES.
JOS. C. MEGGINSON.

New Orleans, 16th March, 1842.

GEN. HOUSTON AND SANTA ANNA. A letter from Gen. Houston to the Mexican president occupies several columns of the Galveston Gazette. After recapitulating the acts of enormity committed by Santa Anna and contrasting them with the clemency experienced by him from the Texian authorities, General Houston remarks:

"You tauntingly invite "Texas to cover herself anew with the Mexican flag." You certainly intend this as mockery; you denied us the enjoyment of laws, under which we came to the country; her flag was never raised in our behalf—and this is how Texian in Texas, unless when displayed in an attempt at our subjugation. We know your levity, we know your mercy, we are ready again to test your power. You have threatened to plant your banner on the banks of the Sabine—is this done to intimidate us? It is done to alarm us! Or do you deem it the most successful mode of conquest? If the latter, it may do to amuse the people surrounding you; if to alarm us, it may do to amuse those conversant with the history of your last campaign; if to intimidate us, the threat is idle. We have desired peace. You have answered our frontier. You have harrassed our citizens. You have incarcerated our traders, after your commissioners had been kindly received and your citizens allowed the privileges of commerce in Texas, without molestation.

You continue aggression. You will not accord us peace. *We will have it.* You threatened to conquer Texas—we will war with Mexico. Your propositions with oats you have referred to the social world and to the God of battles—we refer our cause to the same tribunals. The issue involves the fate of nations—Divinity must determine—its course is only known to the tribunal of Heaven. If experience of the past will authorise speculations of the future, the attitude of Mexico is more "problematical" than that of Texas.

In the war which will be conducted by Texas against Mexico, our inventory will not be that of conquest—it will be to disarm tyranny of its power. We will make no war upon Mexicans or their religion—our efforts shall be made in behalf of the liberties of the people, and directed against the authorities of the country, and against your principles *Sir*. We will exalt the condition of the people to representative freedom—they shall choose their own rulers—they shall possess their property in peace, and it shall not be taken from them to support an armed soldiery for the purpose of oppression. With these principles we will march across the Rio Grande, and Sir, believe me, are the banner of Mexico shall triumphantly float on the banks of the Sabine, the Texian standard of the Lone Star, borne by the Anglo-Saxon race, shall wave from the Sabine in Divinity's triumph on the Isthmus of Darien. With the most appropriate consideration, I have the honor to present my salutations, SAM. HOUSTON.

By the president of the republic of Texas.

A PROCLAMATION OF BLOCKADE.

To all to whom these presents shall come: Know ye, that I, Sam. Houston, president of the republic of Texas, and commander-in-chief of the army and navy—By virtue of my authority and the power vested in me by law, and for the purpose of more effectually prosecuting the war in which Texas is now engaged with Mexico—do hereby order, decree, and proclaim that all the ports of the republic of Mexico, in its eastern coast, from Tobasco, in the state of Tobasco, to Matamoros, in the state of Tamaulipas, including those ports, and comprising the mouth of the Rio Grande del Norte and the Brazos Santiago, and also all the inlets, estuaries and passes on the said eastern coast of Mexico—and, from and after the date of this proclamation, in a state of actual and absolute blockade, by the armed vessels of this nation.

And for the purpose of carrying this order, decree, and proclamation into complete effect, an armed naval force now is, and will be continued to be kept at or near the said ports, inlets, and passes of the eastern coast of Mexico, entirely sufficient to enforce this decree.

For any breach or effort at breach of this blockade, the offending vessel and cargo will be liable to confiscation, and the officers and marines of such vessel will be subject to the penalties attached to a breach of blockade.

This decree shall take effect as to vessels sailing from New Orleans, within three days after its publication in that city, and within five days as to any neutral port within the Gulf of Mexico—within twenty days as to any port in the United States, north of the Gulf Mexico—and in forty-five days as to vessels from any ports in Europe.

In witness whereof, I have hereunto affixed my name and have caused the seal of the republic, at the [L. S.] city of Houston, this twenty-six day of March in the year of our Lord, one thousand eight hundred and forty-two, and of the independence of the republic the seventh.

(Signed) SAM. HOUSTON.

By the president.

Anson Jones, secretary of state.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE

Samuel Prentiss, judge of the district court of the United States for the district of Vermont, in the place of Elijah Paine, resigned.

John S. Maxwell, of New York, secretary of the legation of the United States to Russia, in the place of John L. Motley, resigned.

William A. Butler, of New York, consul of the United States for the city of Granada, in Central America.

Charles Dewey, of Indiana, to be judge of the district court of the United States for the district of Indiana, in the place of Jesse L. Holman, deceased.

William Armistead, of Alabama, to be marshal of the United States for the southern district of Alabama, in the place of Robert L. Crawford, resigned.

THE ARMY.

Nearly two hundred United States soldiers arrived at New Orleans on the 4th, in the packet ship Mississippi, on their way to Jefferson barracks, Missouri.

THE NAVY.

A copy of a letter to the editors of the National Intelligencer, written by a distinguished officer attached to the Missouri, descriptive of the sad catastrophe which befel her on her passage to Pensacola:

United States Steam frigate Missouri,
Potomac river April 4, 1842.

MESSRS. EDITORS—It is with feelings lacerated with the keenest sorrow that I will herein make an attempt to give you an account of a heart-rending scene that I have this day witnessed from the deck of this ship, involving the loss of a noble-hearted, generous, and high-minded messmate and friend, lieut. Borden, and fifteen of this ship's crew. Yesterday, (Sunday), we made Cape Henry, and took on board a pilot to run us into the Chesapeake, who gave us to understand that he could not pilot us more than half way on our course towards Washington, as he was not acquainted with the Potomac river, but at the same time assured our captain that his father had been a branch pilot on the Potomac since the last war. In consequence of this statement the ship was run down the bay the same last evening about ten o'clock, in twenty fathoms water just after she had entered the last named river. The pilot went on shore, and returned this morning at daylight, with his father, who immediately got the ship under weigh, and ran her on her course with a press of steam that carried her through the water at the rate of ten knots an hour, until about 11 o'clock A. M. when he ran her *high up, with her bows almost out of water, on an oyster bed.* Every effort was made on the instant to back her off, but without success, and then commenced the work of lightening her forward. The heavy Paixhan guns were transported from the forecastle aft to the main transom, the water in the forehold started and the provisions broke out and sent to the after part of the berth deck; the bowsers of one of the waist anchors let go; the boats were hoisted out, and immediate preparations made for carrying out astern the larboard waist anchor, with a sufficiency of chain cable to heave her off. Accordingly, the anchor was weighed between the launch and lifeboat, and the chain coiled away in the bottom of the launch, under the superintendence of lieutenant Bur.en, midshipman Renshaw, and the boatswain.

After they had gone about two hundred yards astern of the ship, and while paying out the chain in twenty fathoms water, preparatory to letting go the anchor, the heavy chain cable began to run out with such tremendous force that it carried the gunwale of the launch under water. All hands instantly sprung for the life boat, but she being lashed to the launch, was likewise carried down by the combined weight of the anchor and men; and, in a moment, about twenty-five officers and seamen were struggling, and many vainly struggling, for their lives. Happy was it for those who were carried down by the massive chain, and who did not live again to catch one last and agonizing look at the bright heavens and the coming and, which despair whispered could not reach them in time to save them from sinking beneath the wave which must roll o'er them until that water shall give up its dead. Immediately every boat from the ship was rushing to the rescue, but unfortunately could not reach the drowning men until many had sunk to rise no more.

Commander Mackenzie, with his boat's crew, rescued midshipman Renshaw and three men; but poor Borden, the noble, warm-hearted, dearly-loved friend of all who knew him, was not a strong swimmer, and ere the boat could come up with him, he threw his arms over his head, and sank to rise in life no more.

A general gloom pervades the ship, fore and aft. When it was known beyond a doubt that Borden was drowned, there was not a dry eye among his friends and associates, messmates and brother officers assembled on the quarter-deck. However deeply we may deplore the loss of so many valuable and excellent men besides him, yet still they were as strangers to us, and it did not come so intimately home to our feelings. But, indeed it was a dreadful scene, and one that will never be effaced from my mind's eye, as I stood on the lifeball and saw a number of our strongest men struggling in their dying agony, bubbling the water from their lips, and throwing aloft their arms for succor ere they sunk beneath the relentless wave forever.

The following are the names of the persons lost in this late unfortunate affair from the boat of the Missouri. Lieut. F. Borden; junior masters, Peter Hanson, Iram Lord, seamen; T. Willis, Jos. Webster, John Murphy, B. Dunmuck, Jas. White, Chas. Gibbs, F. A. Gill, Joseph Nicholls, James May, Simon Sperry, Alex. Christie; C. Simpson, E. Fellows, colored ward-room boys.

THE MISSISSIPPI AND MISSOURI STEAM FRIGATES. Contrary to the impression produced at the moment of the departure of these fine vessels from our harbor last week, we learn from the annexed letter that the Mississippi proved the faster vessel.

Chesapeake bay, Sunday afternoon, April 3, 1842.

To the editor of the New York American. We left New York on Friday morning, the Mississippi leading the Missouri down the bay, until near the black buoy, when she came alongside and stopped to get sand. We passed on over the bar. When the Missouri came out, she signalized eleven inches steam, twenty-five inches vacuum. We had eleven inches steam, twenty-eight inches vacuum. As soon as our hatchcover, which had broken, was repaired, we ran up alongside, ahead, stopped, turned round, and led the Missouri every way during the trip.

About 4 P. M. Saturday, capt. Newton signalized for us to proceed, as his exhaust pipe had failed. We ran on, carrying from 9 to 10 inches of steam, 28 inches vacuum. We are now leading the Missouri under steam alone, while she is steaming and carrying all her fore and aft sails, fore-sail, and fore-top-sail.

The Mississippi is not to be beat by any sea steamer, if properly spared and rigged. Had not the Missouri been in company, we could have reached the Chesapeake early on Saturday afternoon, notwithstanding a stiff southwester all day and night, at noon we were running 12½ miles per log an hour, with 10 inches steam, 28 vacuum, making large sixteen revolutions.

P. S. Sunday, 4th 2 P. M. We are running 12 miles per ground log, and by the pilot's marks from light boat to light boat, 13½. The Missouri from 10 to 12 miles astern.

Commodore James Barron has been ordered to the command of the United States naval asylum near Philadelphia, vice commodore James Biddle, detached.

The Norfolk Beacon says: The U. S. frigate Constitution is fitting for sea with all possible despatch, and it is said she could be sent to sea in a fortnight if her officers and crew were on board. The crew might soon be supplied, as we learn that there are 400 men and boys on board the Pennsylvania. It is rumored that capt. Edward R. Shubrick will be appointed to the command.

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The sloop of war Falmouth, M'Intosh, arrived from a cruise on the coast.

The Vandalia, destined for the coastof Africa, has left the navy yard and anchored off the navy hospital.

It appears that in the late trip from New York to the Potomac, the war steamer Mississippi proved herself a much faster boat than her consort, the Missouri. The engine and apparatus of the former was constructed after the model of British steamers. The Missouri's American models.

IRON STEAMER. The bill authorising the construction of an iron steamer by Mr. Robert J. Stevens, of New York, passed both houses of congress with great unanimity last week. A report made by the naval committee thus speaks of this vessel:

The steamer is to be shot and shell proof; the engine and propelling apparatus are to be so placed as that the latter shall be subsuerged, and the whole engine out of the way of shot from the vessel of an enemy. Her guns to be large and to be adapted to both shot and shell, and her burden not less than 1,500 tons. Mr. Stevens' vessel, says the report, will possess many advantages which it is unnecessary here to detail. Some of them, however, will be briefly adverted to. She will scarcely present a vulnerable point to the fire of the enemy, while those constructed on the old method have a large surface exposed. The hull being low, will render it difficult to hit her, whereas the lofty sides of a seventy-four will make her a fair mark. Being able to approach within point blank shot, she can fire shells and grape shot into the large port holes of her antagonist, with terrific effect. The thinness of her bulwarks (only 4½ inches thick) will make a very small opening for the gun necessary, and this is to be effectually protected by a drop curtain of the same material as the sides of the ship; so that, in truth, her men will be hardly exposed to danger. She will combine nearly all the advantages of a ship and battery, being a kind of floating iron fort, and having no vital points exposed, such as spars, sails, &c. She will be free from accidents, then, which oftentimes render a vessel unmanageable. Hollow shot or shell will burst in pieces against the sides of this steamer, which, if made of wood, they would penetrate, doing as much damage as round shot, and, if they exploded, much more.

THE COURT MARTIAL which has been in session for some time in the city of Baltimore, engaged in trying Capt. Ballard, have concluded their duties and forwarded their decision to the department. The result has not yet transpired.

The U. S. frigate Columbia, Capt. Parker anchored in Hampton Roads on the 12th inst. from a cruise of 39 days, all well. On the 7th spoke the U. S. schooner Dolphin off the Capes, all well.

The brig Truxton was to be launched from the navy yard at Portsmouth on the 14th inst.

The Missouri, T. T. Newton, commander, lately aground off Port Tobacco on the Potomac, has been get off and reached Greenhill Point Washington city on the 13th, with the steamer Mississippi, W. D. Salter, commander.

STATES OF THE UNION.

RHODE ISLAND.

BY HIS EXCELLENCY SAMUEL WARD KING, *Governor, captain general, and commander-in-chief of the state of Rhode Island and Providence Plantations.*

A PROCLAMATION.

Whereas sundry persons, citizens of this state, or residents within the same, are conspiring and confederating to usurp the government thereof, and deceiving and seducing honest and well-meaning citizens, under various pretences, to engage in said criminal enterprise, contrary to the laws in such cases made and provided.

And whereas the general assembly of our said state, at the session holden on the fourth Monday of March last, passed and enacted the following resolution, viz:

"*Resolved*, That his excellency the governor be requested to issue his proclamation to the good people of this state, exhorting them to give no aid or countenance to those who, in violation of the law, may attempt to set up a government in opposition to the existing government of this state, and calling upon them to support the constituted authorities for the preservation of the public peace, and in the execution of those laws on which the security of all depends."

I do, therefore, issue this my proclamation, warning and admonishing all faithful citizens who have been led, without due knowledge or consideration, to participate in the said unlawful enterprise, to withdraw from the same without delay; and requiring also all whomsoever, engaged or concerned in the same, to cease all further proceedings therein, as they will answer the contrary at their peril. And I hereby enjoin and require all judges, justices of the peace, sheriffs, deputy sheriffs, and constables, and all military officers, within their respective departments, and according to their several functions, to be vigilant and firm in detecting and bringing to condign punishment all persons engaged or concerned in such enterprise.

And, furthermore, I do hereby exhort all the good people of this state, that they give no countenance to said unlawful enterprise, but that they aid by their advice and example, aid and support the civil authority in its exertions to suppress all unlawful combinations, and maintain the peace and dignity of the state.

In testimony whereof, I have caused the seal of said state to be affixed to these presents, and have signed the same. Given at Providence, (L. S.) at the city of Providence on the fourth day of April, in the year of our Lord one thousand eight hundred and forty-two, and of the independence of the United States of America the sixty-sixth.

SAMUEL WARD KING.

By his excellency's command:

Henry Brown, secretary of state.

The annexed article from the Providence Journal will show what is the issue in Rhode Island, and on which side is the right.

The Rights—To Editors Journal.

From the tone of many of the papers in other states, it is presumed the true question at issue in Rhode Island, between the government of the state and a portion of the people on one hand, and another portion of the people on the other hand, is not clearly and distinctly understood. The papers to which we allude, insist on the ground that the present existing controversy was between those who demand an extension of suffrage, and a written constitution, and those who oppose both, and determine to maintain the old charter form of government through all time, and at all hazards. Such is not the case.

The very men who opposed the party which wage war against the government—the very men who stood by the government for its support—have just voted for a constitution which, had it been adopted, would have extended the right of suffrage to every native born citizen of the United States, resident in this state for two years, and being twenty-one years of age and upwards, without the requisite of much as a tax's qualification. Had the other party accepted that constitution, which the *aristocrats*, as its friends are so significantly called by others, laboured so earnestly and so long to obtain, and which, since the approaching election, have thrown the entire political and civil power of the state, and the city of Providence, at once into the hands of those who have created it. And why was it rejected? It was a constitution prepared and given out by a convention duly called under the sanction of the legal authorities of the state. It contained all that the advocates of an extended suffrage had ever demanded. Not only so, but the convention that framed it had been called, though not formed, before the call had gone out for the, so called, people's convention, to contravene the doings of the General Assembly, and to render nugatory the doings of the legal convention, the call for the people's convention was issued after the call for the other, and the delegates to it chosen before the election of delegates to the other. And the people's constitution was given out, and precedently adopted, before the legal convention had closed its labors, and before it was known, or would be known, what the result of those labors would be.

The true issue between the parties is, not whether the non-freeholder should or should not have the elective franchise. That he shall, has already been decided by the vote on the constitution; because those who voted against that constitution, and those who voted for it, are alike in favor of an extended suffrage; and the measure will be carried out. The true reason why the late proposed constitution was rejected is, not the demerits of the instrument itself, but the fact of its not being the offspring of the party that rejected it, for they have frequently avowed that they would vote against it, even were it word for word like that they had already sanctioned. This declaration, and the principle it contains is well known to have pervaded the body of our opponents at large, sets the matter in its true light. They will abide by no constitution, but one of their own creation, unless compelled by circumstances beyond their control. And, while the government of the state, and the voters under the laws of the state, have held out the offer of concession on legal grounds, the opposing party have spurned those conditions, laughed at the laws, treated the proposed concession with scorn and contempt, planted themselves firmly on revolutionary ground, boldly declared that they will accept no compromise, and that, by physical force, if necessary to their object, they will overthrow the existing government, and erect their own on its ruins. This is the true state of the case as it actually exists; and it does appear extraordinary if people in other states are acquainted with the facts, that they should, for a moment, deem it expedient or right to encourage a spirit that not only spurns the restraints of existing laws, but seeks to rend, and trample on the social bonds which constitute the only ground of law and safety to any community.

ONE OF THE PEOPLE.

We see by the Providence Journal, from which the above article is taken, that a ticket has been nominated composed of leading politicians of both sides, to be voted for at the election ocat Wednesday. The following are the names:

For Governor—Samuel Ward King, of Johnston.

For Lieutenant Governor.—Nathaniel Bullock, of Bristol.

For Senators.—James Fenner, of Providence: Elisha Matthewson, of Scituate; Hezekiah Bosworth, of Warren; Elisha R. Potter, of South Kingstown; Jeffrey Davis, of North Kingstown, Thomas T. Hazard, of W. Greenwich; Sessions Mowry, of Smithfield; David Durfee, of Tiverton; Elisha Harris, of Coventry; Edward W. Lawton, of Newport.

Attorney General.—Albert C. Greene.

Secretary of State.—Henry Brown.

General Treasurer.—Stephen Cahoone.

SOUTH CAROLINA.

The following decision has just been made at Charleston, (S. C.)-before the Recorder's court:

"Early in February last, the crew (twenty-two in number) of the British ship *Elizabeth Ann Isabel*, J. F. L. Orritt, master, after examination, were committed to the jail of this city, by B. C. Pressley, esq. magistrate, at the instance of the British Consul, on a charge of mutiny on the high seas, they having seized and confined the master with hand-cuffs and a straight jacket, on the allegation of his intoxication and insanity. The clearance of the *Ann Isabel* for Liverpool, on the 18th ult., the master made oath before a magistrate that he considered his own life and the safety of the ship would be endangered, if he should attempt to proceed to sea, in any way, whether at large or under restraint, ten of the crew, who were therefore left behind in jail; the British Consul intending to keep them in prison, to await instructions from the British secretary of state, on the steps to be taken in order to bring them to trial. Last week, these seamen were brought before the Recorder, on the clearance of the city, on habeas corpus, to obtain their discharge; and, yesteaday, his honor delivered his opinion, discharging the prisoners, on the ground that in *the absence of any treaty stipulation to that effect between this country and Great Britain, there was no authority to arrest or detain them as fugitives from justice.* The case for the prisoners was conducted by James M. Elliott and William Gregson, Jr., esqs. Her Britannic Majesty's Consul was represented by James M. Walker, esq.

MISCELLANEOUS.

From the Richmond Enquirer, April 12.

Mr. Espy has just returned from Norfolk, which place was requested by the secretary of the navy to visit, for the purpose of putting into practice one of his simple yet useful inventions. It is intended to clear the ships of the United States from their foul air. The result was stated in the following exposé. We are pleased to have the opportunity of making it public:

Espy's Conical Ventilator.

This is a contrivance which effects the following highly important purposes: It prevents all chimneys from smoking, which smoke only when the wind blows, and it will carry out all the foul air from hold of ships, when the wind blows, even to the amount of several hundred thousand gallons an hour, when there is a fresh breeze. It ventilates hospitals, coal mines, and all places subject to foul air, and keeps them entirely pure. It increases the draft of locomotives and steamboats, especially with a head wind. It has lately been put on one of the chimneys of the U. S. senate chamber, and it appears when all the other chimneys puff down the smoke and ashes into the chamber, as they do sometimes when the wind blows, the one furnished with the ventilator produces a draft upward, stronger as the wind increases in force.

When put on the ship of war, the Pennsylvania at Norfolk, it drew up bails of cotton from the hold and passed them through a canvass bag 2 feet in diameter and 30 feet long to the deck in 5 seconds, thus proving that the whole of the air in the ship would, with a fresh breeze, be changed many times a day. We have seen a certificate of the commodore of the station, Shubrick, speaking of the "great importance of

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this discovery to ships of war in preserving the flags from decay, and the crews from disease."

Mr. Espy also invented a means for extracting foul air from ships and mines, and in time of calm; and it was found that even a stronger current of air could be made to run up the canvas by the power of a single man, than existed in the former case with a breeze, such a current as would carry up silk handkerchiefs, and even hats. We have seen a description of this machine, but we understand it will cost only a few dollars. We have seen a letter from Capt. Skinner of the Pennsylvania, to Mr. Espy, written after the Conical Ventilator had proved itself successful in time of a breeze, stating to Mr. Espy the immense additional advantage he would confer on the navy if he would make a contrivance, which would be equally efficient in drawing out the foul air in time of calms. The same statement was made by Commodore Shubrick. As soon as the want was known, Mr. Espy was ready to supply it; the machine was accordingly made, and proved to be triumphantly successful.

We think it cannot fail to give the secretary of the navy great pleasure to learn, that in the short space of a few weeks Mr. Espy has rendered to the navy such important services, much greater than was anticipated when he left Washington for Norfolk.

COTTON IN INDIA. Lastly apprehensive of the effect upon public opinion in the south, of the recent statements, in reference to the rapid increase of the amount of cotton grown in the East Indies, an effort is now making to show that, owing to not advantages of soil and climate, it can never be cultivated in sufficient quantities to drive the American cotton from the England market. And this merely speculative belief—founded as it is on the failure of a single crop, which may occur here as well as there—is to be used as an argument to influence our commercial policy towards Great Britain, who has shown, by her energetic efforts to produce cotton for herself, that *if she does not rule us, it will be because nature has thrown insurmountable physical obstacles in her path, and not because she does not desire to accomplish that object.* But is it true that the American cotton planter has nothing to dread from East India competition! Let the following extract of a letter from one of the American cultivators who went from Georgia, the interior of Georgia, (which we find in the Savannah Republican,) answer the question. His letter is dated October 1, 1841—and, after admitting the gain, in value of his farm, adds, he says: "But I am perfectly satisfied that cotton will grow here as well as in any other country, and can be made at much less cost. I can have five negro men for what would be paid in Georgia for a sixteen year old boy, *and as many day laborers as I want at five cents a day, and find themselves*, and rent only costs $2 25 an acre. So you see it does not require a capital to hire a whole village, with all its lands and inhabitants. I have made arrangements to go into it largely next year." [*Lynch. Ptr.*

MEETING AT PHILADELPHIA. A very large meeting, without regard to political parties, was held at Philadelphia on the 5th inst. at which it was

Resolved, That it is the conviction of this meeting that the subjects of debate which have engrossed a large portion of the time and attention of congress, are not of a character to advance the bests interests of the nation.

Resolved, That the protection of the pledged faith of the government should ever be kept sacred.

Resolved, That the sufferings and disasters which cover the land with distress are greatly increased and aggravated by the embarrassments of the national treasury and the derangement of the currency, and demand instant measures of relief and correction.

Resolved, That the grave, complicated, and increasing causes of discontent with Great Britain, imperatively demand on the part of the executive the wisest caution, and the adoption by congress of such measures as will place the country in a proper attitude of defence.

Resolved, That the intimate connexion which necessarily exists between the fiscal concerns of government, the tariff, and the industry of the people, render the settlement of the tariff question a matter of prominent and primary importance.

Resolved, That the ratio of representation should be established by congress at the earliest moment consistent with attention to more important and pressing interests.

Resolved, That this meeting has observed with gratification that the representatives from this city have kept aloof from the discussion of those irritating questions so alien to the true interests of the country.

AN ODE TO A POWDER MILL. There are comparatively few, even of the inhabitants of Pittsburgh, who have any adequate idea of the extent and variety of the various manufactures which are carried on amongst us. In pursuance of a determination to do what we could to render these better known, we paid a visit the other day, by way of commencement, to the Gunpowder manufactory of Mr. Andrew Watson, and the following is a faint account of what we saw.

The Pittsburgh powder mills are situated on the north bank of the Monongahela, about two and a half miles from the city. For the purpose of lessening the disasters attaining explosion, the buildings cover a large extent of ground, and each of the many processes to which the material is subject before it is manufactured into the form which the world is half too familiar, is performed in a separate building. These buildings are of stone, and are connected together by a railway.

But to begin at the beginning. Good gunpowder, such as Mr. Watson makes, requires good charcoal, and for the purpose of having good charcoal, young and sound wood is required, the water maple being the most desirable. Of these Mr. Watson has large plantations which yield what wood he requires, besides furnishing a considerable number of young trees for the ornamental plantations around. There are also on the premises plantations of sycamore for hoop poles, which yield about 5,000 per year, per quarter acre. From the plantations we went to the steam engine. And here the dread of fire which has hitherto been a second nature to the powder maker, has suggested a number of ingenious contrivances to prevent its coming into contact with the "villainous saltpetre."

The smoke from the fires under the boilers is conveyed under ground some 300 feet, and then by a chimney 60 feet high it is carried off, at a supposed safe distance. In directly the opposite direction, the steam is carried a considerable distance underground to the engine, which is distant from the place of the last processes—which by its aid the powder undergoes, some 700 feet. The engine has 6 boilers attached to it, each 30 inches in diameter, and 22 feet 8 inches long, and consumes about 45 bushels of coal per day.

The wood is converted into charcoal by being burnt in large cast iron retorts, and the gas that is evolved is conveyed by pipes into the fire under the retort by which one third of the fuel which would otherwise be necessary, is saved. The proportions in which the wood contains, and which this process evolves, it is the purpose of Mr. Watson to distil into vinegar as soon as his arrangements for that purpose can be effected.

We followed the charcoal into the "compounding house." Here after having been crushed between rollers, it is placed in a large hollow cast iron globe, in which are a considerable number of solid iron balls; these globes are made to revolve rapidly, which speedily reduces it to an impalpable powder. It is then put with the other ingredients, in the proportion of 15 of charcoal, 10 of saltpetre, and 75 of nitre, into "a mixing barrel," which is made to revolve 36 times per minute.

From the mixing barrel it is taken to the "millhouse" where 4 large rollers of cast iron weighing 250 lbs. each, of the shape of millstones, placed on end, chase each other round a cast iron circle weighing 20,000 lbs. Under these rollers it is crushed for about five hours, and then is taken to the "presroom." In the press room it is put in layers between cloths and boards alternately, and subjected to the immense pressure of hydraulic rams. This is done to condense the powder into a solid substance. The cakes or slabs are then taken to another building and passed through a pair of coarsely grooved rollers, which break it into lumps small lumps. This is the first process of "graining." These lumps are then placed on shelves in a room heated by steam for the purpose of being partially dried, when they are again passed through various rollers, until the desired "grain" is obtained. From the rollers the gunpowder, as it may now be termed, passes through a hopper into a revolving sieve cylinder, the different degrees of fineness in the length of which, screen it into as many kinds of powder; the finest, which is mere dust, is taken back to be reworked.

The remainder is placed in barrels, about 250 lbs. in each, which are made rapidly to revolve for the purpose of "glazing" it. But one operation now remains, and that is the final drying, which is effected in the manner we have before described. It is then taken to the packing house, and from that to the "magazine," which is a fire proof building at a long distance from the rest of the works.

We cannot in a newspaper article give a minute account of the manufacture, but we trust sufficient has been said to give our readers some idea of it. We were struck in our walks through this manufactory with the few workmen employed, when compared with the extent of the works and the amount produced. Steam is the never tiring agent, man but the guiding spirit. Mr. Watson, the intelligent proprietor has our best thanks for his patient explanations, and our best wishes for the success which his skill, ingenuity and enterprise so eminently deserve.

[*Pitts. Adv.*

SURVIVORS OF BUNKER HILL BATTLE. Thirty-five are now known, of whom twelve reside in Massachusetts, thirteen in New Hampshire, four in New York, three in Vermont, two in Maine, and one in Connecticut. The oldest is John Shute of Brookfield, Vt. 96, and the youngest Ebenezer Spaulding, of Dover, Maine, 83. [*Troy Whig.*

UNCAS THE MOHEGAN. There is a spot on the banks of the Yantic, near the junction of that beautiful river with the Shetucket, where their united waters are both lost in the Thames, in the town of Norwich, Connecticut, where he buried the remains of Uncas, the celebrated Mohegan chief, always the friend of the whites amidst their fiercest strifes with the Narragansetts and other hostile tribes. It is one of the most beautiful spots that "never lay out doors," and in the year 1833, the citizens of Norwich determined upon erecting a monument over the grave of the gallant Mohegan in commemoration, and that the place be good, and as a lasting memento of the race to which he belonged. The corner stone of the monument was laid in due form and with appropriate ceremonies by Gen. Cass during the visit of Gen. Jackson to this place in the year above mentioned. The corner stone, however, surmounted by a square block of granite, is pretty much all that has been laid from that time to this. The ladies of that spirited and patriotic little city have taken the matter in hand within a year or two past, and are so gratified to learn through the "Norwich Courier" that the monument will be completed the ensuing season. [*N. Y. Courier.*

APPORTIONMENT BILL. The following is the new apportionment bill, reported to the senate, on March 29, by Mr. Tappan:

Be it enacted by the Senate and House of Representatives of the United States of America, in congress assembled, That on the first day of March, and the third day of March, one thousand eight hundred and forty-three, the House of Representatives shall be composed of members elected respectively to a ratio of one representative for every sixty-eight thousand persons in each state, computed according to the rule prescribed by the constitution of the United States, that is to say: Maine 7, [now 8] New Hampshire 4, [5] Massachusetts 10, [12] Rhode Island 1, [2] Connecticut 4, [6] Vermont 4, [3] New York 35, [40] New Jersey 5, [6] Pennsylvania 25, [28] Delaware 1, [1] Maryland 6, [8] Virginia 15, [21] North Carolina 9, [13] South Carolina 6, [9] Georgia 8, [9] Alabama 7, [5] Mississippi 4, [2] Louisiana 4, [3] Tennessee 11, [13] Kentucky 11, [13] Ohio 21, [20] Indiana 10, [7] Illinois 7, [3] Missouri 5, [2] Arkansas 1, [1] Michigan 3, [1.]

We have placed in brackets the number of representatives in each state allowed by the existing law.

THE DRUMMER BOY OF LUNDY'S LANE. Major Gen. Winfield Scott, while on the frontier during the late border difficulties, at a complimentary dinner given him by the citizens of Cleveland, related the following characteristic anecdote that occurred during the battle of Lundy's Lane in the last war: In the very midst of the battle his attention was arrested by observing at a little distance where a whole company of riflemen had just been cut down by the terrific fire of the enemy, three drummer boys squatted behind a fallen tree, in which was left to them. Soon the two stronger ones went to "fisticuffs," while the third quietly folded his arms, awaiting the issue of the contest. At that moment a cannon ball struck the boys, and killed them both. With one bound the little fellow caught the drum from between them and with a shout of triumph, and a loud "rattan," dashed forward to the thickest of the fight." Said the general, "I so admired the little soldier that I rode after him and inquired his name, which was——, and directed him to find me at the close of the battle, but I never saw him afterwards."

STEAM PACKET FROM BELGIUM. About six months ago, it may be remembered, the Belgian authorities purchased the steam packet "British Queen," to run between the ports of Antwerp and New York. The steamer is now lying at the former place and will

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commence her trips the present spring. The following brief sketch of the views and proceedings of the Belgian government in the matter, which we find in the Boston Post, may not be uninstructive:

It appears, that prior to the separation of Holland and Belgium, the woollen and cotton manufacturers of the latter country were exceedingly prosperous, the principal market being found in the Dutch provinces of the united kingdom. The Belgic revolution was loudly welcomed in England, and public sympathy was carefully fostered by the English ministry; not from motives of philanthropy, as the Belgians do not now hesitate to declare, but in accordance with the cunning policy of a government which has always some fine plea at its command to conceal its under current of self aggrandizement. At any rate such has been the result. The trade of Belgium, her home market of Holland having been since almost exclusively supplied with the woollens and cottons of England. The consequence has been that Belgium manufactures have gradually wilted away. Two years after the revolution, the cotton manufacture employed 122,000 men, at an annual production of *eighty-four* million of frames—in 1840, only 50,000 men were employed in this branch, and the annual value of their labor had fallen to *forty million* of frames. The mean annual exports of Belgium for the last seven years, amount only to 950 millions, while the importations have averaged 1212 millions. Belgic manufactures, of course, are at a low ebb, as indicated by these statistics, nor can they for various reasons be introduced into European markets. In this difficulty, the Belgic ministry turned their attention to America as early as 1838. It opened negotiations with several parties respecting the establishment of a line of steam packets between the two countries, and even succeeded in making several contracts, which, however, were successively broken. At length the ministry made a contract with *Le Jeune* and others of Antwerp, to run the two boats, the President and the British Queen, the ministry agreeing to purchase the steamers on their account. The President has been lost, and the British Queen alone was purchased for $70,000 on the 28th April, 1841. The Belgic ministry has done itself much honor by its energy and perseverance in endeavoring to make a market for the manufactures of the country. It considers that the British Queen will have the advantage on account of her size, over the French Western as a merchant vessel, and has no fears no other rivalry, as the Cunard boats are strictly prohibited from carrying heavy freight. From the tenor of the former negotiations, we imagine that the rates of freight and passage money will be less than those either of the English, or of the proposed French boats. If so, Antwerp is well fitted, by her natural situation and by her connection with the rail road, of which she is the terminus, to obtain passengers and freight from central and western Europe. The enterprise will commence at an unfavorable time, as far as the central and western country is concerned, but we trust it may be successful. We are not informed respecting the revenue laws of Belgium, and are of course ignorant whether American can pay for Belgic manufactures with our own produce. But at any rate, the difficulty can be no greater than that with England.

POLITICS OF THE DAY.

INVITATION TO MR. CLAY.

In reply to an invitation from the whigs of Alexandria, D. C. Mr. Clay returned the following answer:

Washington, 1st April, 1842.

GENTLEMEN: I have the honor to acknowledge the receipt of your friendly note, addressed to me at the instance of the whigs of Alexandria, inviting me to visit that city, accept the use of your houses and the hospitality which they are good enough to tender, prior to my departure from this city. I feel greatly obliged by this manifestation of their kindness, and I should be extremely happy if I could accept the invitation; but the preparation for my return home, my engagements here, and the necessity which I feel to repair my health, and recruit my strength will not allow me to enjoy that satisfaction.

I request the whigs of Alexandria to accept my grateful acknowledgments for the approbation which they have been pleased to express of my public service. With them, I deeply regret the present unfortunate state of our public affairs, at home and abroad, and should have been most happy if my retirement had been under more favorable auspices. Long as has been my continuance in the public councils, and great as the sacrifices of my remaining would have been, they should have been cheerfully submitted to, if I believed they would have been attended with any public benefit. But the existing relations, between the legislative and executive departments, are without any example in this or any other country, in the *last* or *any other* age. Never did any legislative assemble with a majority more disposed to perform its whole duty towards the country than the present congress; but it has been thwarted and circumvented, when it should have met with nothing but cordial co-operation and support. And it so happens that, of all the members composing the body, no one was honored with a larger share of executive enmity than I have been; for no other reason than that I preferred to endeavor to carry out the just wishes of the people rather than conform to the caprices of a weak, vacillating, and fickle chief magistrate. Under such circumstances, I perceived no adequate motive to restrain me from executing my long cherished wish to retire into private life. Indeed, I found consolation in the hope, that my absence from the public councils may remove one obstruction with the executive in concurring in measures of public relief, which may be devised by the legislative authorities.

I have always regretted the existence of the anomaly, by which the inhabitants of this district are deprived of any practical voice in the affairs of the nation, whose seat of government it is. It is a privation for which I trust some adequate remedy will be ultimately found. In the mean time, I take pleasure in bearing testimony to the manly manner, the independence and patriotism which they have uniformly displayed, amidst all the surrounding temptations.

I hope my apology for not accepting your kind invitation will be received in the same friendly spirit in which it is offered; and I fervently wish that the prosperity of Alexandria may revive and augment, and that its inhabitants may enjoy all possible happiness.

And, I pray you, gentlemen, to accept my sincere thanks for the friendly and respectful mode in which you have communicated the wishes of those whom you represent and your own.

I am, with the highest respect, your friend and obedient servant, H. CLAY.

Messrs. Francis L. Smith, Lewis McKenzie, Cassius F. Lee, Wm. H. Fowle, Robert H. Miller, C. A. Alexander, Leonard Marbury, Chas. T. Stuart, &c.

CARTER BEVERLY.

A letter from Carter Beverly, esq. dated Fredericksburg, Va. April 2, 1842, says:

DEAR SIR: On my return here yesterday, I received your reply to my letter of February last, from Middlesex, and feel glad to find that the communication I then made to you, was well received and kindly acknowledged.

It is assuredly a matter of high satisfaction to me, to believe that I discharged the obligation, which feeling and duty dictated, in doing the justice I designed, of allaying the indignity cast upon you by the unfortunate, and unhappy, Fayetteville letter, that was, and has been, so much the subject of injury to you in the public mind. It is now, I trust, put entirely to rest in the minds of all honorable and candid men, and of whatever political persuasion; for surely, none can or will beuceforward, presume to countenance the miserable slander that went forth in that communication to the public, against you. The entire revocation of it given by me, ought to overwhelm the author of it with utter shame and mortification; and if I had any right to say, were it in his station, it would be my prerogative, as it should be an incumbent duty on me, to make every atonement possible, for such an unfounded, unprovoked attack upon your integrity and public fame.

Believing that your letter to me, and this my reply, are calculated to benefit you in the public mind, I have sent both to the Richmond Whig and independent for publication.

I reiterate expressions of health and happiness to you, and remain, dear sir, most respectfully, your obedient servant, CARTER BEVERLEY.

To honorable Henry Clay.

Copy of a letter from Hon. H. Clay, to Carter Beverley.

Washington, February 17, 1842.

DEAR SIR: I have received your favor of the 8th inst. The subject to which it relates—the attack of Gen'l Jackson on me—of which you were the organ of publication, has been of late very gently thought of by me, insomuch, that I found it necessary to resort to your Fayetteville letter, to revive my recollection of the particulars of that transaction. Nevertheless, I am thankful for the justice your letter has done me, which is creditable to your heart. Resting always under a perfect consciousness of my own rectitude, the letter was not necessary to the tranquillity of my own bosom; but as there may be others not convinced of the calumny of which I was the object, I shall avail myself of your authority, and publish your letter.

I am, respectfully, your obedient servant,

Carter Beverley, esq. H. CLAY.

SLAVE TRADE.

From the Buffalo Advertiser, March 29.

The author of the present British schemes, in relation to Africa, is Mr. JAMES MCQUEN, of London, who, a few years since, published the whole, in a volume upon the prospects of Africa. By this work the author shows that he has been engaged upon this subject for more than twenty years. The measures he recommends, and the plans that he forms are the same as those subsequently adopted by the British government, at the instance of Mr. BUXTON. The author makes no appeals to philanthropy—no pretensions to humanity, but goes boldly and directly for augmentation of empire, and of wealth! He says England "must put down the African roaster [*mark that!*] slave trade, or it will put down England—that is, rather, it will put down the *mark of a monarch power.* It will, and speedily too, *crush and destroy all her great colonial interests.*" Again, addressing himself to the British ministry, he says: "Colonies, my lord, more especially *tropical colonies*, ever have been the great source of strength—the sheet anchor of Great Britain, in the hour of the greatest danger. The command of the trade of the *whole world*, gave G. Britain, in fact, the command of the trade of the civilized world, *and with it*, the supremacy of the world."

So much for the monarchical and aristocratic "benevolent action," in this matter: and now for the plan of accomplishment. I quote again: "Granting that the navigation of the Niger was interrupted at Brousse, yet the tide would still continue rising upward in safety; still we know that the river can be navigated in safety, from Brousse upwards, and from Brousse downwards. Therefore, on this commanding spot the British standard be firmly planted, and no power in Africa could tear it up. A trifling land earriage would then give the nation nearly all the advantages of an open navigation, and, by another natural barrier, *place the Niger completely under her control.*" This done, says our author, and "Central Africa, to future ages, will remain a grateful *and obedient* dependency of Great Britain. The extent of country and population which would be *dependent* upon a settlement on the Niger, is prodigious, and altogether unequalled. The extent comprises a country of nearly 40° of longitude, and through the greater part of this extent, of 20° of latitude—a space almost equal to Europe. Where the confluence of the Bahr Abiad with the Niger takes place is the spot to erect the capital of *our great African establishment.* A city built there, *under the protecting wings of Great Britain*, would, ere long, become the capital of Africa. Fifty millions of people, even, a greater number, would be dependent on it."

Mr. McQueen shows what his plan may effect, for British commerce, by showing how much it was before been augmented. I quote his words: "Unfold the map of the world: we command the Ganges. Fortified at Bombay, the Indus is our own. Possessed of the mouth of the Persian Gulf, we command the outlets of Persia and the mouths of the Euphrates, and consequently of countries the cradle of the human race. We command all the Cape of Good Hope. Gibraltar and Malta belonging to us, we control the Mediterranean. Let us plant the British standard on the island of Socotora and upon the island of Fernando Po, and intrench upon the banks of the Niger; and then we may say Asia and Africa, for all their productions and all their wants, *are under our control.* It is in our power. Nothing can resist it."

Another extract, from our author, will show the bearing that this African movement is intended to have upon the U. States, and their interests. I quote: "Africa, throughout all her borders, but especially near the delta of the Niger, produces cotton in abundance, and of the finest quality. It is the lightest of all kinds of cultivation, affords the greatest return, and requires less capital to carry it on than almost any other tropical produce. It is consequently the most proper description of produce with which to commence cultivation in Africa, and it is hardly necessary to point out the advantages which would arise to the country from such a course. The imports of cotton wool into Great Britain, from the United States, in 1838, were forty-four millions of pounds—for which this country must have paid, at least, sixteen millions of pounds sterling. While our manufacturers are almost wholly dependent on these states for a supply of the raw materials, for the greatest and most extensive of all the branches of our manufactures, the country and the Bank of England are exposed to the danger of being—at the pleasure of these states—stripped of gold, from the immense command of the money market which such a value in cotton gives to these states. This is a state of things which ought not to be suffered to exist, and which this great country ought not to endure."

So much for our author's plans, and their intended

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consequences. That these plans are the plans of the British government, is proved by the adoption of them, by that government, and the offer which was actually made to Mr. McQueen, their author, by the British government, to take upon himself the office of conducting the expedition, for the infinitely better of these plans! And what are they? Why to put down the foreign slave trade, or it will put England down; and to build cities and raise cotton in Central Africa, in preference to India, and "PAMPER DEPENDENCY" of England! Yes, "DEPENDENT:"

"A rose, by any other name, would smell as sweet."

You remark that Africa, you think, under the dominion of Great Britain, would be infinitely better off than she now is. Possibly this is so; but we may form the best opinion of such a contingent, perhaps, by reference to British India, where, for a period longer than we have been a nation, the entire land, about to be introduced into interior Africa, has, in the hands of British authorities, borne away. I quote from the rev. J. Fierpont:

"The sanguinary wars by which Great Britain has subjugated the hundred millions of India, and the stern despotism with which she rules and starves them, that her merchant princes may roll in splendor and lap themselves in voluptuousness, have a voice which the whole thickness of the globe cannot keep out of our ears. "A more beautiful country," says a brother clergyman,* recently of this city, [Boston] 'than Hindostan, (Indeed, Indeed, Sir, the Madras), cannot possibly be imagined. The dense population and rich soil give their energies to each other, and produce a scene of surpassing loveliness. But the taxes and other causes keep down the laborers to a state below that of our southern slaves.' 'Turn your eyes backwards,' says a speaker of their own, † but little more than a year since, 'turn your eyes backward upon the scenes of last year. Go with me into the northwest provinces of the Bengal presidency, and I will show you the blanching skeletons of five hundred thousand human beings, who perished of hunger, in the space of a few short months. Yes; died of hunger in what has been justly called the granary of the world. Yes, fellow citizens, we poisoned with the effluvia from the putrefying bodies of the dead. The rivers were choked with the corpses thrown into their channels. Mothers cast their little ones beneath the falling waves, because they would not see them drew their last gasp, and feel them stiffen in their arms. Jackalls and vultures approached and fattened upon the bodies of their parents and children, before life was extinct. Madness, disease and despair stalked abroad, and no human power present to arrest their progress. And this occurred in British India, in the *reign of Victoria the first!* Nor was the event extraordinary or unforeseen. Far from it. 1833 witnessed a famine in the northern provinces: 1838 beheld one in the southern, and one in the Deccan. They have continued to increase, in frequency and extent, under our sway, for more than half a century.

"Under the administration of Lord Clive, a famine, in the Bengal provinces, swept off *three millions*; and at that time the British speculators, in India, had their granaries filled, to repletion, with corn. Horrid monopoly of the necessaries of life! Three millions died, while there was food enough, and to spare, locked up in the storehouses together. To add to the horror with which he had been called upon to regard the late dreadful famine (in 1838, the one in the reign of Victoria the first), we are made acquainted, by the returns of the custom house, with the fact that as much grain was exported, from the lower parts of Bengal, that year, as would have fed the half million who perished, for a whole year.—Yes, this awful oppression, and these desolating famines must go on, that England may select a hundred millions of dollars, every year, from her hundred millions of Hindoos; and poppies must grow, instead of wheat, that, at her cannon's mouth, she may force her opium upon the Chinese, and poison of the Chinese, while some one solitary Marshman, perhaps, is translating the Bible of the Christians, to bring these countless millions to accept his creed, of a nation that stands ready, at this moment, to destroy one half of them, by war, that it may destroy the other half by poison."

Having shown the real objects of England, in her attempts upon Africa, to be what I previously stated them; and having also, by comparison, exhibited the miserable condition in which philanthropy may ere long expect to find that doomed country, through the carrying out of these objects, and shown it, too, by the mouths of British witnesses, my present object is thus fully attained, and therefore I here dismiss the subject. R. W. HASKINS.

*The rev. H. Halcolm.

†See Thompson's lectures, at Manchester, England.

HOME INDUSTRY.

From the New York Express.

The meeting of the league was as usual well attended, General James Tallmadge in the chair.

After calling the meeting to order, the chairman in a brief manner expressed his gratification at the general aspect of affairs in relation to this association. Communications, he said, were pouring in upon them from all quarters, speaking in the highest terms of approbation of the principles of reciprocity advocated by the Home League. Several interesting extracts from newspapers from various parts of this country, were then read by the secretary. After which General Tallmadge again addressed the meeting at some length, and adverted particularly to the talk of some scheme of finance which had been proposed for regulating the currency of the country. He said he scouted them all. No bank was worthy of support unless it was so conducted as to produce its own existence. We must first make the country healthy by protecting its industry, and then we shall have a healthy currency. He who earns more than he spends will at all times have something in his pocket.

He would here remark, that every article of possible manufacture in any country, could be manufactured in America. In illustration, he exhibited a specimen of roll sulphur, which he observed was lately manufactured in this city. By this, he said, it might be seen, that should gunpowder be required, we should not have to go abroad for it.

And whilst on the subject of sulphur, he would state that the amount of money paid for sulphur which was imported from foreign countries during the last year, was half a million.

Words, he said, have different meanings with people who speak the same language. The words, poor and laborer, as applied in Europe, have nothing to do with this country. You must go into your alms houses here to look for that class which in Europe are denominated poor. In Italy the poor live like swine, perfectly destitute, unaared for and totally uneducated. He went on to give a brief sketch of the condition of several of the European nations, whom he described as being ground down to the dust and clad in the coarsest material. There was no fabric, he said, in what was called poverty in England.

Let the poor of this country, who are chained to the car of prejudice, and who in many instances suffer themselves to be made instruments in the hands of the designing men who manufacture upon the country, reflect, let them turn to the returns of the British house of parliament and learn the prices of labor in England. There was from six pence to a shilling a day and find themselves. These were facts worthy of deep consideration.

There was a time, he said, when we had advantages which enabled us to compete with foreign trade and foreign commerce.

But time is, when by the facilities of crossing the Atlantic, the low price of labor in Europe, and the advantages given to foreign commerce, that unless something is speedily done the very bread is to be taken from the mouths of our laboring men. In a state of free trade we can be sure were enabled to purchase a coat for, say, $15, but if we are to earn money to pay for it at a shilling a day new coats would be rare indeed. Among the many letters which had been received, he said he would only occupy the time of the meeting by reading the following from Governor Davis, of Massachusetts.

TO GENERAL JAMES TALLMADGE, AMERICAN INSTITUTE, NEW YORK.

Worcester, March 21, 1842.

MY DEAR SIR—Yours of the 8th reached me only a few days ago, and I immediately made known your views in Boston. I am heartily rejoiced to see the spirit of the country rousing. I saw it, I saw with what tranquility we were descending towards the verge of Mr. Clay's compromise act, I began to think nothing but the distress of long experience could recall the sense of the people; and it is that which has electrified them at this early day. An empty treasury, and competition with the starved labor of Europe, will make our country ever up, and put them upon the inquiry.

There is no doubt a tendency to over production of manufactures in the old continent, and they must balance better between them and food. England is in a sad condition, having a vast surplus population with vast encouragements for manufacturing, while her markets abroad have been diminished by a great increase of the same industry elsewhere. She monopolizes her immense colonial trade, but it happens that none of her Atlantic colonies are producers of ordinary food, and hence her system presses heavily upon her population on this point, and I see no hope of present relief. If, however, she can obtain raw cotton from India, and supply in return her manufactured goods, her system will acquire a new impulse; for she will have a hundred millions to provide for.

Our condition is exactly the opposite; agriculture here predominates, and our policy should be to encourage other pursuits to maintain agriculture; and this we may do till we reach a point of excess—which will not be in our day.

It gives me great satisfaction to see other parts of the country moving, and especially New York, for it is the business of the agricultural states to move and to support a division of labor, for this is the only process by which they can sustain themselves. To the manufacturer, to manufactures, under the idea that they are reaping special benefits, is idle. The policy goes greatly beyond the purpose of aiding a particular class of persons; for the inquiry is, shall we in substance be all farmers, or shall we divide into various employments that our wants may be supplied? If the farmers feel no need of this division, then let us give it up, for the manufacturers and mechanics can live as well by the land as they. I have always thought protection to manufactures was an unfortunate misnomer, for it is have of all sorts that we aim to sustain and support—as much one class as another—and let us hold firmly to that. We go for the great interests of labor, and if we can take care of that, there is nothing to fear, for the country will be prosperous and happy. Let us then under no name lose sight of our object, or of our identity. We aim at free, prosperous labor; while free trade aims at cheap money and cheap by cheap labor. In the eye of free trade, the suffering, starvation, and utter neglect of the laborers, as well as their moral and intellectual degradation, are nothing. A cent a yard in calico outweighs all these mighty matters, and thus avarice is left to triumph over humanity and morality. England asks for free trade just to the extent that she wants the markets of other countries, and no further. Her position is the opposite of ours; her surplus is goods, while ours is produce. She wants rent for these goods in our markets, but wants that our food shall not interfere with her agriculture.

The United States are in a deplorable condition. No currency—no confidence—and every thing depressed, dark and gloomy. The treasury empty and the finances distracted, but it is all working out one great problem,—and that is that we must take care of ourselves by fostering our industry. Opinion is rapidly turning to this as the great remedial measure which is to dispel the clouds which have gathered around us, and give us the bright sunshine again. Count upon your efforts. I write in great haste, and remain your friend and obedient servant,

J. DAVIS.

DISCRIMINATING DUTIES.

From the National Intelligencer.

The following very interesting memorial has just been addressed by Mr. *Triplett*, one of the representatives in congress from the state of Kentucky, to the committee of the house of representatives on manufactures.

To the honorable the chairman and members of the committee on manufactures.

The resolutions passed by the legislature of Kentucky, requesting the members of congress from that state to use their best exertions to cause such legislation on the part of congress as would relieve tobacco produced in the United States from the heavy duties and monopolies with which it is burdened by most of the nations of Europe, must be my excuse for addressing you this memorial.

To protect American commerce and the products of American industry from foreign prohibitions, duties, and regulations, countervailing duties, all the means having failed to accomplish that object, is, I believe, a duty now enjoined as well by the interests as the honor of our country. Previous to the formation of the present constitution, the impossibility of the several states, while acting each for itself, protecting their commerce and the products of their industry, when shipped to foreign ports, from the prohibitions, burdensome duties, and oppressive regulations imposed on them by foreign nations, was felt and acknowledged by all as one of the greatest evils arising from the then existing state of things; and a strong anxiety to have this evil corrected is known to have been one of the greatest inducements to the formation of the constitution, and, beyond all

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question, was one of the chief arguments urged for its adoption by the states. No well-informed man will contend that the constitution would ever have been accepted by the people, if it had not contained the clause by which the power and the correlative duty of regulating commerce with foreign nations was taken from the several states and bestowed on congress, as one of the departments of the federal government.

Although the oppressions on our commerce from these prohibitions, duties, and regulations, of nearly every nation in Europe, have been continued ever since the constitution granted the power and imposed the duty on congress of regulating commerce with foreign nations, yet, up to this time, that duty remains undischarged; and each foreign nation, without any regard to reciprocity or equality of duties, has been permitted to take counsel wholly from its avarice, without any regard to justice, until they have ceased to fear that our government will seek redress by the only means in its power to enforce it.

The result of this abandonment of its duty by congress, and leaving commerce to take care of itself, aided by such assistance as the executive department has been able to give it, by procuring the equivocal power of regulating our commerce with foreign nations by treaty stipulations, has been such as was naturally to be expected; and we find that these exactions have increased, until, at this time, the following facts exist:

The produce of the labor of the citizens of the United States, shipped to the various nations of Europe, amounting annually to about twenty millions of dollars, pays an average tax over one hundred per cent. while the productions of all European nations, imported into the United States, amounting annually to about one hundred millions of dollars, pay an average tax of duty of less than twenty per cent. In other words, from the productions of the labor of the citizens of the United States, from which those who own the soil and perform the labor of producing and transporting the produce to market receive ninety millions of dollars, foreign nations, by means of duties levied in different ways, receive ninety-eight millions of dollars.

It is not to be wondered at that the agriculturists of the United States have not prospered in proportion to their industry, when they do not receive one-half the benefit of their own labor. With a genial climate, a rich soil, and industry and economy on the part of our planters and farmers, equaling, if not exceeding, in the world, their aggregate prosperity and wealth is far less than that of the owners of the soil in Great Britain, France, Germany, and every nation in Europe, exercising the same skill and industry in the cultivation of the earth.

It is the duty of their representatives in congress to inquire into the cause from which this effect springs, and apply the remedy, if one can be found within their power. I have endeavored to find out this cause, and sincerely believe it principally, if not wholly, proceeds from the fact that our farmers and planters are not permitted to trade with the subjects of foreign nations on equal terms; but, on the contrary, they or their agents are compelled to give *more than one-half* of the produce of their farms and plantations, or, what is the same thing to them, more than one-half the money it would sell for, to obtain the privilege of importing and selling the remainder in Europe, while the citizens of European nations give *less than one-fifth* of the produce of their labor for the privilege of importing and selling the remainder in the United States. In figures the matter stands thus:

*The products of American industry

sell in Europe, after deducting freight and charges, except duties, round numbers, for	$204,500,000
Of which we receive	91,000,000
And lose in paying duties	$113,500,000
The products of European industry sell in the United States, after deducting freight and other charges, except duties, for	$90,000,000
Of which the Europeans receive	73,000,000
And lose in paying duties	$17,000,000

Showing the average amount of duties, levied by the nations of Europe, on our exportations to them, to be upwards of six and a half times as great as the average amount of our duties levied on their exportations to the United States.

But, great and unjust as this inequality is on the total amount of exportations from the United States, it becomes still more startling in its manifest injustice when examined as to a particular export—the staple, to a great extent, of several particular states. Unmanufactured tobacco pays, in Great Britain, since the 10th May, 1840, a duty of 75 cents per pound, or upwards of 1,250 per cent. valuing the pound of tobacco at 6 cents; in Austria, within a fraction of 60 cents per pound, or one thousand per cent.; in Prussia, 30 cents per pound, or upwards of five hundred per cent.; and France levies, by her *Regie*, or indirect duty, about one dollar per pound, or 1,666⅔ per cent.

From the best calculation I could make, which is too voluminous to go into this communication, the different nations enumerated in table No. 3, excluding Russia, Prussia, and Portugal, for which I have not completed the calculations for want of time—

On this amount of average annual value of tobacco shipped from the United States, for the years 1839 and 1840, to wit, on	$9,225,145
There is levied by the other foreign nations on annual tax of	32,463,540
Showing the amount for which American tobacco sells in Europe, exclusive of freight and other charges, except duties, to be	$41,688,685

of which foreign governments retain upwards of three-fourths, and the tobacco planters receive less than one-fourth.

After this plain statement of facts, is it to be wondered at that the tobacco growing states have increased in population and wealth less than any other of the agricultural states of the Union, and that the agriculturists of the whole Union, considering the productiveness of the soil, capital, industry, skill, and economy used, have increased in prosperity less than either the mercantile or manufacturing portions of their fellow-citizens? No individual or community can prosper unless they get at least a fair proportion of the benefit of their own labor.

I cannot persuade myself there is an American statesman who will not acknowledge that a correction must be found for this evil; and before they can, with propriety, object to the remedy now proposed, it is their duty to propose one equally or more likely to prove efficient. Entreaty, protests, and attempts at negotiation, urged with zeal and ability by our government at home, and our ministers abroad, equal to the importance of the subject, for fifty years, have failed, and there is no other remedy but countervailing duties.

In the words of Mr. Jefferson, in a report which which he made to congress on the 16th of December, 1793, on the subject of commercial privileges and restrictions, "should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties and regulations, also. Free commerce and navigation are not to be given in exchange for restrictions and vexations; nor are they likely to produce a relaxation of them."

My own opinion is, that an additional duty of ten per cent. with a prospective annual increase of two per cent. on such articles as might be selected by the committee, when imported from nations of whose prohibitions and duties we have cause to complain, with a proviso that such additional duties should cease with a cessation of the regulations and duties of which we complain, would speedily bring the relief we desire. Respectfully, your obedient servant,

PHILIP TRIPLETT.

Washington, March 28, 1842.

of duty from each nation—to show the extent of our capacity to operate on the interest of each nation by countervailing duties.

THE TARIFF

REPORT OF THE COMMITTEE ON MANUFACTURES.

Mr. SALTONSTALL, from the committee on manufactures, made the following report on the 31st of March:

The committee on manufactures, to whom was referred "so much of the president's message with the accompanying documents, as relates to discriminating duties and domestic manufactures," and also a great number of petitions, memorials, and resolutions, on the same subject, and upon the tariff and its revision, have considered the subject referred to them:

The committee have attended to the duty assigned them, under a deep sense of the importance and the delicate nature of the subject referred to them. They are aware that it is connected with all the great interests of the country, commercial, agricultural, and manufacturing, and they have given it that consideration which its vast importance demands.

From the course of debate on the question of commitment, and from the nature of the subject referred to them, they inferred that the preparation of a revenue bill and the revision of the tariff were committed to them. The question of *discrimination in the assessment of duties* involves, necessarily, the consideration of the manner in which they shall be adjusted, and, indeed, the whole question of raising a revenue by duties on imports.

The first question with the committee was, how they should proceed. For the purpose of judicious discrimination, it was obvious that information was wanted as to all the great interests to be affected by the tariff, and particularly as to those great and interesting interests which have sprung into life and grown up and prospered in our country, and are now so connected with, and have such an influence upon all other branches of industry. Two modes of obtaining the necessary information presented themselves to the committee: by a correspondence, and by receiving oral or written statements from such persons as might appear before them for the purpose, or by summoning witnesses, practical and intelligent men, to give evidence. They preferred the latter mode, supposing that it would be the most acceptable to the house, and would give greater weight and authority to their report, and to the result to which they might come. They therefore, on the 6th of January, offered a resolution to the house, "that the committee be authorized to send for witnesses, and take testimony on the subject of the present tariff laws, their operation upon the interests of the country, and the nation which those interests unite in one." On the 10th day of February this was "ordered to lie on the table."

The committee had, before that time, in consequence of the delay of that resolution, determined to receive written statements, and hear such persons as might appear before them, for the purpose of giving information upon the subjects under their consideration; and they have the satisfaction to state that they have collected a great body of statistical and other information, from persons whose means of knowledge, and whose accuracy cannot be questioned, and which has enabled them to proceed to the discharge of their duty, with reasonable confidence in the result of their deliberations.

They have, however, suffered much inconvenience and delay from the rejection of their request for leave to summon witnesses; and their information on some subjects is still and satisfactory than it would have been, had their request been granted. It is possible, also, that they have made some mistakes in the arrangement of duties, which would other wise have been avoided; and they have no doubt that an authority to summon witnesses would have enabled them to have reported a bill at an earlier day. The committee offer no apology for the time they have found it necessary to occupy. It has been unavoidable.

The first and great object in the framing of an act, by which duties are to be laid on imported articles, is the provision of an adequate and fully sufficient revenue for the support of the government.

All agree in the necessity of this. Revenue must be raised, and our only source of revenue, to any considerable extent, is the imposition of duties upon imported goods. The state of the treasury and the condition of our public credit imperiously demand the prompt and decisive action of congress. The character of our government, and that it may be enabled to support our great institutions with proper efficiency, requires a revenue which shall put an end to the practice of borrowing from time to time for ordinary expenditures, and shall also provide the means for the early payment of the existing debt, and for strengthening and increasing the navy, and putting the country in a suitable state of defence. A

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people, who have voluntarily and cheerfully imposed on themselves taxes which have enabled them to discharge the enormous debts of the revolutionary and the subsequent war, will not suffer a debt of $17,000,000 or $18,000,000 to remain long uncancelled.

The first question is, what will be the probable amount of the annual expenditures of the government? On this point it is unquestionably, with certainty, the power of appropriation being in congress. The estimate of expenditures can only be made for such as are required under existing laws, and as arise under the ordinary operations of the government. It appears, by the house document, number 31, of the late session, that the average ordinary expenditures for the years 1837, 1838, 1839, and 1840, was nearly $28,000,000.

By the report of the secretary of the treasury, at the beginning of this session, it appears that the expenditures for 1841 (including an estimate for the last quarter of the year) were $26,504,174, in which is included part of the appropriations made for the naval and military service at the last session, which the situation of the country, in the opinion of congress, demanded.

The secretary of the treasury has presented estimates for the current year, which, together with appropriations made by existing laws, amount to $26,000,000. In the same report he states that, under the present revenue laws, there will be a deficit at the end of the year of about $14,000,000. Whether the expenditures will fall within the estimated amount, cannot be determined. Professions of a desire for an economical administration of the government" are made on all sides, and, there is no reason to doubt, with sincerity. Still, what reduction can or will be made is uncertain. The progress of expenditure of a nation, rapidly increasing in population and in the extent of its settlements, cannot be expected to decrease, but, on the contrary, will be likely to increase, though not in proportion to the increase of population. Contingencies will, no doubt, arise hereafter, as they heretofore have, calling for appropriations, sometimes heavy, which were not anticipated. The Florida war, in which large sums amounts have been swallowed up, must still be carried on, though with diminished expense. And who will be willing to withhold the appropriations necessary for our naval and military establishments, and for the completion of works which have been long in progress, and for which vast sums have been expended?

Provision must also be made for that portion of the loan which will fall due in little more than two years, and for the payment of the interest on treasury notes, and upon the additional loan which may be made, and, in the opinion of the secretary of the treasury, and of his predecessors, there should at all times be in the treasury from one to two millions, if we would sustain our public credit, which should be sacredly kept from the slightest possible hazard, and would provide for an efficient administration of our public affairs. The people of the United States desire an economical administration of their government, but they desire, infinitely more, that ample revenues shall be provided, such as will enable their government to meet all necessary expenditures, to fulfil promptly all its engagements, and to maintain that position amongst the nations to which we are entitled.

Under these circumstances, a system of revenue ought to be provided which will be permanent—which will continue in its main provisions for a series of years, as fluctuations and frequent changes are equally embarrassing to the government and to the community. It is repeated, the precise amount required is uncertain; but, in the opinion of the committee, a smaller sum than 26,000,000 dollars or $27,000,000 will not suffice for the ordinary expenditures, including payments on account of the public debt.

The next question for consideration is, what will be the probable amount of dutiable imports? By a statement from the treasury (annexed hereto) exhibiting the value of merchandise imported annually from 1834 to 1840, included, after deducting the reexportations, it appears that the average amount, which would have been subject to a duty of 20 per cent. and upwards, under the act of the 11th of September, 1841 was (drawback on refined sugar, &c., deducted) about $94,000,000, on which the estimated amount of duty, at 30 per cent. is $26,520,552, and the estimated duty on articles paying less than 20 per cent duty is $120,000. The average value of merchandise free of duty, under the same act, was $19,866,869, as appears by an annexed table. The fluctuations in those years were very great; the amount in 1836 was $135,537,888, more than double that of 1840, which was $66,467,575, and nearly double the importation of 1838, $69,936,65.

There is every reason to suppose that the importations of this and of two subsequent years will fall below the average of the last seven. The depressed price of cotton and all our principal articles of produce, the derangement and state of the currency, state and individual indebtedness abroad, and the general stagnation of business, must have the effect to lessen importations. A large amount of exports must be applied to the payment of the interest upon our European debt—probably from seven to ten millions; which debt itself went to swell the amount of imports. A large proportion of the debt was probably incurred in 1836 than in any other year, and our imports in that year reached the enormous amount of $189,980,053. (House document, number 40, compiled from the treasury.)

The next interesting and important inquiry is, how the necessary revenue shall be raised, whether alterations in the tariff laws are necessary, and in what manner the system shall be adjusted. This leads us to the consideration of the existing laws, and particularly of the act of March 2, 1833. It has become a fair beyond question, that, the revenue derived from duties on importations, on the scale at which they are now established, are wholly insufficient to meet the necessary expenditures. This is distinctly stated (in the two last annual reports of the secretary) estimate of the sum arising from duties accruing and payable in 1842, supposing the compromise act (so called) to go into full operation, $15,000,000.

What, then, is to be done? What but to revise the laws concerning duties? In other words, what but a revision of the tariff?

As the last section of duties under that law will take effect from and after the 30th of June next, by the terms of the act, "all duties upon imports shall be collected in ready money, and all credits shall be abolished, and multiplying duties shall be for the purpose of raising such revenue as may be necessary to an economical administration of the government; and the duties required to be paid by law shall be assessed upon the value thereof at the port where they shall be entered, under such regulations as may be prescribed by law."

It is therefore extremely doubtful whether any duties can be collected after that time, unless some legal provision on the subject shall first be made. The great provisions of that act are, that duties shall be collected in ready money, and that they shall be assessed upon the value of the goods in the port where they shall be entered, instead of the foreign value, and that duties shall be laid for the purpose of raising the necessary revenue.

By that act, the duties accruing under the act of July 14, 1832, shall be reduced to 20 per cent. *ad valorem*; but the act is silent as to what shall be the duties to that amount; on the contrary, it provides for the laying of such duties as shall be necessary for an economical administration of the government. This construction of the act is strictly clear in the opinion of the committee; and they do not think it necessary to enlarge upon it. It was not in the power of congress, in 1833, and it could not be in the power of congress, to repeal and limit the rate of duties, and, of course, the amount of revenue, for this great and growing nation, for all time to come.

The committee are aware of the peculiar circumstances under which that act was made, and they have been disposed to carry out its provisions as far as they could, consistently with the interests of the government and the security of the manufacturing interests which have grown up under the policy of our laws. They consider the requisition of *cash duties* as an important and salutary provision, as it will not only secure to the government the payment of duties, but have a tendency to check excessive importations, by abolishing that system of credit which has continued from the beginning of the government, which was necessary and convenient in the infancy of our commerce, but which is no longer necessary.

An important question has arisen, as to the expediency of establishing a warehousing system, in connexion with cash duties. The subject has before been brought to the consideration of congress. In 1838, the New York chamber of commerce petitioned for its introduction, and a bill was reported for that purpose. The experience of other commercial countries, especially of England, has shown its effects to have been good, preventing, in some degree the extension of credits, securing to the revenue certainty and punctuality of payment, and encouraging foreign trade, by enabling those concerned in it to find in the warehouses every article necessary to make up assorted cargoes, and allowing importers to choose their own time, within reasonable limits, for sales at home or shipments abroad. The necessity of immediate payment of duties in ready money would, in some cases, oblige importers to force their goods on the market unseasonably, and at a sacrifice. It would promote the interests of large capitalists only, and would, at times, be inconvenient even to them.

The committee have received information from intelligent and experienced merchants in our principal cities, whose opinions are entitled to the highest respect, who concur in opinion that a warehousing system ought to accompany *cash payments*, and that it is generally expected. The committee have not always had the accommodation of such a system, whenever that article was subject to a duty.

The opinion of the committee is favorable to the introduction of a well regulated warehousing system in connexion with cash payments; but they, or a majority of them, think it advisable that there should be a separate bill for that purpose, as it must contain many details which can only be obtained from practical men. They therefore consider this as a report, so far in part, that, unless the subject be referred to the committee on commerce, they may report a bill hereafter.

Another, deemed at the time as one of the most important provisions of the act of March 2, 1833, is that which provides that, after June, all duties shall be assessed on a *home valuation*. This was a great change, as the foreign cost or value has, with the adoption of the revenue laws, been the basis for the calculation of ad valorem duties. But as observed by the secretary of the treasury, "undervaluations have been made, or are supposed to have, and the unjust advantages which were believed to exist in the hands of foreign manufacturers, who *had become themselves the importers of a large proportion of the manufactures* imported from Europe, will cease, and to a home valuation for security, as well to the American importing merchant as to the revenue and to the producers of similar articles in the United States." It is unnecessary to enter into the debate on the compromise act, that it was considered as a provision of great importance to our manufacturers and regular importers.

Under these circumstances, the committee have given the most full consideration to the subject, and have inquired whether that provision of the act can be carried into effect literally and literally, if not, whether an equitable substitute can be provided for it. They have received statements from merchants and other practical men of the greatest experience, of the greatest integrity, and they all concur in opinion, decidedly, that a home valuation of goods, in the port where they shall be entered, is impracticable, and this for obvious reasons. It would require a vast increase of officers. There would be no equality or uniformity in the valuations in different ports, nor indeed in the same port. There would be the strongest temptation to fraud, however rigid might be the regulations or perfect the machinery. But it is not necessary to enlarge on this point. Can a substitute be provided which shall have a uniform operation? The committee, and which will be a equitable basis for the assessment of duties? This question has received the attention of the committee. They have endeavored to devise one, or to learn from other sources, some mode by which such a valuation may be made.

The substitute for a literal home valuation which has been most frequently suggested is the addition of a certain per centage to the foreign cost—as to how much, the witnesses vary—some placing it at 25, and others as high as 40 or 50 per cent according to their views of the intention of the law, and whether the duty itself should enter into the value. To this mode there are obvious objections. It would be extremely unequal on different articles, as the charges of importation differ essentially; and, besides, one great, perhaps the greatest, object expected from a home valuation [the prevention of fraud] would be defeated, as the assessment of duties would still be based on the foreign cost, or value, as heretofore.

Another suggestion was, to authorise the secretary of the treasury to ascertain the average value of goods at New York, or at two or three different ports, for one or more years, from their sales, and to establish that as the custom house valuation. This, though not impracticable, would confer a responsibility of a legislative character, on a secretary of the treasury, which he could not desire, and the expediency of which may well be doubted.

Another system of home valuation has been proposed; which is, to fix the value of dutiable articles, or the most important of them, in the act. This, it is understood, is now under the consideration of a committee in the senate. Should they succeed in their efforts, and such a valuation be established, the bill now reported may be made to conform to it without difficulty.

Under these circumstances, the committee have reported a bill imposing duties, in *part ad valorem* and in *part specific*, making just and necessary discrimina-

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tions in the rate, without any change in the mode of valuation; but with additional provisions for prevention of frauds and under valuations. If the raising the necessary revenue were the only object, their task would have been comparatively easy; but a far more difficult question arose—the manner in which it shall be raised, whether by a uniform and horizontal or by a varying and discriminating rate of duties, as regard to the revenue and to the condition of great interests in our country might require. They fully accord with the president, in the opinion expressed in the part of his message referred to there "in imposing duties, however, for the purposes of revenue, a right to discriminate as to the articles on which the duty shall be laid, as well as the amount, necessarily and properly exists, and the government never would be placed in the condition of having to levy the same duties upon all articles, the productive, as upon the unproductive. The slightest duty upon some might have the effect of causing their importation to cease; whereas, others, entering extensively into the consumption of the country, might bear the heaviest, without any sensible diminution in the amount imported. So also the government may be justified in so discriminating, by reference to other considerations of domestic policy connected with our manufactures. So long as the duties shall be laid with distinct reference to the wants of the treasury, no well-founded objection can exist against them."

The president has here expressed opinions in accordance with those of his predecessors, who have all recommended the encouragement of manufactures, either as an important source of national wealth, or, to render us independent of foreign nations for our necessary supplies in the event of war.

The incomparable system of the United States has been from the first act in 1789, and more especially since 1816, so intimately connected with the growth and protection of American capital and labor, as to have raised up great national interests, which the government is indispensable to the prosperity of the country, and the destruction of which would spread calamity over its whole extent. They have grown up under the system of laws, they are connected with all the other great interests of the nation; and all must agree that they cannot be disregarded in any new adjustment of the revenue system, without the most serious consequences.

It is impossible to legislate on this subject without affecting these interests, and all other great interests, for good or for evil, such is the mutual dependence between the regulation of duties and all the great departments of industry. No one, it is presumed, would desire any change in our policy which would materially injure, much less destroy, these great interests, spread over the nation; in which our citizens have embarked capital to a vast amount, relying on the faith of the government that congress would hereafter, as they have hitherto, so adjust the tariff of duties and "regulate our commerce with foreign nations" as to foster and encourage our own industry.

The committee have proceeded to the discharge of this duty with a thorough conviction and under the deepest impression that all interests of the people, in every portion of the country, and that all the people of the country, in every section of it, are alike entitled to equal notice and regard, by its legislators; and that in framing laws which are to operate on all the people, even prejudices should not be entirely overlooked, when divergard of them might weaken the attachment of any portion of the people, or any section of the country to our inestimable union.

The result of their inquiries is, the necessity of discrimination in the imposition of duties. They believe, in the first place, that discrimination is necessary for the purpose of revenue, which is the great and primary object in the adjustment of the tariff. They believe, with the secretary of the treasury, "that it cannot be regarded as wise, by any portion of the country, as a permanent system of policy, to impose, in the amount of revenue, when further exigencies require such augmentation, by raising duties on all articles, including those of absolute necessity, to the full extent of 20 per cent. (or to any other equal rate), and preserving that limit, at the same time, as a fixed barrier against higher duties on any article whatever."

It is obvious that, if the duty be raised above a very moderate rate on articles of small bulk and great value, the object will be defeated. They will be smuggled, and wholly escape the duty; and it is equally obvious that other articles will bear a higher than the ordinary rate of duty, and thus yield a greater revenue.

But this is not all. The committee have come to a decided opinion in favor of discriminating duties, from other reasons also, such as must commend themselves to every patriotic citizen. They believe that discrimination in the assessment of duties is necessary to the prosperity of every branch of industry, and is essential, not only to the prosperity but to the very existence of some of our most important manufacturing and mechanical interests—such as have been protected and fostered by the policy of our laws, such as are most essentially and extensively connected with the labor and industry of our country in all its branches, and such as have been hitherto been considered as of the highest importance as national interests. Believing this, they could not fail to recommend a bill based on principles, which, in their opinion, are necessary to the very existence of these interests.—They do not propose to raise more revenue than is necessary for an economical administration of the government, but they do propose to do this in such a manner that while, the revenue will be raised as unequally and oppressively on any part of the community, but, on the contrary, will render the whole system more prosperous, more independent prepared for war, it will extend its protecting shield over the labor and industry of the country. Their object has been to assess duties on imported articles in such a manner that, while a sufficient revenue will they hope be provided, the act shall afford reasonable encouragement to our own producers of the same articles, and shall stimulate their energies and reward their industry, by so far securing to them our own markets that they may, at least, enter them in fair competition with foreign producers. They have especially considered the conditions and wants of those branches of industry whose products are, in a great measure, the result of labor, as the chief cause of the difference in the cost of producing manufactured articles here and in Europe is the difference in the wages or value of labor. But, in discriminating in the rate of duties, they have not disregarded the interests of the revenue; on the contrary, they believe that more revenue will be collected by the present bill than would be received under a lower rate of duty, especially if the duty was *ad valorem*; and they have not made any duty which will be prohibitory, unless the market is now wholly supplied by our own citizens, under the operation of existing or former laws.

The provision of the compromise act which requires that, after the year 1842, all duties shall be *ad valorem*, was, as observed by the secretary of the treasury in his report, "a great change in the system of imposts, as it has been heretofore regarded as the duty of prudence and wisdom, in a course of long experience, that, for the prevention of frauds and the security of the revenue, duties ought, as far as practicable, to be made, not ad valorem, but specific." The committee are still of this opinion, and in this they are confirmed by the opinions of many intelligent merchants and manufacturers, who all concur in the belief that specific duties, affixed by the tariff, on the goods, from which the government and our own importing merchants and manufacturers have suffered so severely. They have therefore retained specific duties, some parts amount to more and some to less than thirty per cent. ad valorem. In the aggregate, much more revenue will, in their opinion, be received, than would be by an ad valorem duty of thirty per cent. or indeed any other uniform ad valorem duty. Much the largest part of the revenue has heretofore been raised from specific duties, as it appears from a table of the same in the appendix.

The bill reported by the committee provides:

1. A general ad valorem duty of thirty per cent. with few exceptions, where the duty is on that principle.

2. A discrimination is made, for the security of such interests as cannot be preserved without it, as well as for revenue, by specific duties on valuations, bringing the duties in some instances below and in some above the rate of the general ad valorem duty, and fixing the duty at a fixed rate as is consistent with the security of those objects.

3. As a general principle, the duty on the articles subject to such discrimination is made at the rate it was in 1840, after the depletion of four-tenths of the excess over twenty per cent. under the act of March 2, 1833. Many departments of industry were able to continue in successful operation under this reduction, which cannot sustain the great reduction of January last, and which would be overwhelmed under the full operation of that act.

The arrangement of duties in such manner that, while they would yield a sufficient revenue, they would promote the productive industry of the country, especially as applied to our cotton manufactures, has been considered as the established policy of the government. In that part of the country which is commercial and navigating, and which had been opposed to the tariff acts of 1816 and 1824, many withdrew a portion of their capitals from commerce, and applied them to manufactures. They had confidence in the government, that the system, deliberately settled, would not be abandoned. It has proved to be a wise policy. Its effects have exceeded the hopes and predictions of its most ardent friends. Indeed, among all the wonders in the rapid advance of our people in wealth and power, nothing is more wonderful—it may be almost said, more miraculous—than the history of their manufactures. Capital has been applied to manufactures, through our extended country.—The genius of the people has been stimulated to the greatest and most diversified exertion. The manufacture of iron, wool, cotton, glass, paper, cutlery, and an almost infinite variety of articles, has sprung up, furnishing employment to vast masses of people.

The numerous those who have boldly adventured in these new pursuits, are full of blessings to the country, has not been equal to their enterprise. The evidence before the committee shows that many of the principal iron and woollen manufactories are in a state of great depression, owing to the deranged state of the currency, to over production at home and abroad, to the influx of goods sent here by foreign manufacturers and dealers, and to the uncertainty as to the legislation of congress, and what will be the future policy of the government.

The committee have felt it to be their duty to inquire into the condition of particular branches of industry; to consider the legislation of other nations on the same subjects, to ascertain the cost of production in foreign countries and at home, and to collect such facts as would enable them to determine in each case what amount of duties ought to be laid, and in what form. The result of their inquiry and examination is a belief that an uniform ad valorem duty of 30 per cent. whilst it would be insufficient for the purposes of revenue, would bring down many of our great manufacturing and mechanic branches of industry, and future in which large capitals have been invested. From the evidence furnished to them, and all the examination they have been able to make, they are satisfied, that, unless specific and discriminating duties are laid, some of the greatest, most extensive, and, in a national point of view, most important interests, and those which, by the national policy have heretofore encouraged—as the manufacture of paper, leather, glass, and particularly of woollens, cordage and iron, in a brief of national importance—cannot be sustained.

The committee, fully aware of the great importance of some of those manufactures, whose prosperity, nay, whose very existence, depends on a proper adjustment of the tariff, of the capital invested, the number of persons connected with them, and, of their connexion with the agricultural and navigating interests of the country. The committee will refer to the statistics of which have been furnished to them. Among these is the manufacture of paper, which has been greatly extended, and which has furnished our market with the article at a price greatly reduced.

It appears by a statement annexed, made by a committee of paper manufacturers, that there are six hundred paper mills in the United States, employing a capital of $16,000,000, and manufacturing annually that amount annually; giving support to more than 50,000 persons. Under the protective policy of our laws, home competition alone has reduced the price of paper nearly one half. About 170,000,000 pounds of rags and other materials are annually used, more than 150,000,000 of which, of the value of about $5,000,000, are collected in this country, and which could not be applied to any other useful purpose, and is therefore a saving or production of wealth to that amount. The committee believe, and that under an *ad valorem* duty of 30 per cent. this business could not be sustained. The country would be flooded with the product of the cheap labor of France, Germany and Belgium.

The cotton manufacture is perhaps as well established as any important manufacturing interest in the country and yet even this has a vital interest in the adjustment of the tariff. It cannot be considered as secure from foreign competition, not even in coarse cottons, under a mere *ad valorem* duty. A very interesting and philosophical work on the cotton manufacture and its vicinity, containing a history of that manufacture in the United States, and a statement of its present position, particularly of the cotton printing establishments, is annexed. They say: "The cotton manufacture, as an important branch of American industry, takes the date from the year 1816. Its rapid extension has been without parallel in the whole history of commerce. It reached the consumption of 100,000 bales in 1825, and now amounts to 300,000 bales, or one hundred and twenty millions of pounds. The present consumption is equal to the whole export of the United States up to the year 1820, or the whole consumption of American cotton in Great Britain up to the same period, and exceeds our exports to France previous to the year 1840.

There are some circumstances connected with the introduction and progress of this manufacture which are entitled to notice, in their connexion with the interest of the cotton growing states. The article first

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produced, in any quantity, was a novelty in commerce. A fabric, stouter and heavier than any thing heretofore in use, was produced and became a favorite article of consumption from its first introduction. It soon became an article of export to different parts of the world, which has continued to increase up to the present time. In this way it soon attracted the attention of British manufacturers, and became an object of imitation; and these imitations, under the name of domestics, now constitute a very large branch of trade, with this peculiarity.

The British are enabled to make a cheaper material, the growth of India mixed with a small proportion of American cotton, by which they furnish an article very similar in appearance at a lower price, but essentially inferior in texture and durability.

"It is worthy of remark, that the identical article of this manufacture, which sold at 30 cents in 1816, is now selling at 7; cents the square yard."

"The branch of manufacture, however, most important and interesting in its character at the present time, in its connexion with the tariff, is, unquestionably, that of printed calicoes. This branch of manufacture commenced about the year 1825, and so rapid has been its progress, that it now amounts to full one hundred and fifty millions of yards annually, of the value of at least sixteen millions of dollars, and employing a capital of twenty-five millions. There is no manufacture whatever requiring a combination of so much mechanical and chemical skill in its art.

For the protection of this vast interest, so important as a source of wealth to the whole country, and which furnishes support to so many thousands of our population, specific duties are indispensable, in the opinion of the memorialists. On this subject they express themselves with great strength:

"The patriot, however, which we would respectfully urge upon congress is, that the duty, whatever its rate, should be specific, either in the form of one fixed duty on the square yard on all cotton manufactures, only discriminating between those which are and those which are not dyed or printed; or, as in the existing law, under the form of a minimum, with an ad valorem duty on all goods costing over a specified rate."

The consequence of *ad valorem* duties, they think, would be the introduction of goods made from the inferior cotton of India instead of our own. We repeat their conviction of the necessity that the duty should in some mode be specific.

"We cannot urge upon congress too earnestly our conviction, that whether in reference to revenue alone, or the protection of our interests, the duty should be specific, either in the fixed duty per square yard, or in the form of a minimum, under which the manufacture has been so in the ascendance—We would prefer the lowest possible minimum duty to a simple duty of 30 per cent. ad valorem. The skill requisite to ascertain whether the true value of printed cottons presents an insuperable obstacle to a home valuation, at our numerous ports of entry, on any principle approaching equality; and no article affords greater facility for frauds, under any ad valorem duty.

"Without going into a general consideration of principles in support of the system of adjusting the duties on imports as to favor the industry of our country, we cannot refrain from calling attention to the signal triumph of these principles, and the general advantages which the country derives from them, when applied, as in the case of the cotton manufacture, under circumstances of the most favorable character. The raw material was the production of our own country. The improvements in its manufacture, one of the proudest triumphs of the human art, required the outlay of great capital in the necessary machinery for propelling which, our country of water furnish a power unappreciated, if not unknown. The tariffs of 1816, and of 1828 were successively enacted, giving the most ample protection to the manufacture. What has been the result? The facts already stated—the application of capital to this manufacture, with a power and rapidity without any precedent, the calling into action a mass of the value labor previously dormant and inactive; and all this with a constant reduction in the price of the commodities produced, and an extension of the application of this one great staple to new products and uses."

They state that "all the branches of the cotton manufacture are now in a state of miserable depression." We attribute this depression, in a great measure, to the deranged state of the currency throughout so great a part of the United States, and to the glutted state of foreign markets, arising out of over production and over trade in this branch of manufactures in England. But it is not to be concealed that the late reductions of the tariff, with the consequent heavy importations, and the uncertainty which hangs over the proceedings of congress on that question, add very much to the gloom and apprehensions which now attach to this interest."

The statement of these memorialists is confirmed by other evidence, which shows, also, that ad valorem duties would fill our markets with coarse cotton goods, made from East India cotton.

Edward Gray, esq. proprietor of a large establishment at Ellicott's mills, Maryland, and one of the oldest cotton manufacturers in the United States, says that within the last two or three years the South American markets have ceased to take his goods, being supplied by a cheaper rate from Europe. He sent out and got samples, and found they were made of Surat cotton, in imitation of his goods, which exposed them to the view of the British, being able to undersell him. Until within two or three years, the British were unable to work it up, on account of its short staple; but lately, in consequence of improvement in machinery, they have been able to work it up very well. Mr. Gray has no doubt but all the coarse goods in Europe will ultimately be made of India cotton. They will have the advantage in our market of a lower duty on cotton cloth; and he has no doubt that if the tariff is not altered, after the 30th of June England will supply our entire market with coarse cotton, made of East India cotton.

Mr. Gray does not think that a simple ad valorem duty, to any amount which would be acceptable, would protect the manufacturer here. "It must be an ad valorem duty, similar to the duties in the tariff of 1832; the reason is the cheapness of the foreign articles and the foreign invoices." He thinks the valuations of cotton goods at from 20 to 30 cents, for the colored 25 cents; this, with a duty of 30 per cent would answer, and make the duty what it was in 1840. The valuations and rate of duty suggested by him are proposed in the bill reported.

Peter H. Schenck, of Fishkill, well known as one of our most experienced manufacturers, confirms these statements, as will be seen by referring to his testimony annexed. Similar statements were also made by others.

The committee could not disregard evidence like this, in relation to that great interest, the cotton manufacture—an interest which is all important, or affecting a particular class of citizens only. It is a great national concern; cotton mills are established in the south as well as the north. The whole community is deeply interested in the prosperity of planters, who furnish the raw material; farmers who find a market for their produce; as well as owners and operatives. Shall we, then, be full of consideration to the statements and opinions of man of the greatest knowledge and experience, and who, relying on what they supposed to be the settled national policy, have embarked their all in this business to such an extent as to reduce profits to the lowest possible point, while the whole country has been benefitted by the great reduction of prices!

The committee felt it to be their duty so to adjust the duties on imported cottons as to secure to our own manufactures that advantage of our own market, which they have acquired by experience, labor, skill, and enterprise, and which would be lost by simple ad valorem duties.

The great interests connected with wool, in its growth and manufacture, require the continuance of the protective policy of the government. Those vast interests (for they may be considered as identical) are in a state of great depression. It will be seen by referring to the statements of Mr. Schenck and of Mr. Cutts, one of a committee from Windsor county, Vermont. There are now in the United States, according to the census, at least 20,000,000 sheep. The capital invested, estimating the sheep at $2 each, and the land necessary for their subsistence (being at the rate of one acre for three sheep) at $12 per acre, would amount to $120,000,000; to which should be added the investments necessary for the support of those engaged in the care of the sheep, the clipping of the wool, &c. amounting to many millions more. The annual product of wool may be estimated at fifty millions of pounds.

These large investments have been encouraged by former legislation. The duty, by the act of 1828, was four cents a pound, and fifty per cent. ad valorem; and, by the act of 1832, the same specific duty, and fifty per cent. ad valorem. Surely this interest, has a just claim to the consideration of congress. Wool is a raw material of vast importance in a national point of view. Since the experience of the last war, when we found ourselves dependent on the enemy for supplies of clothing, which were obtained in a great measure by illicit commerce, and furnished only at the most enormous prices, it has been a leading object in our national policy to render our country independent of foreign nations for articles of such indispensable necessity.

In the opinion of the committee, the policy which encouraged these great agricultural investments, and manufacturing establishments in connexion with them, ought not to be abandoned. They would be sacrificed by a simple ad valorem duty of thirty per cent. The rates in the bill reported are—on wool, the value of which shall exceed eight cents, four cents a pound and twenty-six per cent. ad valorem; and on manufactures of wool, forty per cent. ad valorem. In their opinion, these interests could not be sustained under lower rates of duty. They were not able to report any substitute for an ad valorem duty on woollens, although they are sensible that the manufacturers have suffered greatly from fraudulent invoices and undervaluations.

Another article of prime and indispensable necessity, without which (in the language of the memorialists from Lexington, Virginia) "a nation would be unable to exist in other than a savage state, or unable to defend itself against an enemy, however weak," is iron. By interesting statistics of this manufacture have been furnished to the committee, abstracts of which are annexed to this report. The committee have also examined several witnesses of great knowledge and experience on this subject, and they find that, although some branches of this manufacture are so well established that they can be sustained under specific duties, others require the security of higher rates of duties. This great interest is much depressed under the operation of the present laws, a change of which is necessary to save them from the effects of the rivalry of foreign manufacturers.

This manufacture is of vast importance, on account of the capital invested, the number of persons it employs the amount paid for labor, and the great value of its product. It is a national interest. Ores of this metal, of the greatest richness and finest quality, are found in every section of the country—many of them in the midst of forests, or surrounded by inexhaustible fields of coal, near rivers, or canals, or rail roads, which have been made at vast expense, to furnish facilities for transport. It is, in fact, easy to show that it is a national interest, on account of its connexion with agriculture, commerce and the arts. In New England, New York, Pennsylvania, and other states, the prosperity of this manufacture is essential to that of the state. Whatever should seriously affect an interest like this would be a national calamity. If sustained under specific duties, security against competition from the products of the depressed labor of England, and against the vacillating policy of our own government, there is no reason to doubt that the country will, at no very distant period, be supplied with manufactures of iron, in all its forms, at the most moderate prices at which they can be brought to our market from any country.

No case shows the necessity of discriminating duties more clearly than that of cordage, which it has been our uniform policy to encourage. There is perhaps no considerable article of manufacture which would be more effectually injured by a horizontal tariff, whether of 20 or 30 per cent. than this. With an equal duty upon hemp and cordage, an importer could afford to pay a ton of Russian cordage for less than he could a ton of clean hemp. The reason is to be found in the protection which Russia affords to her own manufactures, the import duty, and other shipping charges upon hemp, being much higher than upon cordage, and in the circumstance that the freight of a ton of hemp is $13 more than that of a ton of cordage. It is plain therefore that, under the same duty on hemp and cordage, the manufacture of cordage must cease in this country.

The duties in the bill reported are the same as they were in the act of 1832—$40 a ton on hemp, and five cents on untarred and four cents on tarred cordage—which rates are, in the opinion of the committee, required for revenue.

Should an equal *ad valorem* duty be laid on the raw material, and on refined sugar, every sugar refinery must stop, as appears by interesting statement annexed. The capital invested in this business is immense. It is protected by the policy of France, Great Britain, and other nations. Great Britain allows a bounty in its exportation. Other interests might be referred to, for the purpose of showing the necessity of discrimination for revenue, and for the preservation of important branches of industry and vast investments, as in the manufactures of glass, white and colored lead, salt, coal, (the necessity of protecting which has been strongly represented from Virginia), and sugar 70,000,000 pounds of which are annually produced in Louisiana; but it cannot be necessary.

But the necessity of discriminating and specific duties is not confined to large manufacturing establishments, carried on by machinery, and employing large capitals as is often stated. They are essential, also, to many mechanical interests, carried on wholly by individuals on their own account, and a great proportion of the value of whose products is from hand

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labor. Among the most important of these is the leather and shoe business, an interesting account of which has been furnished by a delegation appointed by a convention of "nine hundred dealers, manufacturers, and operatives, holden in Boston, on the 2d of March." They state that the leather and shoe business is the largest manufacturing interest in the country, producing commodities to the amount of more than $50,000,000 annually, and giving employment to not less than 100,000 persons. They refer to the statistics of Massachusetts, carefully collected for the year 1837, by sworn assessors in each town, which show that that state alone manufactures leather, boots, and shoes, to the value of $18,000,000 annually, employing not less than 40,000 persons.

At least 40 per cent. of their products is from manual labor, a large proportion of which is performed by females, 15,000 of whom are employed in Massachusetts alone. They state that, during the reduction of duties under the compromise act, importations of boots and shoes increased greatly, and, especially since the last reduction. The relative cost of boots and shoes in Paris and Boston is as 65 cents to one dollar, and in Germany the price is still less.

"But (they say) that the duties be specific, is a point that we would press, as one of the greatest importance, both as regards the security of our manufacture, and the revenue which that protection proposes to raise. It should be specific, to prevent the frauds and impositions which are practised on the country."

Who would hazard by the mode of levying duties, or by adhering to a fixed rate of ad valorem duty, an interest of such vast magnitude, and which furnishes employment to so many persons? Who would wish to see our mechanics driven from their occupations, and our flourishing villages, where this business is carried on, falling into decay, because the truthful and workmen of Europe can furnish these articles cheaper?

All the great interests of the country are now in an extremely depressed condition—commerce and all industry is paralyzed. How is it that, in a time of profound peace, with a country abounding in natural resources, with an active and enterprising population, increasing without a parallel in the history of the human race, and rolling on towards the western ocean, settling as rich lands as the sun shines upon, and when Providence has blessed us with the fruitful seasons, with all the means and facilities of successful enterprise; how is it that, blessed by heaven beyond any other people who ever existed, the voice of complaint should come up from every part of the land.

There are several causes for the present depression of property and general stagnation of business, one of which will be admitted to be the large amount of our importations over the amount of exports. This depresses our home industry, and draws from the country annually heavy balances in specie, crippling our banks, and depriving them of the power to grant the necessary facilities. The same causes produced the exhaustion of our resources and the embarrassment which were the principal causes of the adoption of the constitution. As stated in the very able petition from Windsor county, Vermont, "from 1783 to 1789, the trade of the thirteen old states was perfectly free to the whole world. The result was, that Great Britain filled every section of our country with her manufactures of wool, cotton, linen, leather, iron, glass, and all other articles used here, and in four years she swept from the country every dollar and every piece of gold,"&c.

In the last term of Gen. Jackson's administration the imports exceeded the exports each year, making an excess of $129,681,397.

The excess of imports during the three first years of John Buren's administration, was $19,000,000 per ventiy millions. In 1840, for the first time for ten years, there was an excess of exports. In 1841 the imports exceeded the exports about three millions.

A tariff of duties which, while it will supply the necessary revenue, will check excessive importations, and prevent the flow of specie abroad for the payment of large balances, will do much to restore the prosperity of the nation. Our manufactures; it must be raised from duties on imports; and, if these are wisely arranged, they will encourage domestic industry, and improve and increase our circulating medium, so essential to the restoration of prosperity.

And why should we not rely more upon ourselves and on our policy? Is there any thing in the policy of other nations to induce us to lead the way in free trade? Free trade! Where shall we go to find an example for it? All the great nations of Europe are protecting their own industry, and encouraging their own manufactures, to an extent before unknown. France, Prussia, the German states, and even Russia, are making rapid advances in manufactures, under a system of rigorous restrictions.

Until the European nations change their policy, there can be no really free trade for the U. States. Should we only adopt this policy, free trade will be only on one side, and that not ours. We shall enjoy just so much commerce with them as they in their good pleasure may allow us. Shall we look to England for our example of free trade? England imposes prohibitory duties on all articles she can raise manufacture, and, in her present policy, she forms an insufficient tariff, with her vast surpluses poured in upon us, break down our establishments, and we again import our cotton, woollen and other manufactured goods, what would she receive in return for them? With what could we pay her? She will not take from us our wheat and corn, unless her population is in a starving condition, lest they will interfere with her own agricultural interests. The products of our fisheries and our forests will find no market, because she will not encourage her own fisheries and her colonial timber trade. She will take a few thousand hogsheads of tobacco, but charged with a duty and excise of ten times its original cost, and thus yielding a twelfth part of her revenue from imports. She will not take from us any article of the growth, produce, or manufacture of this country, except our cotton, which has become essential to her cotton manufactures—that branch of her industry which is now essential to her national wealth and power—and she is straining every nerve to become independent of foreign nations for this.

A departure from that policy under which duties on imports have been so arranged as to encourage domestic industry, it is feared, would be most disastrous. Foreign nations would flood this country with their productions, and our manufactures would be deprived them of the home market. The operation of it would be like that of our *reciprocal treaties*, as they are called, under which we have lost a great part of the trade of our cotton products. We have lately noticed the startling fact, that four-fifths of all the tonnage entering one of our southern ports is foreign. We are importing the productions of foreign goods, arising from the over-stocks and the reduced rate of labor in Europe. This we may always be subject to, at times, under any tariff which may be passed; but the lower the duties, the more frequently it will occur.

It is hardly necessary to remark, that raising the duty on an article does not necessarily raise the cost of it to the consumer in an equal degree. It has been said that duties on articles not produced in our country are added to the price, and the consumer pays it; but that, when they are laid on articles produced at home as well as abroad, the foreign producer pays it, to keep the market. Our own experience shows that in some cases an increase of duties, on articles produced here or not, does not increase the price at all. Whether it does or not, depends on many circumstances, and particularly the supply at home and in the producing country. The amount of duty is but one element in fixing the price. It is well understood that the expectation of our laying a duty on coffee, at the last session, lessened its price in Brazil, and that, had a duty been laid on tea and coffee, it would not have enhanced the price of those articles to the amount of the tax. There is now ad over-supply of almost all articles, and, in such cases, a moderate increase of duty will not affect their price. As to manufactured articles, the evidence before the committee proves that, when duties have been highest on articles which can be advantageously manufactured here, the reduction of prices has been greatest, as in coarse cottons, nails, &c. owing to the home competition caused by the security of the market.

Those opposed to discriminating duties, with a reference to the preservation of particular interests, however important, object, that the system takes the public for the benefit of one class, or the many for the benefit of the few. It is so! Every other great branch of business has a direct interest in the prosperity of the manufacturing and mechanic arts. The commercial interest is intimately connected with the manufacturing; the exports of manufactured articles having become an important item in the whole amount of exports. That national policy which encourages enterprise, which protects every branch of industry, and which developes the resources and increases the productions of the country, must increase our commercial prosperity. Manufactures are also of immense importance to the coasting trade. It is unfortunate that we have not the statistics of this vast business, exceeding in amount our foreign commerce; carrying exchanges and the products of our soil, and our manufacturing and mechanical skill and labor, from port to port along our two thousand miles of coast, and up our noble rivers, spreading their broad arms through our vast interior. We call it coasting trade. It is a great commercial and navigating interest. It is such an internal commerce as was never before enjoyed by any nation—now employing an immense tonnage, and many large ships, like those between Boston and New York and New Orleans—voyages equal in length and of equal importance to those across the Atlantic.

Besides, our tariffs of discriminating duties have never dealt out favors with a partial hand. All have been equally entitled to equal favor, as the claims of all are equal. Our whale and other fisheries have been protected by a prohibitory duty on foreign oil and a heavy duty on fish. Our coasting trade is confined exclusively to our own vessels. Our wheat and other agricultural products are charged with a duty, in almost all cases prohibitory; and the great northern staple has hitherto been protected by a prohibitory duty.

That most numerous and important class—the agriculturists—have the greatest interest in the prosperity of manufacturing and mechanical labour. A change of policy which should break these down, would deprive them of their best markets. Wherever manufacturing establishments are located, villages spring up around them; their effects are immediately seen in the increased value of land in the vicinity. Perhaps it would not be extravagant to state that the establishment of manufactures had added an amount to the agricultural wealth of the country equal to the capital employed in manufactures. Few are aware of the extent of demand for agricultural produce, for the supply of a single manufacturing establishment. An interesting statement on this subject is annexed to the testimony of Mr. Schenck.

Suppose we should now depart from the policy, heretofore pursued, of so adjusting the tariff as to give the greatest wealth to the country, universal embarrassment and confusion would ensue. The whole machine, which has worked so well, would be thrown into disorder. There are now, by the census 500,000 operatives, all busily engaged in the thousand different pursuits which stimulate industry and enterprise, and keep society in motion, by the nightly principle of division of labor. What are they to do? The large portion of them must become agriculturists. That occupation would become overstocked. The great stimulus to exertion—the vivifying of good motives, scattered over the land—would cease. Things would have a tendency to sink downwards, to a dull, uniform level, instead of being all life, and activity, and enterprise.

Labor, in its countless forms, divided and subdivided in the multitudinous pursuits, stimulated, encouraged, protected, is the life-giving principle of modern improvement. This it is which has worked out the unspeakable difference between ancient and modern nations. England has led the way. It has elevated her to her present eminence among the nations. It enabled her to maintain herself triumphantly against all Europe. Suppose a blast had come over her industry, in its various forms, and particularly her manufacturing capacity, she would have fallen, powerless. The continental nations, who had heretofore been dependent on England for manufactured articles, have wisely determined to be no longer dependent, on foreign nations for what they can furnish by their own industry, and have taken advantage of this blessed period of peace to develope and cultivate their own resources. And what is the consequence? We see them rapidly advancing in the great branches of manufacture, the production of their skill and industry finding their way to the markets of other nations. In other words, each nation is taking care of itself, which is the greatest security for the prosperity of all. They are legislating for themselves, imposing duties, making commercial regulations, with a view to the promotion of their own industry, their own national interests. Why should not this government use the power it possesses, in this competition of nations? Why should not we legislate *for ourselves*, not by excessive duties, which would defeat the revenue, and check commercial enterprise, but by so adjusting the tariff, that, while it will raise a sufficient revenue, it will stimulate and encourage every branch of industry? It can be done, labor will find its own reward. The rates of the duties reported in the bill are fixed at the lowest rates which, in the opinion of the committee, will secure these objects—too low, in the apprehension of some of the committee, for the wants of the government.

A well regulated tariff, on a scale sufficient for the wants of this government, is the only effectual remedy for the evils the government and the people are now suffering. It will inspire confidence throughout the country. It will again set every wheel in motion. It will improve and enlarge the currency. It will send out its life giving influence to the extremi-

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ty of the union, and give vigor and activity to the whole system. It will at once (and nothing else will) restore public credit. The people of this country know that our resources are abundant. Let them but see that congress has provided a proper revenue, and has done it in such a manner as at the same time to encourage and protect their own productive industry in all its branches, whether it relates to commerce, agriculture, manufactures, or the mechanic arts, throughout the broad extent of our land, and the credit of government will command at once all the aid it may need.

The bill provides for a duty on sales at auction. This will yield something to the revenue; but the great object is to check the flooding of our markets with goods, the surplus and refuse of the foreign manufactures, sent here on foreign account, to be sold at once for what they will bring, to the great injury of our own importers and manufacturers, with orders to remit the proceeds in specie immediately. This evil has long been a subject of complaint, and a duty on auction sales has heretofore been recommended as a remedy. In 1833, Mr. McLane, secretary of the treasury, sent a draught of a bill to the house for that purpose. In the opinion of many persons who have testified to the committee, or communicated with them in writing, it is of the utmost importance.

One of the principal importers of New York says: "An auction duty would check the excessive importations and consignments of useless foreign goods, which are sold here at the best price they will command, at auction, the proceeds being remitted in specie, and would have a beneficial effect on the business of the community."

Mr. Schenck says: "It is the surplus of the foreign manufactures, thrown suddenly into our market, and disposed of at auction that does the greatest injury to our capital and other manufactures."

Some new provisions are also made for the prevention and punishment of frauds, which have been practised to a great extent, by which the government has lost a vast amount of revenue. An attempt is given to the collector, in certain cases, to take the amount of duties in the goods themselves, which it is believed will have a powerful effect in checking fraudulent attempts.

Smuggling and other frauds are also made indictable offences, punishable not only by fine, but by imprisonment.

It will be perceived that there is a prospective provision in the bill, for an increase of the rate of duties above the average rate on certain articles, which, being produced in foreign countries, some in coupleing, with similar articles produced in this country, with a view to counteracting the prohibitory or exorbitant duties imposed by those countries upon articles of our production. Resolutions on this subject from the legislatures of Tennessee and Kentucky, were before the committee, and they deemed it to be their duty to bring it in this form to the consideration of the house. This provision is not intended upon the broadest principle of reciprocity; it selects no single country for its peculiar object, but is intended to embrace, indiscriminately, all whose relations of commerce, intercourse, and mutual wants and consumption, place them in a condition to reciprocate the terms of a mutually profitable interchange of commodities. It invites these countries to such action as will enable the people of each, including our own, to pay their own abundant and desirable productions for what they find it necessary or desirable to consume of the productions of the other. At present, to the very great disadvantage of the people of our own country, this is not the case especially in regard to those great staple productions of our agriculture, grain and tobacco. Although our cotton is, at present, received abroad under slight duties, because it is as yet essential, as raw material, to the fostered manufactures of Europe, it is well known that prohibitory legislation has concurred, with other causes, effectually to exclude our grain. But it is, perhaps, not so generally known, that in many of the countries whose productions enter most largely into our consumption, the tobacco, with which we might in some instances more than pay for them, is subjected, directly or indirectly, to such enormous duties or charges, by government, as to deprive us, to a very great extent, of that fair advantage, as well as greatly to depreciate the value of the vast sums, capital invested in this branch of our national industry. Thus it is that in sixteen countries of Europe, in which, if any thing like reciprocity of terms were observed, over four hundred thousand hogsheads of American tobacco, worth, before shipment, about thirty millions of dollars, would probably be consumed, the enormous burdens imposed upon the article by the governments of those countries limit the introduction of it to less than ninety thousand hogsheads, and upon the amount so introduced into their consumption, costing in the United States less than seven millions of dollars, a revenue is charged and exacted in Europe, amounting annually to over thirty-five millions of dollars. Without adverting to any other articles, these instances have been deemed so striking as to call for some notice in our legislation, in the hope that foreign governments may be thereby induced to reflect upon the propriety of some change in the policy which is so manifestly destitute of reciprocity; or, if this is hopeless, then in the belief that some additional duties for revenue upon the productions of those countries are required by every principle of necessary policy, to guard ourselves against unfavorable balances to a ruinous extent and that they can, in no respect, constitute a just ground of complaint on the part of any nation that pursues such a policy, to the extent of imposing upon our productions, sent to them in payment, burdens thus inordinately beyond any burden or rate of duty imposed by this government on the productions we purchase of them.

A statement from the honorable Mr. Triplett and several tables on this important subject are annexed.

The committee ask leave to report a bill.

TARIFF BILL.

A bill supplementary to the act entitled "an act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," approved March two, eighteen hundred and thirty-three.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That from and after the thirtieth day of June next, in lieu of the duties now imposed by law on the importation of the articles hereinafter mentioned, for there shall be levied, collected and paid, the following duties, that is to say:

First. On all articles which are now chargeable with a duty amounting to twenty per centum ad valorem, or more, whether the same be now specific or ad valorem, a duty of thirty per centum ad valorem, except on such articles as are hereinafter provided for or excepted.

Second. On iron in bars or bolts, not manufactured in whole or in part by rolling, seventeen dollars per ton; on bar and bolt iron, made wholly or in part by rolling, twenty-five dollars per ton; on iron in pigs, eight dollars per ton; on glazed cutlery, sad irons, hatters and tailors' irons, two cents and a half per pound; on vessels of cast iron, not otherwise specified, one cent and a quarter per pound; on all other castings of iron, not otherwise specified, one cent per pound; *Provided*, That all castings, or vessels of cast iron, not in the rough as from the mould, or having any addition of wrought iron attached, shall be charged with the same rate of duty as articles manufactured of wrought iron, if that shall amount to more than the duty on cast iron; on round iron or hoop iron, of three-sixteenths to ten-sixteenths of an inch in diameter, inclusive, and factured on nail or spike rods, two cents and a half per pound; on nail plates, slit, rolled, or hammered, hand iron, scroll iron, or casement rods, two cents per pound; on wrought nails of iron, four cents, and on cut nails, three cents per pound; on iron spikes, and on nail crooks and mill irons, of wrought iron, three cents per pound; on anvils, anchors, blacksmith's hammers and sledges, two cents per pound; on iron cables or chains, or parts thereof, manufactured in whole or in part, two cents and a half per pound; on all scrap and old iron that has been in actual use, and fit only to be re-manufactured, eight dollars and fifty cents per ton; on steelyard, four dollars per dozen; on screws weighing over twenty-four pounds, four cents per pound when made of wrought iron, and three cents per pound when made of cast iron; on copper and brass, not exceeding number fourteen, three cents and a half per pound; exceeding number fourteen, six cents per pound; on wood screws made of iron, twelve cents per pound; and when made of brass thirty cents per pound; on old and scrap lead, one cent and a half per pound; on pig, bar, and sheet lead, two cents and a half per pound; and on lead pipes, three cents per pound; on copper and bolts, and copper nails and spikes, four cents per pound; on hammered brass kettles, thirty-five per centum. *Provided*, That no manufactured articles shall hereafter pay a less rate of duty when imported, than is charged on the material constituting its greatest weight or chief value, whichever is chargeable with the highest rate of duty.

Third. On woollen yarn, four cents per pound, and thirty per centum; on wool unmanufactured, the value whereof at the place of exportation shall exceed eight cents, four cents per pound, and twenty-six per centum ad valorem; on ready-made clothing, all milled and fulled cloth known by the name of plains, beaverets, or Kendall cottons, of which wool shall be the only material, merino shawls made of wool, and upon all other manufactures of wool, or of which wool is a component part, subject by law to duty, or hereafter to a duty of fifty per centum, a duty of forty per centum; on Brussels, Wilton, and treble ingrained carpeting fifty cents per square yard, and on all other ingrained and Venetian carpeting, thirty cents per square yard; and on flannels, backings and baizes, fourteen cents per square yard.

Fourth. On all manufactures of cotton, or of which cotton is a component part, thirty per centum ad valorem, excepting cotton twist, yarn, and thread, which shall remain at the rate of duty fixed by the act "to amend the several acts imposing duties on imports," of the twenty-second of May, one thousand eight hundred and twenty-four: *And provided*, That all manufactures of cotton, or of which cotton is a component part, not dyed, coloured, printed, or stained, not exceeding in value twenty cents the square yard, shall be valued at twenty cents the square yard, and, if dyed, coloured, printed, or stained, in whole or in part, not exceeding in value twenty-five cents the square yard, shall be valued at twenty-five cents the square yard; on cotton bagging, three cents the square yard; on all stamped, printed, or painted floor-cloths, thirty-five cents the square yard; and on oil-cloths of all kinds, other than that usually denominated patent-floor cloth, ten cents the square yard.

Fifth. On window glass, not above eight by ten inches in size, two dollars and fifty cents per hundred square feet; above eight by ten, and not above ten by twelve inches in size, two dollars and thirty-seven cents per hundred square feet; and if above ten by twelve inches, two dollars and fifty-six cents per hundred square feet; on all apothecaries' vials and bottles, exceeding the capacity of six, and not exceeding the capacity of sixteen ounces each, one dollar and seventy cents the gross; and on all not exceeding the capacity of six ounces, one dollar and twenty cents the gross; on black and green glass bottles, exceeding the capacity of one quart, one dollar and sixty cents per gross; exceeding the capacity of one quart, two dollars per gross; and on demijohns, not exceeding the capacity of half a gallon, twenty cents; over a half a gallon, and not exceeding two gallons, fifteen cents; and over two gallons, fifty cents each; on all wares of cut glass not specified, three cents per pound and thirty-one per centum ad valorem; on all other articles of glass not specified, two cents per pound and thirteen per centum ad valorem.

Sixth. On brown sugar and syrup of sugar cane, in casks, two cents per pound; on white clayed sugar, two cents and a half per pound; and on sugar candy, loaf, lump, and all other refined sugar, six cents per pound; on molasses, five cents per gallon; on wheat, twenty-five cents per bushel; on rye and corn, twenty-five cents per bushel; on unmanufactured hemp, forty dollars per ton; on cheese, seven cents per pound; on tallow candles, four cents per pound; on lard, saltpetre refined, and on oil of vitriol, two cents per pound; on beef and pork two cents, on bacon three cents, and on butter five cents per pound; on cigars, fifty per centum ad valorem; on all manufactures of tobacco, other than snuff and cigars, eight cents per pound; on whiting and dry colors, one cent per pound; on ochre ground in oil, one cent and a half per pound; on red and white lead, litherage and sugar of lead, three cents per pound; on alum two dollars and on copperas one dollar and thirty cents, per one hundred and twelve pounds.

Seventh. On salt, eight cents per bushel; on coal, one dollar and sixty cents per ton; on foreign-caught fish, dried or smoked, one dollar per one hundred and twelve pounds, on mackerel, one dollar and fifty cents per barrel; on salmon, two dollars per barrel; and on all other pickled fish, one dollar per barrel; on spermaceti, whale, or other fish oil of foreign fishing, olive oil, linseed oil, and rapeseed oil, twenty cents per gallon, and on castor oil thirty-seven and a half cents per gallon; on tarred cordage four cents per pound, and on untarred cordage five cents per pound; on cutks nine cents per pound, and on chocolate four cents per pound: *provided*, That any person exporting in American vessels any cordage manufactured in the United States, entirely of Manilla grass imported after the thirty-first of June next, in American vessels, shall be entitled to be paid, by way of drawback, an amount equal to the duty paid on the grass used in the manufacture of the cordage exported, the same to be paid by the collector of the port from whence the said cordage is exported.

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Eighth. On paper and books, the following duties, that is to say—on bank notes, paper of all kinds, note, letter, and music paper, fifteen cents per pound; on antiquarian, copper-plate, copying, drawing, foolscap, imperial, lithographic, medium, and all others not specified, twelve and a half cents per pound; on blotting, cartridge, gloss, printing, sand, and stainers' paper, eight cents per pound; on binders' boards, box boards, mill boards, sheathing and wrapping paper, three cents per pound, on all books published previous to the year eighteen hundred, four cents per volume; books printed since eighteen hundred, in Latin, Greek, and all other languages other than English, when bound fifteen cents, and when unbound thirteen cents per pound; on books printed in the English language, and on blank books, when bound, thirty cents, and when unbound, twenty-six cents per pound; on paper hangings, thirty-five per centum ad valorem; and on playing cards, ten cents per pack.

Ninth. On spirits manufactured from grain or other materials, for first proof fifty-seven cents, for second proof sixty cents, for third proof sixty-three cents, for fourth proof sixty-seven cents, for fifth proof seventy-five cents, and for all above fifth proof ninety cents per gallon; on Madeira wine, fifty-cents per gallon, on Sherry wine, thirty cents per gallon; on the wines of Sicily, ten cents per gallon; on red wines of France, Spain and Austria, twenty-six cents per gallon; on all other wines of France, Spain, Austria, Germany, and the Mediterranean, in casks, eight cents per gallon; on French wines in bottles and cases, thirty-five cents per gallon; on those of all other countries in casks, fifteen cents per gallon, and in bottles fifty cents per gallon, on vinegar, five cents per gallon.

Tenth. On all manufactures of silk, known as piece goods, one dollar and eighty cents per pound, and fifteen per centum ad valorem; and on all other manufactures of silk, or of which silk is a component part, not other wise provided for, thirty per centum ad valorem, excepting sewing silk, which shall be forty per centum, and silk hats one dollar each; on shoes for men, thirty cents per pair; on shoes for women, made of silk, per pair, twenty-five cents; on shoes or slippers for women, made of prunella, stuff, nankeen, leather, or other material, twenty cents per pair; on shoes or slippers for children, twelve cents per pair; on men's boots and boottees, one dollar and twenty-five cents a pair, when partially manufactured, one dollar a pair; on women's boots and boottees fifty cents a pair, and when partially manufactured forty cents a pair; on calf skins four dollars; on morocco skins three dollars; on kid skins two dollars, and on sheep skins and lambs' skins twenty-five cents per dozen, and on sole and bend leather eight cents per pound: *provided*, That all skins split or partially manufactured skins, shall pay the same rate of duty as leather; on all manufactures of shoes, and all other manufactures of India rubber, thirty per centum ad valorem.

Eleventh. On the following articles there shall be a duty of twenty per centum ad valorem, that is to say: on silver plated and on brass wire, cap or bonnet wire covered with silk or other material, sail duck; shear, cast and German steel, bead and shoe laces, precious stones not set, jewelry, watches and parts thereof, and ground plaster of Paris; and fifteen per centum on cocoa and leaf or manufactured tobacco.

Sec. 2. *And be it further enacted*, That from and after the thirtieth day of June, one thousand eight hundred and forty-three, there shall be paid ten per centum ad valorem, in addition to all other duties, on the following articles, that is to say, on woollen cloths and cassimeres; on all manufactures of cotton which are dyed, colored, printed, or stained; on jeans, bleached and unbleached linen; worsted stuff goods; manufactures of silk and worsted, and of leather; on spirits distilled from grain or other materials; on hemp and cordage; and on the various wines of France, Austria and Germany: *Provided*, That whenever it shall be made to appear, to the satisfaction of the president of the United States, that the tobacco, grain and flour, of the United States, are admitted into the several ports belonging to any foreign state or kingdom, producing or manufacturing any of the articles enumerated in this section, at a duty not exceeding the highest rate of duty chargeable on any of them, and that any American citizen may export the tobacco, grain and flour of the United States directly therefrom to any port or place of any foreign state or kingdom, and there dispose of them upon as good terms as any citizen or subject of said state or kingdom, or of any person or persons whatsoever, so far as any regulation of government may affect the same, then the said additional duty of ten per centum shall be remitted, so far as it regards such of the said articles as are of the produce or manufacture of such state or kingdom as shall admit the tobacco, grain and flour, as aforesaid.

Sec. 3. *And be it further enacted*, That, from and after the said thirtieth day of June next, the ad valorem rates of duty on goods, wares and merchandise, shall be estimated in the following manner: to the actual cost, if the same shall have been actually purchased, or the actual value, if the same shall have been procured otherwise than by purchase, at the time and place when and where purchased, or otherwise procured, or to the appraised value, if appraised, shall be added the following percentages:

Sec. 4. *And be it further enacted*, That the secretary of the treasury be, and he is hereby authorised at any time hereafter, to convert any ad valorem duty into a specific duty, whenever it shall, in the general custom house valuation of the preceding year, of which conversion he shall give due notice: *Provided*, That nothing in this act shall be so construed as to prevent or affect the distribution of the proceeds of the public lands, as provided for by the act approved the fourth of September, one thousand eight hundred and forty-one, any thing in said act to the contrary notwithstanding.

Sec. 5. *And be it further enacted*, That from and after the thirtieth day of June next, when any goods, wares, or merchandise imported from abroad, and subject to duty upon importation, shall, within six months after importation, be sold by way of auction, within any collection district of the United States, or elsewhere in the United States, by the order of and for the use of the United States, the sum of three dollars for every hundred dollars of the purchase money or price of the said goods, wares, or merchandise shall, however, be chargeable only upon one auction sale of the same goods, wares and merchandise, after such importation thereof; and all goods, wares, or merchandise, shall be sold at public auction, or on the terms determined by sale at auction, of a sample or samples, or portion thereof, to determine the price or terms of sale of the residue, or of any portion thereof, by the collector, who shall cause to be sold by way of auction within the meaning and for the purposes of this act. The amount of the duty aforesaid, upon every such sale, shall be paid within five days after such sale to the collector of the district, for the use of the United States, by the auctioneer or person officiating, and so selling by way of auction, and the collector shall pay over the amount of duty out of the purchase money or proceeds of such sale, being three per centum on the whole amount of such proceeds, to meet or reimburse the expenses of the said sale; and the several collectors are hereby authorised and required to demand, collect, and receive the said duty in every such case, and to take all necessary and usual measures, and do all other wise, to recover and receive the same; and in all suits and controversies for the recovery of such duty, or upon any bond, or for any penalty herein prescribed, the certificate of such auctioneer shall be prima facie upon the person defending against the same, to show that the goods, wares, or merchandise in question were first imported more than six months before the sale in question, or that the said duty had already been duly paid or secured upon an auction sale thereof since their last importation: *provided, however*, that nothing herein contained shall affect the auction sales made by an officer of the law, or by his command, in and for the execution of legal process, nor to sales made pursuant to the laws of the United States, or of any state, for the collection of any tax or duty.

Sec. 6. *And be it further enacted*, That before selling, as aforesaid, any goods, wares, or merchandise, wares, and merchandise, subject to the duty prescribed in the next preceding section, the person or persons so selling shall either pay the said duty, or give bond or bonds to the collector of the district, which is hereby authorised and required to receive the same, in a sum not less than five hundred dollars nor more than twenty thousand dollars, conditioned for the collector, having reference to the amount of sales intended, and of the duties thereon, with sufficient surety or sureties, to receive the payment of said duties, which bond or bonds may be made applicable to any one such sale specified therein, or to all such sales that may be made by such person or persons giving the same, within the period of twelve months from the date thereof specified therein, and shall be conditioned for the rendering of a full and true account of the articles sold, and for the payment of the amount of the said duty therein, to the said collector for the United States, within five days after each and every such sale, and every person, other than as excepted in the proviso at the end of the next preceding section, who shall so aforesaid, sell, by way of auction, any such goods, wares, or merchandise, chargeable with the said duty, according to the proviso of the next preceding section, shall forfeit and pay a sum equal to the value of the articles so sold, to be recovered in an action of debt, or by information in any proper court, one half thereof to the United States, and the other half to any person who shall first sue or inform and prosecute therefor: *Provided, however*, that nothing herein contained shall be construed to repeal or alter any state or municipal law or regulation in relation to sales at auction.

Sec. 7. *And be it further enacted*, That on all articles imported after the thirtieth day of June next, where the same shall be appraised at a higher rate than the invoice, double duty shall be paid on the excess of said appraisement above the invoice: *provided*, that the person claiming such goods may within three days appeal from such appraisement, and notify the collector thereof, whereupon the said claimant and the collector shall each choose one competent and disinterested person to re-appraise said goods, which two persons shall fairly appraise said goods, and, in case of disagreement, shall choose an umpire to decide between them, and such appraisement shall be final and conclusive; and if it be no higher than the invoice, the regular duty only shall be charged; and if above that, then treble the amount of duty on the excess above the invoice.

Sec. 8. *And be it further enacted*, That the several collectors be, and they are hereby authorised, under the direction of the secretary of the treasury, wherever they shall deem it necessary to protect and secure the revenue of the United States, and the same is practicable, to take the amount of duties chargeable on any article bearing an ad valorem rate of duty, in the article itself, according to the proportion or rate per centum of the duty on said articles; and such goods so taken, the collector shall cause to be sold at public auction within twenty days from the time of taking the same, and place the proceeds arising from such sale in the treasury of the United States, and pay over the excess, if any, to the owner thereof: *provided*, that the collector or appraiser shall not be allowed any fees or commissions for taking and disposing of said goods, and paying the proceeds thereof into the treasury, other than are now allowed by law.

Sec. 9. *And be it further enacted*, That if any person shall knowingly and wilfully, with intent to defraud the revenue of the United States, smuggle or clandestinely introduce into the United States any goods, wares, or merchandise, subject to duty by law, and which should have been invoiced, without paying or accounting for the duty, or shall make out, or procure, or attempt to procure, through custom-house, any false, forged, or fraudulent invoice, every such person, his, her, or their aiders and abettors, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be liable to fine or imprisonment, or both; the fine not to exceed five thousand dollars, nor the imprisonment two years.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

Apral 7. On motion of Mr. *Bayard*, an additional clerk was allowed for the service of the committees on the District of Columbia and on naval affairs.

The resolution submitted a few days since by Mr. *Linn* for calling for any correspondence on the subject of the Oregon territory was taken up, and Mr. *Preston* having stated that he had information that the call was unnecessary, it was on his motion laid upon the table.

After the reception of memorials the loan bill was taken up. Mr. *Evans* suggested an amendment. Mr. *Buchanan* addressed the senate in favor of Mr. *Hallock's amendment*. Mr. *Rives* followed, also in its favor, but would vote for the bill whether the amendment passed or not. Mr. *Simmons* replied to Mr. *Rives*, and contended if the land fund were taken from the states, a most onerous direct tax would have to be resorted to by them. The senate then adjourned.

April 8. A report from Mr. Hassler on the progress made in arranging the standard of weights and measures was presented.

Memorials were presented on various tariff subjects, and on representing British steamers transporting passengers and letters on shore.

So much of the president's message as relates to ad valorem duties, was, on motion of Mr. *Simmons*, referred to the committee on manufactures.

Mr. *Preston* reported a bill to establish a corps of sappers, miners and pontoniers.

At the same time he gave notice that he should ask leave to bring in a bill to invest the proceeds of the Smithsonian bequest for the establishment of an institution for the diffusion of knowledge in the city of Washington.

Also, a bill to incorporate in the District of Columbia the national institution for the promotion of science.

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The house then proceeded to the consideration of, the special order being the loan bill. Mr. Smith, of Connecticut, was to have occupied the floor, but being absent from indisposition, Mr. Crittenden rose and addressed the senate at great length, chiefly in reply to Mr. Rives, and against the amendment of Mr. Walker. Mr. Archer also addressed the senate at some length, and argued against subjecting the bill to further delay by the amendment which the house had twice voted down. Mr. Buchanan spoke in reply to Messrs. Archer and Crittenden. Mr. Crittenden replied.

After some further remarks from other senators, the senate proceeded to the consideration of executive business, and afterwards adjourned.

April 9. The president of the senate laid before the body a message from the president of the United States, covering a copy of a letter from the board of commissioners appointed to explore and survey the boundary line between New Hampshire, Maine, and the Province of New Brunswick, together with a report thereon.

Also, a communication from the secretary of the treasury, covering a communication from the general land office, showing what quantity of public lands was surveyed and prepared for the market at and after the 4th day of March, 1841, and offered for sale into market during that year; and the reasons why they were not offered for sale during said year; and also what quantity of public lands have been offered for sale to be brought into market during the present year; also, what quantity of public lands is now prepared for market and not offered for sale; and also what quantity of public lands is expected to be surveyed and be prepared for sale during the present year.

The senate then proceeded to the consideration of the loan bill; the question pending being on the amendment of Mr. Walker, pledging the proceeds of the sales of the public lands, distinctly, separately, and inviolably, for the payment of the interest and the redemption of the principal of the stock heretofore issued under the loan law of last session and the stock proposed to be issued.

Mr. Woodbury rose and addressed the senate at great length in favor of the amendment. He took the ground that unless the proceeds of the public lands were reserved, and the proper expenditures of the government retrenched, they would have to resort to a direct tax for its support. Mr. Preston then rose and spoke until late, tracing the causes of the present embarrassments under which the country labored to the party, that had so lately gone out of power and left its successor without a dollar to carry on the government. Although opposed to the distribution of the proceeds of the public lands, yet he could not sustain the amendment of the senator from Mississippi, and jeopard the bill by sending it back to the other branch, in the form of the bill as it had given there on that very subject. Mr. Woodbury made a brief rejoinder.

Mr. Young obtained the floor and spoke in favor of the amendment—intimating that the object of loans was to supply the treasury that the proceeds of the lands might be retained by the states.

The question was then taken on Mr. Walker's amendment, and decided in the negative, as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Fulton, King, Linn, McRoberts, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—20.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clayton, Evans, Graham, Henderson, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind. Southard, Sprague, Tallmadge, White, Woodbridge—25.

Mr. Evans then moved an adjournment; which motion being carried, the senate adjourned.

April 11. The loan bill was taken up, and Mr. Benton moved to amend the amendment offered by Mr. Evans some days since, so as to strike out that part which admitted of the stock being sold below par. Mr. B. sustained his amendment in a brief speech, and was followed by Mr. King and Mr. Young on the same side.

After a short reply from Evans, the question was taken on the proposition of Mr. Benton, and decided in the negative, as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Fulton, King, Linn, McRoberts, Sevier, Smith of Con. Sturgeon, Tappan, Walker, Wilcox, Woodbury, Wright, Young—18.

NAYS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clayton, Crittenden, Evans, Graham, Henderson, Huntington, Mangum, Merrick, Miller, Morehead, Porter, Preston, Rives, Simmons, Smith, of Indiana, Southard, Sprague, Tallmadge, White, Woodbridge—25.

The amendment of Mr. Evans was then passed.

Mr. Benton then moved to strike out the 3d section, which provides that the stock may be transferrable by the delivery of the certificate, instead of being made assignable on the books of the treasury.

This motion prevailed. The question was taken by yeas and nays, and stood for the motion, as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Fulton, King, Linn, McRoberts, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—20.

NAYS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Crittenden, Evans, Graham, Mangum, Merrick, Miller, Morehead, Preston, Rives, Simmons, Smith, of Indiana, Southard, Sprague, Tallmadge, White—19.

Mr. Smith, of Connecticut, addressed the senate at some length; after which the amendments were ordered to be engrossed, and the bill read a third time.

A letter was received from the hon. Samuel Prentiss, of Vermont, to resume his seat in the senate of the U. States; after which the senate adjourned.

April 12. Mr. Berrien chairman of the committee on the judiciary asked to have a substitute in place of Mr. Prentiss, of Vermont, on the same committee and who had resigned his seat in the senate.

Mr. Phelps presented the proceedings of various tariff meetings held in the state of Vermont and resolutions from its legislature on the same subject.

Mr. Sprague presented resolutions of the state of Rhode Island on the subject of the public treasure and of foreign relations, calling upon all parties to unite for the relief of the commercial interest.

Mr. Clayton moved a reconsideration of the vote given yesterday, by which the loan bill was ordered to an engrossment. Mr. C. stated the object of his motion was to get at another, and that was to move a reconsideration by which the vote was yesterday passed in the affirmative, striking out the third section of the bill. That bill was reconsidered by a vote of 22 to 18. The motion to reconsider the vote upon the third section was then put, and the vote reconsidered by a decided vote. Before the vote was taken, Mr. Clayton stated that he moved the reconsideration of the vote, not because he had changed his opinions at all, for he had not done so. Several gentlemen, however, had changed their votes on the question, and it was alleged not to be a true expression of opinion. He was willing that other senators should vote upon the amendment. He had not changed any of his opinions, and should vote as before.

Mr. King, of Alabama, stated the effect of reconsideration would be to accomplish that which the senator in his judgment thought out not to be brought about.

Mr. Clayton said he was responsible for his votes and his opinions. If he chose to move a reconsideration of a vote, it was his own business. His opinions, as he had before stated, were his own—and he, if he was opposed to the third section, had voted against it, and should do so again. He should vote against reconsideration. The vote was then taken upon reconsidering the vote respecting the third section; and the result was, yeas 25, nays 20.

The question recurring upon the amendment, Mr. Evans said that the section to be bill which it was now proposed to strike out was much more important than he had supposed it was. He had not learned until last night that the secretary of the treasury considered the section so important, and that it would affect very materially the negotiation of the loan. It would affect the terms of the negotiation, and affect the rate of interest.

Mr. Wright stated that none but speculators in loans desired the loan in the form in which it would be placed by retaining the third section. The yeas and nays on calling out were then ordered and the result was as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Clayton, Fulton, Henderson, King, Linn, McRoberts, Sevier, Smith, of Con.; Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Crittenden, Evans, Graham, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Rives, Simmons, Smith, of Ind.; Southard, Sprague, Tallmadge, White, Woodbridge—24.

The vote having been announced, the bill a second time had its third reading.

Mr. Sevier objected to the third reading, but was persuaded to withdraw his motion.

Mr. Clayton then, in a few words, announced his intention to vote against the bill. He gave his reasons, which were that he could not support the bill, because it had obnoxious provisions in relation to the increase of the loan, to which he objected, and the terms in relation to the redemption of treasury notes, to which he was also opposed.

The yeas and nays were then ordered upon the final passage of the bill, when Mr. Calhoun rose to make a speech. He said he should say nothing in reference to the provisions of the bill now upon its final passage. All of his opinions had been fully expressed by those who had preceded him upon that side of the senate.

He wished to comment generally upon the financial policy of the government, and particularly as it was administered by the present administration. Mr. Calhoun then contended at length that the credit of the government had been impaired by the whig administration. The causes assigned, he endeavored to show, not with those who had been, but with those who were in power. Mr. C. also commented upon the tariff and the bank questions, contending that a bank would not suit a tariff, and a tariff a bank. Every one would get the other. He also descanted upon the subject of expenditure and income.

Mr. Mangum followed and was succeeded by Mr. Linn, after which the senate adjourned.

April 13. The following memorials and petitions were presented and appropriately referred:

By Mr. Miller, from citizens of Salem county, N. Jersey, asking additional duties on imported undressed furs.

Also, from P. S. Minor, asking that the patent law may be repealed so far as relates to patent medicines.

By Mr. Kerr, from Lake H. Pennington, who states that he has discovered a machine for navigating the air, which he conceives will be useful in time of war and for the purposes of reconnoitering or conveying information. The memorialist asks the the aid of government to enable him to construct a machine.

By Mr. Williams, resolutions of the legislature of Maine, in relation to the restrictions imposed by G. Britain on the colonial trade.

Also, from the same source, in relation to such change of the time of holding the election for president and vice president of the United States as will avoid the frauds and evils of the present system.

Mr. W. thought the subject well worthy the attention of the senate, and that the passage of a law such as was designed by the legislature would put a stop to the evils complained of.

Mr. Evans from the committee on finance reported a bill regulating the currency of foreign gold and silver coin in the United States.

Also, the bill regulating the compensation of certain commissioners, which he reported with an amendment.

Mr. Mangum, of N. C. reported a bill in pursuance of notice, which authorises the secretary of the navy to negotiate with reference to climate and service the rations of our navy. Also, a bill to regulate enlistments in the naval service.

Mr. Barrow, of Louisiana, reported a bill to revive a act which has not set to authorise the inhabitants of the state of Louisiana to enter the back lands.

The resolution of Mr. Linn to give to the British government the notice required by the termination of the treaty between the United States and that government, for the joint occupancy of the territory, was taken up for consideration.

Mr. Linn addressed the senate in behalf of the resolution, and contended that whatever title had been derived from the British government in relation to the territory could not be controverted by the British government. Whatever claim she had to this district of territory was only from the weakness of the Spanish government at the convention of Nootka Sound. The discussion which had made upon this subject clearly showed our title to be indisputable. Mr. Gallatin was appointed a commissioner on the part of this government for the settlement of the conflicting claims of the two governments. The proposition of Great Britain had it been accepted to, would have deprived us of fertile fields, deep waters and safe harbors. Mr. Linn occupied the time of the senate until the expiration of the morning hour, when the orders of the day were called for—and the senate resumed the consideration of the loan bill.

Mr. Graham advocated the bill, contending that the exigency of the treasury should ensure prompt and speedy action on the bill.

Mr. Berrien followed, replying at length to the objections urged against the bill on the other side.

The debate was further continued by Messrs. Mangum, Sevier, Crittenden, King, and Walker; when there were cries of "adjourn, or question."

The question was then taken on the passage of the bill, and decided in the affirmative, as follows:

YEAS—Messrs. Barrow, Bates, Berrien, Choate, Crittenden, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Rives, Simmons, Smith, of Indiana, Southard, Sprague, Tallmadge, White, Woodbridge—26.

NAYS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Clayton, Fulton, King, Linn, McRoberts, Sevier, Smith, of Connecticut, Tappan, Walker, Wilcox, Woodbury, Wright, Young—18.

A few minutes before six o'clock, the senate adjourned.

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HOUSE OF REPRESENTATIVES.

Thursday, April 7. Mr. *Thompson*, of Kentucky, made a favorable report on an agency for inspection of waterrotted hemp.

Mr. *J. R. Ingersoll* presented the proceedings of a tariff meeting held in Philadelphia.

Mr. *Kennedy*, from the committee on commerce, reported a bill to prevent the transportation of passengers or letters coastwise by foreign ships or vessels. The bill, having been read twice, was referred to the committee of the whole on the state of the union, and ordered to be printed.

Mr. *McKeon*, on leave given, introduced the following resolution, which was adopted:

Resolved, That the president of the United States be requested to communicate to this house (if not incompatible with the public interest) all correspondence between this government and the government of Great Britain in relation to an international law of copy-right.

The house then resolved itself into committee of the whole on the state of the union, (Mr. *Thompson*, of Indiana, in the chair.)

Mr. *Adams* called the attention of the committee to the fact that the bill providing for the construction of an iron war steamer for harbor defence, had been laid aside to be reported to the house, had *not* yet been reported. For the expedition of the business of the house, and particularly of this bill, (which was one of pressing emergency,) he moved suggest that the committee rise and report the bill—then to return into committee for the purpose of resuming the consideration of the general appropriation bill. After a brief conversation the suggestion was accepted to. And the committee rose and reported the said bill without amendment to the house.

The committee again proceeded to the consideration of the bill making appropriations for the civil and diplomatic expenses of the government for the year 1842. And after progress therein the committee rose and the house adjourned.

Friday, April 8. Mr. *Wise* hoped the house would indulge him in taking up, with a view to its final passage, the bill reported yesterday from the committee of the whole on the state of the union, providing for the construction (for harbor defence) of an iron war steamer.

Mr. *Wise* said that every gentleman of information knew that the extent of the coast of the United States was greater than that of any other country, on the lakes, the Atlantic, and the Gulf of Mexico. And any gentleman who would read the report of the naval committee would see that the present naval force of Great Britain, in actual commission, was 266 ships. She had on the coasts of North America and of the West India islands (next door to us) eight steamers of war, besides her commercial steamers, which were so constructed as to be capable of being converted into steamers of war. It was absolutely necessary, then, that we should speedily look to the means of our coast and harbor defence.

The plan for this steamer had been submitted by one of the most enterprising, scientific, and best-informed engineers in this or any other country. He proposed (at least he would try an experiment which a board officers of the army and navy conceived would be triumphantly successful) to give us a boat of unsurpassed velocity, in consequence of the construction of her submerged propellers; and a boat that should be invulnerable by any known means of warfare. Mr. W. then very briefly explained the construction of the sides of the vessel, the contemplated superiority of her machinery, the nature of her propellers, the superior character of the shot she was to use, &c.; all which, he said, would furnish us with the best means yet discovered of defending our coast, which was now imminently hazarded and threatened by the English power. And Mr. W. moved the previous question.

Mr. *Gwin* moved to amend the bill by adding the following proviso:

Provided, That the amount agreed to be paid to said Stephens by the government shall not exceed the amount for which competent contractors will agree to build the same.

Mr. G. stated that his reasons for offering the amendment was, that he had received information from one of the largest ship builders in the city of New York that he would build a steamer equal to the Mississippi and Missouri for, he believed, $450,000, which was $100,000 less per vessel than the actual cost of these ships He wished this vessel built by contract that competition may be invited, and the government get it built at the least possible cost.

[The information alluded to by Mr. Gwin, is contained in the following extract of a letter from Robert Schuyler, esq.: "Ships built like the Missouri, so far as I am informed as to her construction, $475,000; like the Mississippi, $465,000—all to be ready for crews, and with trials to the ordinary extent."]

The *speaker* said that the bill was on its passage, and the amendment could only be introduced by general consent. Objection was made.

Mr. *Wise* (in reply to Mr. *Gwin*'s remark) said he presumed that there were no contractors in New York that would undertake to build such a ship as Mr. Stephens proposed for any thing like that cost—for, in the first place, they would not know how to begin, not being acquainted with the principle of the construction.

Mr. *Brenson* inquired of Mr. *Wise* what the ship would cost!

Mr. *Wise* said there was a limit to the cost in the bill itself. Some gentlemen supposed that this ship would cost as much as the Mississippi and Missouri both had cost. They had cost, he believed, four sums, eleven hundred thousand dollars. It was proposed that this ship should not cost more than 550,000 dollars, including (Mr. W. was understood to say) armament and every thing else.

The bill was then passed by a vote of 129 to 31.

After some remarks from Mr. *Milton Brown*, of Tennessee, and Mr. *Charles Brown* in relation to stationery expenditure.

The committee resumed the consideration of the bill making appropriations for the civil and diplomatic expenses of government for the year 1842. And after progress therein the committee rose and

The house adjourned.

Saturday, April 9. The house resolved itself into committee of the whole on the state of the union, (Mr. *Thompson*, of Indiana, in the chair,) and resumed the consideration of the bill making appropriations for the civil and diplomatic expenses of the government for the year 1842. And after progress therein, the committee rose and

The house adjourned.

Monday, April 11. Mr. *Clifford*, presented resolutions adopted by the legislature of Maine in reference to the British colonial trade. Mr. *Tillinghast* presented the resolutions of Rhode Island.

Mr. *Fillmore* moved that the house resolve itself into committee of the whole on the state of the union. Agreed to. The house called Mr. *Thompson*, of Indiana, to the chair, and the debate proceeded.

The amendment pending was in relation to light houses, for supplying which to the extent of 2,652 lamps, at a cost, including the lighting, whitening, and cotton cloths, transportation and keeping apparatus in order. This is proposed in addition to repairs, salaries, &c.

Mr. *Proffit* pointed out in detail the extent of the enormous abuses which existed in the light house system of the country, implicating some of the light house keepers of the most criminal offences, and spoke for two hours upon this subject, and was listened with general attention. Having closed, he withdrew his amendment.

Mr. *Sprigg* renewed the motion for the amendment. Mr. *Williams*, of Connecticut, spoke briefly, and made some remarks upon the wreckers, and spoke in severity against the harpies of the coast who hover around the wrecks seeking whom and what they may devour.

Mr. *Cushing* made some few remarks in reference to the light house system, in reply to the remarks which had been made in opposition to the system by other members.

Mr. *Fillmore* appealed to the committee, between three and four o'clock, to take a vote upon the question. The subject had been before the committee the whole day, and at least he hoped that those who were in favor of the system would debate it no more.

The question was then taken on Mr. *Sprigg*'s amendment, and decided in the negative without a count. Mr. *Fillmore* offered an amendment, and the committee rose and

The house adjourned.

Tuesday, April 12. Mr. *Howard*, of Michigan, presented a resolution calling for the appointment of a select committee to inquire as to the expediency of erecting a ship canal around the Falls of St. Marie. Objections were made to the reception of the resolution, and a suspension was moved and lost, two-thirds being necessary.

A report was presented from the military committee adverse to the petition of citizens of Baltimore for the use of the tents belonging to the government in the military encampment to be held at Baltimore in May next.

A report from the same committee in answer to a memorial from the persons employed in the Harper's Ferry armory. The report was laid upon the table, and ordered to be printed.

From the same committee, a bill for the erection of certain fortifications, for the repair of old fortifications, and for certain military surveys.

Also, a bill from the same committee, for the establishment of a corps of sappers and miners.

From the committee on roads and canals, a bill to aid the making of roads and canals in the territory of Wisconsin.

From the committee on claims, a bill for the relief of the heirs of Robert Fulton.

From the committee on the Smithsonian bequest, a bill to establish an institution for the diffusion of useful knowledge among men.

Also, to be discharged from the petition of Richard Rush, asking pay for services. The committee were discharged, and the memorial referred to the committee on claims.

The morning business was in the end gone through with, and on motion of Mr. *Fillmore*, of New York, the house went into committee of the whole on the state of the union.

The general appropriation bill was taken up and the pending amendment was that of Mr. *Fillmore*, in reference to the light house system. Mr. *Fillmore* moved that the collectors should not receive extra pay as superintendents of light houses, if the compensation amounted to more than $1,000. The amendment, after debate, prevailed. The next amendment was a proposed appropriation of $100,000 for a light house on Delaware bay, which, after debate, was lost—ayes 64, nays 66.

The committee then arose and the house adjourned.

Wednesday, April 13. Mr. *Fillmore* moved that the house resolve itself into committee of the whole on the state of the union in order to take up the general appropriation bill.

Mr. *Weller* of Ohio, moved a call of the house for the reason that so few members were present.

Mr. *Sloane* of N. C. asked for the yeas and nays; there appeared about 130 members in their seats, 44 in favor of a call, and 56 in opposition.

Mr. *Fillmore* renewed his motion to go into committee of the whole, but yielded to a motion submitted by Mr. *Kennedy* of Maryland, who wished to present a joint resolution authorising those having charge of the government tents to loan one thousand of them, or as many as should be wanted to the military encampment to be held in Baltimore next month. Objections were made to the caption of the resolution, and a motion was renewed by Mr. *Sloane* to suspend the rules. The vote was taken by tellers; but no quorum was found. The motion was renewed, and the yeas and nays ordered for the purpose of bringing a quorum within the bar. The vote upon the motion to suspend the rules was 84 to 66, not two-thirds, and the rules could not be suspended.

Mr. *Fillmore* a third time renewed his motion to go into committee of the whole, and it prevailed. Mr. *Thompson* of Indiana, took the chair.

When the committee rose last evening, the following item had been stricken out:

"No. 218. For salaries of the ministers of the United States to Great Britain, France, Russia, Prussia, Austria, Spain, Mexico and Brazil, seventy-two thousand dollars."

And Mr. *Adams* had proposed to send to the clerk's table, to be read, a letter from the secretary of state, setting forth that it did not appear to be wise or politic, under present circumstances, to remit any of the diplomatic missions for which, at the commencement of the present session, appropriates had been made. The letter was read. Mr. A. spoke a few sentences in further explanation of the course of the committee on foreign affairs, to whom had been referred a resolution, directing that committee to inquire into the expediency of reducing the item of diplomatic missions. But so much noise and confusion prevailed, that hearing for a full hour was rendered almost impossible. Mr. A. was understood to say that the committee proposed hereafter to make a general report on the resolution; but that the committee had come to the general conclusion that at present it was not in their power to propose any reductions in the diplomatic missions.

Mr. *Linn* moved to amend the item by striking out so much thereof as related to the mission to Mexico.

A long debate followed, directed partially to the necessity of the maintenance of a full diplomatic mission near the government of Mexico, but mainly (though incidentally) to the policy of the annexation of Texas to the United States.

The debate was participated by Messrs. *Linn, Pickens, Reynolds, Fillmore, Cushing, Jones*, of Md. *Slade* and *Wise*.

When Mr. *Wise* had concluded, the chairman gave the floor to Mr. *Butler*, of South Carolina, who yielded to a motion (the hour being late) that the committee rose.

Which motion prevailing, the committee rose and reported progress, and the house adjourned.

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CHRONICLE.

ARMS. The *Castellano* of Madrid mentions that Espartero has ordered three batteries of mountain artillery to be got ready for service in the island of Cuba. The cannon are to be cast at Havana.

ALLEGANY COAL. A foretaste of what is to be enjoyed by us on the completion of the Chesapeake and Ohio canal to the coal region at Cumberland has been administered this week by the arrival hither of a fleet of boats laden with the black diamonds of the Alleghany. Fifteen boats freighted with over 17,000 bushels of coal are already arrived and there are many more to follow. This coal we understand to have been contracted for by the government, and presume for the service of the United States war steamers, the Missouri and Mississippi.

[*Georgetown Advocate.*

"THE AMERICAN ASSOCIATION," formed with the purpose of "wearing domestic products alone," says a Boston paper of the 31, "is receiving the favorable attention of many of our citizens and gaining ground rapidly."

AFRICAN COLONIZATION. A convention of the friends of African colonization is to be held in the city of Washington on the 4th May next. All who feel interested in the cause are invited to attend.

HENRY CLAY. A dinner was given to this distinguished statesman last week, by members of congress, and on the evening of the 12th, the public ball given to him by members of congress and the citizens of Washington, jointly, on his quitting the capital, came off, and was truly a splendid affair. Public meetings are called in various directions for the purpose of expressing undiminished confidence and regard for Mr. Clay.

THE CREOLE CAPTIVES. A Nassau correspondent of the New York Commercial, under date of the 30th ult. writes: "The steamboat Tay has just arrived with English mails from Havana. The slaves which have been confined for murder and mutiny on board the brig Creole, will now be liberated, as I am told the order for that purpose has arrived."

BISHOP ENGLAND is *no more!* The distinguished Catholic prelate of South Carolina died at Charleston on the 11th inst. in the 56th year of his age.

ELECTIONS. The city of New York charter election took place on the 12th inst. A riot occurred between the Catholic and Protestant Irish in the 6th ward, in which the celebrated Tammany Spartan Band afterwards took part. At least ten thousand people were assembled and the fighting lasted for some hours. At 6 o'clock the Irish obtained complete possession of Center street and allowed no one to pass. The residence of the Catholic bishop Hughes, as well as a number of other houses suffered. The police secured about 30 prisoners but the military had at length to be resorted to.

The Van Buren candidate, Morris, is re-elected mayor by a majority in the neighborhood of 2,000, but the whigs carried nine if not ten of the seventeen wards and elected eighteen or twenty of the 34 aldermen and assistants.

In Albany the V. B. mayor is elected. And a majority of the wards gave V. B. majorities.

In Brooklyn, Smith, the whig mayor is beaten by Murphy 200 votes—the common council 11 V. B. to 7 whigs.

The New Jersey City and town election took place on the 11th inst. The whig ticket was elected throughout in Newark, Wm. Wight, mayor, A. Halsey, recorder.

Col. John Schmerie has been elected mayor of Charleston, S. C.

Gen. Lambert has been re-elected mayor of Richmond, Va.

John Anderson, (V. B.) is elected mayor of Portland, Me., by a majority of 75 votes. The recorder and three of the five aldermen of the same party are elected; the council, equally divided.

The city election of Hudson, N. Y. also resulted in favor of the V. B. party.

D. Pricur, the V. B. candidate, has been elected mayor of the city of New Orleans by a majority of 259 votes. At the presidential election the whig majority was about 1,000.

EXCHANGES. Bills on London in New York 6a7; on France 5f.40a45; New York on Boston, Philadelphia and Baltimore par. Richmond, Va. 8; Raleigh 8; Charleston 1½; Macon 15; Savannah 2½; Mobile 2½; New Orleans 7; St. Louis 16a20; Louisville 5, Cincinnati 8; Nashville 20.

FLOUR. The Baltimore inspections of last week consisted of 4,155 barrels. Sales were effected for upwards of 3,000 bbls. at prices ranging from $5 50 to $5 12½. This week $5 75 is demanded.

GREEN PEAS were sold in the Norfolk market on the 9th April.

IRON WORKS SUSPENDED. The Troy Whig says the extensive iron works in that city have both suspended operations for the present, nor will they be again started until an adequate protective tariff shall be imposed upon foreign iron. The New York Express truly remarks that *eight hundred* human beings *seeking work* in such times as these is indeed "the saddest sight under the sun."

LOAN. The New York canal commissioners advertise for one million of dollars at 7 per cent.

MANAGERIE—CARTER, the celebrated lion-tamer, arrived at New York on the 24, in the packet ship Montreal, with his train.

MICMAC INDIANS. A deputation from this tribe of natives, consisting of *Joseph Malli Hicbbith*, a principal chief and captains, *Francis Lobobe*, and *Peter Basket*, landed at Annapolis on the 5th from on board the Warspite, British frigate, and on the 7th proceeded by the rail road towards New Brunswick. They had been to England treat with Queen Victoria, with a view of exchanging their hunting pursuits for those of agriculture. They spoke and wrote English, and expressed themselves gratified with their interview with the Queen. Their homes are upon the St. John's river, New Brunswick.

DISCHARGE OF HOGAN. We learn from the Rochester Democrat, that *Hogan* has been discharged for want of sufficient evidence to commit him for trial. The Democrat laughs at the idea of his being concerned in the Caroline affair, and speaks of him as "an exquisite jackanapes, who would never be engaged in any expedition that would throw his hair out of a curl."

The Rochester Daily Advertiser, of Saturday, says: "Hogan left yesterday, in the Goro, for Canada, hale and hearty."

RHODE ISLAND. The Globe says: "we have it from very good authority that the supreme cabinet council have held a consultation on the Rhode Island controversy, and resolved to support the corporators under the charter, as the sovereign power of the state, and to employ the power of the federal administration to put down the constitution established by the people. How the national executive is to interfere, we have not learned; but doubtless the great propounder of the constitution will be called to make way with the rights of New York in the McLeod case, will devise some mode of helping the Rhode Island aristocracy to usurp the state's rights."

FREE NEGROES IN MISSISSIPPI. By an act which was passed at the last session of the Mississippi legislature, every justice in the state is authorised, at the request of a free-holder, to cause every free negro to give security in the sum of one hundred dollars for his good behavior, or to commit him to jail, and after public notice, the sheriff of the county shall sell him. Every free negro is forbidden to enter the state; and if one such is found having emigrated into the state under any pretence whatever, any white citizen may cause him to be punished by the sheriff, with thirty-nine lashes; and if he does not immediately thereafter comply, he is to be sold. Any white person who brings a free negro into the state is liable to a fine not exceeding, for the first offence, five hundred, and for the second, one thousand dollars.

NORTH CAROLINA. A convention of the whigs of the state was held at Raleigh on the 4th inst. and Gov. J. M. Morehead re-nominated as candidate for the next gubernatorial election, and Henry Clay for the next presidency of the U. States. Lorenzo D. Henry is the Van Buren candidate for governor and the election comes off in August next.

NATIONAL AGRICULTURAL SOCIETY. A meeting for the choice of officers will be held at Washington on 4th May next.

STEAMBOAT EXPLOSION. The first serious explosion that has occurred on the waters of the Chesapeake for more than twenty years, took place in Baltimore harbor on the 14th inst. on board the new steamer *Medora*, built for the Norfolk line. She was just starting to try her works. About forty bodies have been recovered, dead or seriously injured. The vessel having sunk, the extent of the awful calamity is yet unknown. The mayor with his police, and one hundred employed hands are now occupied in endeavoring to recover the bodies, &c.

The Georgia, from Otaheita, with 450 bales of cotton, was burnt on the 26th ult. whilst entering New Orleans harbor—no lives, but vessel and cargo lost. Having to run in amongst the flat boats, 150 cattle and a number of hogs were also burnt.

THE NEW YORK LEGISLATURE adjourned on the 13th inst. to meet again on the 16th August, having passed 323 acts, amongst which were, acts to extend the charters of the New York and Erie and the New York and Albany rail road companies—to charter the Goshen and Albany rail road company; to provide for prompt redemption of the notes of insolvent banks; the small tax bill, and suspension of public works; the general election bill: repealing the registry law. The celebrated New York school bill, advocated by Bishop Hughes and the catholic party, as introduced by Mr. Maclay, and amended by Messrs. Foster and Hunter, passed the senate at 12 o'clock at night of the 8th. Every whig voted against it. The house on the next day concurred in the amendments, and the governor signed it. The resolutions instructing the representatives in congress to vote to refund Judge Hall's fine on General Jackson, passed on the last night of the session.

STEAMERS. Each British steam frigate, says a London paper of 31 March, is in future to have a lieutenant and 30 marines on board. The small steamers, are to have a corporal and 9 privates.

SLAVE TRADE IN CUBA. The Charleston S. C. Patriot gives the following extract from a letter dated Havana March 23d: "The slave trade, may now be considered as entirely at an end. Very strict orders have been issued by our government to the different "Capitanos de Partido" to report and seize every cargo which may be landed on the coast; and about three weeks ago a Portuguese schooner was brought in by a Spanish brig-of-war.

SLAVE QUESTION. A resolution passed the New York legislature prior to their adjournment, declaring that slavery is alien to Virginia in a *feudal* sense in that state, within the meaning of the constitution of the United States.

STOCKS. Prices continue down, New York 5⅞ 78; Illinois 6's 16a18; Indiana 5's 19; Pennsylvania 5's 33; Philadelphia 5's 95; Ohio sixes 61.

TARIFF MEETINGS. A meeting of citizens of Wheeling, Virginia, in favor of a tariff was held on the 12th inst. On the same day one at Ann Arbor Michigan. At Utica, N. York, on the 1st inst. At Cortlandville, Cortland C. same state on 23d ult.

The Pottsville Journal mentions that the duty just proposed on anthracite coal is 50 cents per ton, is inadequate. Nothing short of $2 per ton will bring out the immense deposites of our mountains.

The Pennsylvania newspapers contain a call for state convention of the friends of "Pennsylvania industry," to be held at Harrisburg on the second Wednesday [13th day] of April inst. The call is signed by the state committee on the subject.

The delegates appointed to the different wards of Baltimore city met on the evening of the 13th at Union Hall. James Harwood was chosen president, and Robt. Howard, and Beale H. Richardson vice presidents. A home league was recommended to be formed and the president requested in behalf of the convention to call upon the people of the state to assemble in their various election districts to forward the cause and memorialize congress.

TOBACCO. Although coming in rapidly, continues to maintain our last quotations and for fairest qualities some advance has been submitted to. The inspections of the last week in Baltimore consisted of 952 hhds. Maryland, 191 Ohio, 189 Kentucky; total 1,329 hhds. The farmers of that part of Alabama and Georgia known by the name of the Cherokee country, it is stated are about to cultivate tobacco extensively instead of cotton. Seven hogsheads from Floyd county, Geo. head waters of the Coosa river, were sold a few days since at Mobile at 5,a5c. by Mr. S. Robinson. The quality equal to *Virginia seconds.*

WEATHER. Whilst we have had so mild a winter in this direction, it would seem that they have had the reverse in other directions. A letter from Rome represents that a greater quantity of snow has fallen this year in Italy than has ever been remembered. Several deep valleys are filled up, and although a sirocco had been blowing for several days, its heat was not sufficient to melt the frozen mass. Diligences, though drawn by sixteen horses and eight oxen, had great difficulty in making their way through it.

WHISKEY is quoted now at 16 cents per gallon in the Baltimore market, and 12 cents at Cincinnati.

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NILES' NATIONAL REGISTER

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THE PAST—THE PRESENT—FOR THE FUTURE.

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Foreign news—financial scheme of the premier of England, defeat of the British army in Afghanistan.

National affairs—appointments by the executive, legislature of Maine to be convened in reference to northeastern boundary, navy, Seminole Indian treaty.

State of the union—*Rhode Island*, communication from the president of the U. S. to the governor, N. York, message of the governor in reference to legislative resolutions on the Virginia conference; *North Carolina*, II. Clay nominated for president of the U. S. and J. M. Morehead for governor.

Home intelligence—report of committee on protection and general interests of the country.

Diplomatic—lord Aberdeen's reply to Mr. Stevenson; Sketch of Mr. Adams—on issue of representations on April 11 in reply to Mr. Ingersoll on the subject of mission to Mexico.

Congressional proceedings.

Chronicle.

FOREIGN ARTICLES.

GREAT BRITAIN

The Great Western left Bristol on April 2d and arrived at New York on the 17th. She brings sixty-five passengers among whom, Captain Wright, has despatches for Lord Ashburton; Mr. Hilliard, from the American minister in London; Mr. De Veseigne, for the French minister at Washington, and Mr. Moulton from the American minister at Paris.

The most important intelligence is the reverse suffered by the British army in Afghanistan and not from the numerical loss as much as from the political influence that it may have with their dominions in the east. Pressure to their sway over that country it had been the chief theatre of the contending influence of Britain and Russia, in Asia.—Dost Mahomed its dethroned monarch is still under prisoner and his son is said to be the assassin of sir Wm. McNaghten.

Sir Robert Peel brought forward his financial statement and project in the house of commons on 11th March. Its boldness took the house by surprise. He proposes the last and most productive but yet most unpopular source of revenue and what has heretofore been exclusively deemed a war tax, a tax upon incomes. Connected with this scheme is a new tariff reducing the duties on some imports and laying a duty upon certain exports. The estimates for the year ending 5th April 1843 are as follows:

Expenditure	£50,830,000
Income	48,350,000
Deficiency	£2,570,000
New taxes,	
Great Britain—an income tax	3,700,000
Ireland (equalized stamp and spirit duties) absentees to be taxed upon property in *Ireland, as residents in G. Britain*	410,000
Export duty on coals	200,000
Total new taxes	4,310,000
Surplus	£1,740,000

Of this surplus, about £1,200,000 is to be devoted to a reduction of a variety of duties in a sweeping revision of the tariff, all prohibition being removed, and raw material being lightly taxed. The remainder will go to meet additional expenses which may occur in China, India, Afghanistan and Canada. Sir Robert enforced his project by a long speech and concluded with an eloquent appeal to the house to support unfavoured the name which the people have inherited from their forefathers, and which they have maintained in this century for twenty-five years of war and twenty-five of peace. He then moved his first resolution. Lord Brougham takes ground against him.

The London Times of the 30th March first published the reply of Lord Aberdeen in Mr. Stevenson's Parliamentary speech and remarks that though "the United States government has prudently abstained from publishing it, it has been privately circulated among members of congress."

Several regiments are ordered to India; among them the 10th, 78th, 29th, 84th and 86th each 1,000 strong. The 25th proceeds from the Cape of Good Hope. The following corps are to be brought home from North America, namely, the foot guards, the 56th, 67th, 69th and 70th regiments. Lieutenant Colonel Derinzy has received orders to augment that line corps the 66th royal regiment, to 1,000 strong, and to hold himself in readiness to proceed to India as soon as possible.

Emigration to America. The New York line of packet ship Gladiator carries out 150 passengers in the steerage, who intend to settle in various parts of the United States and Canada, and 20 cabin passengers. The passengers in the steerage are principally agriculturists from the home counties; the cabin passengers are chiefly mechanics and others upon business. The Mediator will take out 250 emigrants to New York.

The Telegraph steamer, running between Glasgow and Greenock, competing with a railway, exploded on 21st March, killing 13 and wounding 30 persons.

The duke of Norfolk died on the 15th of March. He was born in 1765. He was the first Roman Catholic peer that took his seat after the Catholic emancipation, yet though a Roman Catholic, he had within his gift 24 livings of the church of England.

Bank of England. An account showing the quarterly average of the weekly liabilities and assets of the Bank of England, from the 4th of January, 1842, to the 26th of March, 1842, both inclusive—

	Liabilities.	*Assets.*
Circulation,	£16,952,000	Securities, £22,586,000
Deposites,	8,657,000	Bullion, 6,125,000
	£25,609,000	£28,711,000

Sir George Arthur has been appointed governor of Bombay by the court of directors assembled at the East India House on the 29th ultimo.

In respect to the mission of Mr. R. Crichton Wiley to America, it appears that he was an agent for enforcing the payments of American stocks held by British subjects, the Spectator has this paragraph.—"Some error appears to exist about the object of Mr. R. Crichton Wiley's voyage to New York. That gentleman has recently sailed in the Columbia, not, as is generally believed, as general agent for enforcing the claims of the English holders of American securities, but as the agent of the English bondholders of the Morris Canal and Banking Company, to watch the sale of the canal, which will be put up to auction in New York, in consequence of the foreclosure of the mortgage of $750,000, held by some Dutch capitalists upon the canal. The English holders are anxious to secure the property by purchasing the canal, and carrying it on for their own benefit."

The earl of Munster, eldest son of the late king William, committed suicide with a pistol on the 20th ultimo, at his house in Belgrave square, Pentlet, *mental derangement*. He was the son of Mrs. Jordan, an actress celebrated in her day.

The naval force of Great Britain, the largest in the world, consists of 590 ships-of-war, carrying from 1 to 120 guns each, of different calibres, which are either in ordinary or commission. Of this immense flotilla, 110 are armed steam vessels, constructed on the most scientific and approved principles, for active sea service. To man this extensive fleet in time of peace there are 22,000 able bodied seamen, 2,000 lads, and 14,000 royal marines. This number will, however, be gradually augmented, as the vessels ordered to be put into commission for China, &c. are to have their full complement of able seamen.

It is expected there will be three launches of vessels this season on the Thames—the Worcester, 50 guns, building at Deptford; Chichester, 50 guns, building at Woolwich; and another smaller vessel at the latter dock yard.

Lieut. H. Hardinge on the 7th March presented the army budget which proposes an effective force of 122,568 men, exclusive of militia and forces in India and China.

France. The royal mail steamer Britannia left Liverpool on April 5 and arrived at Boston on the 20th.

"The news from India is to the end of January, according to which it appears, that after the death of sir William McNaghten, negotiations were resumed by Major Pottinger, and a convention agreed on for the evacuation by the British forces of Jellabad, Ghuzni, Cabool, and Candahar; that in pursuance thereof, the troops, to the number of 10,000, set out, and were, in a treacherous defiance of the treaty, all massacred. Two or three natives alone escaped.—Gen. Sale has refused to surrender Jellabad, and is prepared for a vigorous defence. Gen. Elphinstone is not dead, although wounded. He is a prisoner in the hands of Ukbar Khan. Nothing important from China. The earl of Elgin is appointed governor of Jamaica.

FRANCE

Chamber of Deputies. The treaty on the right of search became again the subject of discussion on February 28. M. Mauguin expressed the opinion that the minister for foreign affairs, Guizot had compromised his credit and influence by having signed it, and cited as suitable for his imitation the examples of Berthold minister of Holland, and the duke of Broglie minister of France in 1831, who had when in a minority of the chambers withdrawn from their offices. He alluded to the treaty of 15th July, 1840, as a warning for France not to be again duped, a treaty said he which was designed to abase France, degrade Russia, and give Syria to England. The minister expected to obtain at the coming elections a ministerial majority sufficient to ensure its ratification when modified. He did not believe either that any modifications would be made or that a majority would be obtained to effect its ratification. M. Guizot in reply stated that France had proposed modifications, no precise date had been fixed for the conclusion of further negotiations, and that France was not isolated from Europe. The crown seeks modifications, which may satisfy as much as honor shall permit or demand, the sentiments expressed by the chamber. The negotiations are pursued in the desire of not abandoning the great cause which is the subject of the treaty and of satisfying the exigencies of the country, and the government seeks both the dignity of the flag and the activity of commerce.—The progress of the negotiations required him to say no more. He was of a contrary opinion that modifications would not be accorded. M. Joly believed that England had wished to associate France with her in the design of exploiting American vessels and thereby to place her in a hostile attitude against America, and contrasted the philanthropy of England for the blacks with her treatment of the white slaves of the East Indies and of the paupers of Ireland. M. Berryer alluded to the exemption of the Russo-American vessels in a clause of the treaty, as a proof of its being particularly designed for the benefit of England; and the attempt of England in the project of arraying the great European powers in compact so as to awe America by moral coercion and intimidate her is regarded as a signal failure.

As soon as the denial of sir Robert Peel made in the house of commons on March 1st, and reiterated by Lord Aberdeen on the 7th, of the correctness of the tenor of the conversations that M. Guizot had referred to in the chambers as having been held between the French ambassador and the English minister of foreign affairs, in which he expressed the willingness of England to accept of the French sovereignty over Algiers, became known in France, the highest indignation was expressed. In the chamber of deputies on March 10, the minister was called upon for explanations. M. Guizot stated that what had occurred was this. In a conversation with the French ambassador, Lord Aberdeen of his own accord said that in 1830 he had protested and made incessant objections to our dominion in Algiers. He then added that he does not now resume that position, that ten years had now elapsed, that it was a thing passed and accomplished. Difference of terms little effects me; the conversation was not invited, and the conquest was recognised as having become by time a thing perfected. I was one of the firm, gentlemen, ten years ago, that said in this tribune, "France has conquered Algiers, France will guard her conquest." What I said ten years ago, I repeat to-day

The duke of Nemours, whose duchess is just about becoming a mother, has set out for Algiers, and at Bugeaud has finished the war there, it is surmised that a vice-royalty is about to be established or that France is about to organise some civil administration for its government as a permanent portion of her empire. England has the same consul at Algiers who was there previous to the French conquest and who has been there ever since and consequently has not officially recognised by the agency of any new officer, the sway of France, and the two governments seem not to understand each other on this point with harmony.

The second abolition of world's convention which was to have assembled in Paris on the 7th M-

under the auspices of M. Guizot had been interdicted by the government, from the fear of its possibly infecting the excitable Parisians with revolutionary and destructive sentiments. A private meeting however was held, at which Messrs. Sturge and Scoble distinguished themselves and the members of both the English and French societies were entertained by Guizot, Isabert and Lamartine. Barrot and the duke de Broglie are more moderate members of the French society. It is rumored that the government is resolved to effect the emancipation of the slaves in the West India colonies and awaits only the determination of the mode time and amount of indemnity to the planters.

The proposed reduction of the duties on sugar is postponed till next year, the beet crop being already sown. The outports were very angry at this delay.

A report from the minister of marine proposes to increase the present number of steam vessels of war which is 40, to 70.

SPAIN.

Madrid, 21st ult. The sittings in both chambers offered little or no interest. The alarm created by the Christino-Carlist conspiracy, seemed to be fast subsiding. It was reported that the government has disbanded the army of the north, which was formed subsequently to the events of last October.

PORTUGAL.

Lisbon, March 21. The recent ministerial crisis had terminated in the queen agreeing to the demands of the minister in favor of the chiefs of the Oporto movement. On the 16th inst. her majesty gave birth to an infant prince.

RUSSIA.

From St. Petersburg, accounts of the 5th March represent the Circassians as having made inroads during the mild winter, beyond the Kuban and Caucasus; 8,000 of the mountaineers, in the beginning of January, advanced 200 versts into the Russian territory, surprised and plundered Kiltjas, a fortress in the Caucasian provinces.

BELGIUM.

There had been a conspiracy at Brussels against the government. Vandermeer, Vandermissen, Vanlatheu and Verpract, were condemned to die.

The king and queen of the Belgians have arrived in Paris. They left Brussels on Tuesday morning by the rail road for Mons, at two o'clock they passed through Valenciennes, where their carriage was near being upset in the Market square. A portion of the royal family had gone to meet them to Compiegne.

ALGIERS.

The great tribe of Beni Hasan has given in its submission to the French, and their ally Sidi Mohammed had intercepted several convoys designed for Abdel Kader, who is within the Moorish limits and has lost all influence with his former adherents.

TURKEY.

Constantinople, March 7. The Divan had several extraordinary councils towards the close of February, on the receipt of despatches from Syria. The resolutions of the assembly were not known, but it was said that the communications subsequently made by the grand Vizier to the different legations, were of a most satisfactory nature. M. Mavrocordato, minister of the Greek government to the Ottoman porte, had arrived at Constantinople.

The Augsburg Gazette of the 27th ult. confirms our previous accounts from Constantinople of the recall of Omar pasha and the appointment of two native pretors to the government of Mount Lebanon who are to be placed under the jurisdiction of Mustapha pasha, who was definitively named Serasker of Syria. The same journal adds, under date Constantinople, that it had been resolved in the Seraglio to supercede Izzet Mehemet in the post of grand vizier. He had, it appears, discontented the great dignitaries of the empire, by his financial reform, and insulted the ambassadors by his haughty and cavalier manners. The sultan had at first cast his eyes on Khosrew pasha for his successor, but the latter being avowedly devoted to Russia, it was considered that his elevation to that office might give umbrage to some of the European powers, and the idea was abandoned.

GREECE.

Private correspondence from Athens, Greece, of the 10th instant, states that warlike preparations were still making in Greece, and that all the disposable forces were being marched to the frontiers, along which the Turks were said to be collecting their troops. French and Russian agents were believed to be actively laboring to embroil the two countries, and it was even feared that actual hostilities would commence in the spring. Rear-admiral Lausse anchored in Salamis Bay on the 9th, with four French ships of the line and two frigates.

CHINA.

Intelligence had been received from China at Calcutta, to the 13th December. Up to the 23d November, the latest date from Canton, the plenipotentiary and the admiral were still at Tinghai, and no movement had been made on Hang-chou-foo. The Bombay Overland Courier of February 1st, stated that dates from China to the 17th December, six days later than our present accounts, had been received at Calcutta, where it was rumored Canton had been again attacked by the English forces. The arrival of sir Henry Pottinger in H. M. S. Cruiser, had, it was thought, determined the plenipotentiary and the plenipotentiary had expressed great dissatisfaction at the conduct of major general Burrell and Captain Nias, in removing the flag and sea forces at Hong Kong, in remaining passive spectators of the infringement of the truce by the Chinese, who were busily engaged in repairing their fortifications. Positive orders, it seems, were given that an advance should be made upon Canton in the event of the Chinese undertaking to place one stone upon another: which, however, were not enforced by those officers. The arrival of sir Henry Pottinger, was no doubt, immediately followed by a renewal of hostilities.

The steamer Medina, for whose safety serious apprehensions were entertained, arrived at Singapore early in January, having, when within 30 miles of Macao, met with a severe northerly gale which blew her off the coast. Her safe arrival gave great satisfaction. The steamer Sesostris, reached from Macao in safety, having been picked up at sea, and towed to port by a sailing vessel.

The Courier contains the full particulars of the disasters which had befallen the British troops in Afghanistan, though there is nothing known certainly, beyond the accounts published. The British authorities in Cabul, it appears, have been obliged to resort to the use of French in their official correspondence, as the natives have succeeded in obtaining translations of all intercepted documents written in English, by means of some native youths educated at the Delhi college.

Government have taken up seventeen ships at Calcutta and Madras, for the conveyance of troops to China. Among the forces was a troop of horse artillery. The troops were only to take 30 horses, but were provided with spare harness for what cattle they could catch. The whole was to sail about the first week in March.

The London Spectator referring to the pretended French envoy to China, of whom our last direct accounts made mention, says, "Him as a mere "itinerant diplomatist agent travelling in the east on behalf of the French government. His name is given as Lecomte Paulin de Grigny. On arrival at Macao he the French frigate Erigone he gave himself out as envoy to the court of Pekin but in reality he was employed as an observer merely."

INDIA.

AFFGHANISTAN. The British troops have been cooped up on points in this country distant from each other. Candahar, Ghuzni and Jellalabad, in the garrison; but the snows, and the vigilant cavalry of the Afghans, cut off communications, and columns of relief sent from Bombay have failed, and been broken up, or turned back. The chief commander was at Cabul—amounting to 5,300 men; of which, however, it would seem there was only one European regiment, the 44th; the rest being Sepoys, or native troops. The garrison was invested by a presumed capitulation from its stronghold at Cabul, while on the march to Jellalabad, was cut off.

The whole truth we shall be long without knowing, for the overland mail has not reach England till about the 6th of each month.

Meantime of the massacre of sir Wm. McNaghten, governor of Bombay that of Alexander Burnes was previously known—of the death of several gallant officers, and of the extreme jeopardy of the wives of some of the Europeans, there is no doubt.

Between the 12th and 28th Oct. the force under sir Robert Sale, while on their march through the Khoord Cabool pass to Kindamurk, lost capt. Wyndham and Woodburn, and maj. gen. Sale, and many others were wounded. Between the 3d and 25th of December, besieged at Cabul, they lost sir Alexander Burnes, political resident, colonels Oliver and Mackrell, capts. Swayne, Robinson, Maule, Mackintosh, Laing, Walker, and Westmacott. Their destitution and want of provisions and relief then compelled them to enter into negotiations. Three regiments marching under the command of col. Mclaren from Candahar for their relief were stopped by the snows west of Ghuzni, and compelled to return. On the 25th November, Mahomed Ukbhar Khan, son of the deposed Dost Mahomed who is in the hands of the Bengal government at Laharanpoor, joined the insurgents. The terms proposed by them on the 9th December, to the besieged were, that they should surrender their arms and evacuate the country. The married officers and their wives to be retained as hostages, and returned to us only when we had got beyond the Peshawur, and Dost Mahomed been restored to them. The envoy's answer to this was, that "death was preferable to dishonor, that we trusted to the God of Battles, and that in his name we defied them to come on." There is once more a blank of three weeks' duration in our information. The fighting appears to have continued with little intermission. On the 13th of December a severe action in the Khoord Cabool pass. On the 23d again a bloody conflict took place, where we were worsted, and suffered very severely. Further treaties seem to have taken place, for we find referred to in the despatch of the 28th, to terms which had before this been discussed. On Christmas day the envoy, attended by capts. Conolly, Lawrence, Trevor, and Mc Kenzie, having gone out, apparently at the request of the insurgent chiefs, to discuss the terms of capitulation, an angry interview ensued. It appears probable that the same insolent terms previously rejected by the envoy had been pressed upon him in manner more intolerably offensive than those formerly employed. He appears to have treated them with scorn; high words ensued, when sir Wm. McNaghten was shot dead on the spot, it is believed by the hand of Ukbhar Khan. Capt. Trevor, having drawn his sword and rushed on the murderer, was immediately cut to pieces, certainly, to his mind, rescue in fear that at least two of the remaining three officers have also perished. The charge of the mission now devolved on Major Pottinger, the man the most coveted envoyship, with a salary superior to the income of the governors of Madras or Bombay, with an amount of power scarcely exceeded by the governor general of India, fell to the lot of a lieutenant of the Bombay artillery—major only by brevet—a circumstance telling fearfully of the slaughter of our politicals. Nor did it lapse into unwarly hands.

They were enabled to retreat through an uninterrupted series of 90 miles of passes, the most difficult, perhaps, in the world, to fall back on the post of Jellalabad, at that time held by a force better off than themselves, and whose next point of retreat was through the Khybur pass to Peshawur, still 103 miles in their rear. The terms actually proposed by the insurgents, are not known, but they must have been conscious they were that we were utterly at their mercy. Private letters of the 28th announce that the garrison had not at that time left, but were about to move immediately. This is the last authentic date we possess. The native rumors, which usually by several days anticipate the arrival of regular intelligence, are that the force has quitted, and been in a great measure destroyed.

Other accounts mention that they have obtained fresh supplies, and can stand out a month longer. The hope unfortunately is almost impossible. In a month from the 28th December, it would be possible for the Bengal brigade to reach them were the passes clear of snow. Their only chance lies in this. How fearful has been the havoc during these miserable wars among the very flower of the intellectual men of our service! Eight political agents have perished violently amongst those whose affairs they had been appointed to arrange. Young Edward Connolly, brother of the traveller, was shot through the head by the side of sir Robert Sale, 29th Sept. 1840; Dr. Lord killed in Persian Durrah, Nov. 2; Alexander, successor, and Dr. Grant, his assistant and friend, were killed in Kohistan on the outbreak of the present insurrection; sir William McNaghten, sir Alexander Burnes, and Major Pottinger, are certainly (not far in at Khiva,) capt. Broadfoot, and lieut. Burnes, have become victims at Cabool.

The somebody fact of the death of A. Burnes, is confirmed by a manifesto in the Persian language, which had been addressed by the khans of Cabool to some of the subordinate chiefs. In this document it is stated that early in the morning of the third Tuesday of the blessed month Ramazan, (corresponding with the 2nd Nov. last,) they, with other brave heroes, "arriving like lions," carried by storm the house of Sikunder Burnes, rushing from an ambush right and left, and put him to the sword, together with some other Feringees of consideration, and nearly 500 battalion men. Thus, five native regiments are cut to pieces. The ladies of the envoy and the officers, sixteen in number, have been carried into captivity. Sir Wm. McNaghtan, our envoy has been treacherously assassinated by a son of Dost Mahomed, his head cut off, paraded through the streets on a pole, and stuck in derision on the walls of Cabool by the infuriated insurgents.

Ten thousand troops were to leave Europe for India.

The worst can be no longer doubted of the unhappy troops at Cabool. Accounts have been received which can be implicitly relied upon, and from which the following is an extract:

Google

"On the 11th of January, Dr. Bryden staggered into Jellalabad, wounded and confused from suffering and fatigue. He relates that our people quitted Cabool, under the convention agreed to by Major Pottinger, on the 5th inst. The cantonment was immediately occupied by the Afghans, and the English were almost instantly attacked. The march became and continued a constant fight.

"At the Khoord Cabool pass, about ten miles from Cabool, the Indies were sent back, under an escort of some of Ukbar Khan's people, who promised to protect them.

"At Tezeen, Gen. Elphinstone and Col. Shelton, were made prisoners. The native troops became disorganized and scattered. At Jagdalok four hundred of her majesty's 44th, who had before kept well together, became disorganized also, broke and scattered.

"Beyond this the doctor knows nothing, having with the greatest difficulty preserved his own life. He gives the names of seven officers whom he knows to have fallen. Brigadier Anquetil, Major Ewart, Lieut. Stuart are among them.

"Some stragglers may have escaped, but there is little hope that the main body have been anything but annihilated.

"We give up six bostages before leaving the cantonment—Webb, Walsh, Conolly, and three others, chosen, I suppose, by lot. There is more hope, perhaps, for the women than for any one else."

General Elphinstone (the report of whose death must have been erroneous) and Col. Shelton were taken prisoners. Something like a treaty, not very honorable to us, preceded his seizure and loss.

MOCHA. The Endymion frigate has received orders to visit the Shereef of Mocha, who, it appears, has been guilty of some misdeeds, for which he is to be brought to his senses by a few rounds of the frigate's broadside.

SOUTH AMERICA.

The Journal of Commerce has received dates from Peru and Bolivia to the 6th of February. The Bolivians continue to advance into the centre of Peru, though the Bolivian general has declared his desire to treat with Peru upon terms of peace. The semi-barbarian, Rosas, threatens to enter Chili at the head of an army of 8,000 men.

The British admiral, Thomas, has just arrived at Callao, in the Dublin, and it is said has positive orders to demand the immediate payment of $190,000 for claims of British subjects. Mr. Wilson, (the British charge d'affaires for Peru), has sent for Pumaus on his way to England, having demanded his passport, on account of several attempts to assassinate him, in which some of the high authorities of Peru are supposed to be concerned.

MEXICO AND TEXAS.

A letter from Brantz Mayer, secretary of United States legation, to the editor of the New Orleans Bee, dated at Mexico March 11, contains the American minister, Mr. Ellis, from the imputation of a want of interest and activity in relieving the misfortunes of such American citizens as were captured with the Texan Santa Fe invaders. Another letter states the amount of the Mexican debt to England at 60,000,000 dollars. The supposition of any intrigues of Mr. Packenham or British capitalists to effect the conquest of Texas would conflict with the inferences to be drawn from General Hamilton's letter to Santa Anna suggesting a proposed arbitration of England.

The letter of General Houston to Santa Anna published in the last number of the REGISTER bears date at the "Executive department, city of Houston, 21st March, 1842. Gen. H. thus states the circumstances which impel him to make this public issue with the president of Mexico:

"In reference to your correspondence with Mr. Bee and General Hamilton, I have no remark to offer in relation to communications which those gentlemen assumed the individual responsibility of making to you.

"The very nature of the correspondence manifests the fact that it was not done under the sanction of this government, but rests solely upon their motives as individuals. Had your respective regarded them in the light in which they were presented to you, it would have superceded the necessity of any notice from me. But as you have thought proper to land my conduct as an individual, and refer to transactions connected with this country, with which I had officially identify, and which I also at this time possess; and as you have taken the liberty, to an unwarrantable extent, to animadvert upon circumstances connected with Texas as a nation, I feel myself impelled by a sense of duty to refute a portion of the calumnies which you have presented to the world under the sanction of your official averment."

The following is the letter of Gen. Santa Anna, addressed to Gen. Houston in 1836, and appended to the publication of Gen. H.

[CONFIDENTIAL] *Orizimba, Nov. 5, 1836.*

To his excellency Gen. Sam. Houston:

RESPECTED SIR: Through the medium of the gentlemen who met as your commissioners, and by my verbal expressions on the 2d instant, I have informed you of the importance I attach to my visit to Washington, for the purpose of adopting the best and most efficient means by which the Texian question can at once be settled; and as day after day passes by without any arrangement being made, when it is of the highest importance that something definite should be done, I beg leave to request of you, who are so much interested in the welfare of this country, that you would press that point to a speedy decision, upon me in the interesting, I, if you think proper, of the following facts and observations.

The convention agreed upon on the 14th of May had for its fundamental principle that Texas should form itself into an independent nation, that its right to possession should be made manifest by means of the recognition of its independence, which it was my intention to endeavor to obtain from the government of Mexico. This principle is now totally changed by the declaration just made by the people of Texas of their intention to annex themselves to the United States of the north, which fact, in my opinion, from the moment that this pretension on the part of the people of Texas is admitted, reduces the question to a very simple point, because it will be hereafter for the cabinet of Washington to adjust that negotiation, and with which the government of Mexico will certainly not refuse to enter into the necessary explanations, and agree upon some mutual and definitive arrangement. Without loss of time and with the view of obtaining so important an object, by which all interests will be thus conciliated, is what I propose to do in my conference with the cabinet at Washington.

Convinced as I am that Texas will never reunite itself again with the republic of Mexico, I feel assured that no good would derive to the advantages she can yet obtain, and avoid the sacrifices she would undoubtedly sustain, by a rash attempt to recover a country which, if it has been derived no real benefits, but, on the contrary, very heavy burdens. It is thus that the Texian question is now reduced to this simple point for consideration: *The attitude of the relations (rights?) between the United States and Mexico*—which, as you well know, has been pending for several years, and which, by being properly agitated and discussed over at Washington, could be easily fixed either by the river Nueces, the Rio Grande, or some other point of demarcation; thus avoiding much unpleasant strife, which, in the meantime, might make the matter in question, or disturb the amicable relations of two friendly nations.

Here, therefore, you have the substance of the plain, certain, and compact manner by which this important subject can at once be adjusted; and it being the interest of all, it is necessary, therefore, that you should facilitate my immediate departure for Washington.

Although my journey will not be direct to Vera Cruz, according to the stipulations contained in the present treaty, yet this will not be found strange, when the motives which compel me first to proceed to Washington are so well known. If I am permitted to repair to that city, I should be much pleased to do so in company with Messrs. Hockley, Patton, and Bee, whom you can commission to that effect, if these gentlemen will meet your approbation.

I close this by repeating to you, what I have already said in writing and by words, that, as my name is now known to the world, I shall never permit it to be sullied by an intentional action of mine; that, gratitude being characteristic with me, consequently you shall never have cause to regret or to repent what you have done. To you (A. V.) I owe my existence, and many other favors which I shall ever remain engraved in my heart, and for all of which it will be my special duty to endeavor to make a worthy and a quick return.

That your health may long be preserved is the wish of your sincere friend and servant, Q. B. S. M.

ANTONIO LOPEZ DE SANTA ANNA.

P. S.—If you have no use for the letter addressed to me by Gen. Jackson, please return it to me by Major Wm. Patton. L. DE SANTA ANNA.

New Orleans Bulletin details information from Matamoras to April, 3d and says; we learn from Captain M. there had been nothing heard of a war with Texas, nor had any troops marched from the seaboard. The force at Matamoras was estimated at 800 to 1,000 men. There were said to be about 400 at Monterey; and at Tampicoosme 2 or 3,000. Our informant thinks but little would be made in the way of plunder, should the Texians capture Matamoras. He says the local merchants are all foreigners, from different parts of Europe and the United States, and does not believe there is a single Mexican resident possessing property worth taking. The Courier gives the following from Monterey papers to the 21st ult.

A letter from General Rafael Vasquez, commander of the expedition to Bexar, and dated on the banks of the Rio Grande, March 11th, gives an account of his retreat, which was effected without hindrance or molestation on the part of the Texians. He adds, that on arrival near Great River, so exhausted were the horses of his men, that had they been attacked, not more than forty of them would have been able to join in the charge. A letter from Pedro de Ampudia relates how he captured Goliad with only 120 men. The Monterey editor says, these operations are only some little preludes to what will follow. By the bye, General Vasquez, says that the Texians were 200 strong at Bexar, before they abandoned the place. A letter from General Arista, after expressing his satisfaction that no outrage on the rights of individuals or property, had attended the occupation of Bexar by the Mexican troops, repeats the assurance that the promises held out in his proclamation of the 9th of January, will be strictly fulfilled.

The Bulletin of the 6th instant says that Campeachy papers of the 15th ult. contain a statement of the force of the Mexican army. The actual force on foot and mounted was upwards of 40,000 men—some of them not thoroughly disciplined, but they were under a rigid course of drilling. The army was then stationed thus:—3,600 in Xalapa; 1,500 in Perote; 2,000 in Vera Cruz; 1,200 in Tuxpan; 22,000 in the capital, and the remainder at various points. No mention is made of a probable movement of this army upon Texas; and, indeed, it is believed few of them can safely be spared from their present locations.

The Campeachy papers also state that a great struggle is preparing for the next presidency, the candidates being Santa Anna, Valencia and Paredes, and with every probability that the former will succeed.

The New Orleans Bee in publishing Mr. Mayer's letter, remarks that, "the discrepancies in the statements made by Mr. Mayer and young Combs are easily accounted for, without disparaging the credibility of either. It will be observed that Mr. Mayer assumes that young Combs was liberated through the interference of Mr. Ellis. This supposition is negatived by Santa Anna, in his letters to General Hamilton and Colonel Bee, in which he states, that both Combs and Van Ness were set at large in consequence of their youth and the respectability of their relations. Mr. Mayer is in all probability correct in his opinion; in that case, Santa Anna's audacious disavowal of the real motives for his release of those gentlemen, is an additional argument for speedy and active measures on the part of this government, to vindicate its character and respectability abroad.

These documents are received by way of Havana, to which they were taken by the Royal Mail steam ship Solway.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

WITH AND WITHOUT THE ADVICE AND CONSENT OF THE SENATE.

Collector of the customs. Robert Mitchell, at Pensacola, Florida. Reappointed.

William Nelson, at Yorktown, Va. Reappointed.

Land office. B. Clark, register, Fayette, Missouri, vice Hampton L. Boon whose commission has expired.

Consul. Jean Jacques Aversene is recognised as consul for France at the port of Mobile, Alabama.

THE SETTLEMENT OF THE BOUNDARY.

We have repeatedly expressed our conviction that the mission of Lord Ashburton is conciliatory, and sincere in its professions of pacific design. In that case, his instructions on the boundary difficulty must, as we suppose, embrace certain concessions, which will invite and warrant a corresponding temper and terms on our part.

We quoted a few days since a rumor from an eastern paper purporting that a special session of the legislature would be called during the season, for some new action on this subject. Information has since reached us, from another quarter, that Gov. Fairfield will be requested by the national executive to take this step. The authority of the legislative department will be necessarily required to initiate and to sanction those measures which may be appropriate to the expected contingency.

The people of this state, of all parties, will not

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hesitate to sustain the governor and the legislature in such line of conduct, discreetly pursued by the same proposed tenor of negotiation at Washington may require. Conciliation from the other side demands forbearance and liberality on our part. Maine has abundantly shewn her resolution in opposing the exclusive claims of the British government; therefore insisted on, and now, there is reason to hope that pacific negotiation on fair and equal terms, will save the point of honor for both parties, and end a strife which has long harrassed both nations.

A special session of the legislature will be attended with some inconvenience and cost, but there is ground to hope for results which will be amply remunerating.

We do not understand that particulars of Lord Ashburton's instructions have transpired. Our remarks on that point are much in the way of inference. Governor Fairfield will doubtless be advised how far those instructions may warrant special consideration by this state, and if our inferences shall prove correct, we think the governor should be sustained, generally, in taking the necessary steps in the premises.

[*Portland Advertiser.*

THE BOUNDARY SURVEY. It appears from the letter of Mr. Webster, communicated to the House of Representatives on the 8th instant, that the north boundary line of the United States from the source of the St. Croix river, has been run and marked by the commissioners appointed for that purpose, to a point four miles north of the river St. John; and that this point is supposed to be sixty miles from the intersection of this line with the highlands, by which the northeast angle of New Brunswick is formed. A great object of the survey is to ascertain where the angle is, and this cannot be ascertained until this line is carried to its termination. The estimate for the report of the last year's survey has just been laid before congress. The estimate of expense for completing the survey, and for completing the maps of the surveys already made, is $66,301. [*Bost. Jbr.*

THE NAVY.

U. S. BRIG DOLPHIN. The Norfolk Beacon of Thursday says: The United States brig Dolphin, lieut. com. McKeon, (of the home squadron), arrived here yesterday afternoon, and anchored off the Naval Hospital.

There are at present lying at that anchorage, the Pennsylvania, ship of the line, Captain Skinner, bearing the flag of Com. Shubrick; sloops of war Vandalia, Com. Ramsay, bound to the coast of Africa; Falmouth, Com. McIntosh, of the home squadron; and brig Dolphin, mentioned above.

The New York Courier says: "the steam frigate now being built in Philadelphia, under the direction of capt. R. F. Stockton, we learn will be in her destined element in October next. We make a prediction: it is, that this steamer will be superior to anyone now afloat; whether American or European. There are many reasons why this should be so. Among these, is the onward progress of all things, whether those relate to the sciences or the arts—but these elements are of little avail, unless they are in *hands* that are skillful, governed by *heads* that know how to combine and control them. *He knows Captain Stockton.* He is no half way man in *any* thing. We look, and the public look, with great interest, to the result of his powers in the construction, &c. of this ship. We learn moreover that she will carry a war messenger, in the shape of a gun, that will discharge a *three hundred pound shot with mathematical certainty.* The gallant captain has our best wishes, as we are sure he has of the whole country."

The Philadelphia U. S. Gazette announces much activity at the navy yard at that place; the Raritan frigate is rapidly approaching completion, 150 carpenters and caulkers employed about her, and the whole number of men employed on her being about 450. The keel of one of the six hundred tons steamers, ordered by congress was ready to be laid down.

The ship of line Columbus is now in the dry dock at Charlestown undergoing repairs. The frigate Cumberland at the same yard will be ready for launching in a month or two. She is of the largest class, about 1,700 tons, and will carry a heavy armament. A brig of war 250 tons at the same yard will be ready for launching in the course of a few weeks.

Buenos Ayres, Feb. 5. The American squadron on the Brazil and La Plate station anchored off Monte Video on the 30th ult. It is composed of the following vessels: Delaware, 92 guns, capt. Charles S. Mecauley, bearing the broad pendant of commodore Charles Morris. Potomac, 56 guns, capt. Geo. W. Storer. Concord, 24 guns, commodore Wm. Boerum. Marion, 16 guns, commander Wm. J. Bell. Decatur, 16 guns, commander Henry W. Ogden. Enterprise, 12 guns, commander L. M. Goldsborough. We understand that commodore Morris is shortly expected to visit our harbor, with most of the smaller vessels of his squadron.

The Madisonian announces the official dismissal of capt. Clack, from the naval service of the U. States.

The Norfolk Beacon states that capt. John Paul Zantzinger has been appointed to the command of the U. S. ship Pennsylvania, flag ship of com. Shubrick, vice capt. Charles Skinner, detached, to take effect on the first of May.

The U. S. brig Truxton, was launched at Norfolk on Saturday.

The U. S. brig Somers, a beautiful vessel of 150 tons, and of twelve guns, was launched at the navy yard at Brooklyn, on Saturday.

The brig Bainbridge, of the same size and model, is ready for launching at the Charlestown navy yard, and is only waiting orders from the department.

SENECA INDIANS. INDIAN COUNCIL—NEW TREATY. On Saturday last a council was held at the council house on the Buffalo Creek Reservation, which promises to be followed by important results. The council was called at the instance of the Friends, and was attended by Baltimore and Philadelphia delegations from that body, and by nearly, if not quite, all the chiefs on the Tonawanda, Buffalo Creek and Cattaraugus Reservations. The Friends with characteristic philanthropy are aiming to effect a compromise between the supporters and opponents of the late treaty, which has been productive of much heated discussion, and for that purpose they submitted to the Indians the following propositions, which, it is said, are agreeable to the Ogden company: to annul the late treaty and make a new one by which the Indians on the Tonawanda and Buffalo Creek Reservations shall give up those lands, and all be concentrated on the Cattaraugus Reservation. This last named reservation, embracing some fifty odd thousand acres, is sufficiently large for the accommodation of all the red men, and the Friends believe if they can there be secured and be brought under proper educational and moral supervision, their condition can be vastly improved. The propositions have very generally been favorably entertained by the Indians, and strong hopes are cherished that all the unhappy difficulties which have existed for the past few years will be amicably and finally settled. Of course whatever arrangement may be made must receive the governmental sanction to give it validity, but no opposition, we presume, will be experienced in that quarter. [*Buffalo Jdv.*

STATES OF THE UNION.

RHODE ISLAND.

THE ELECTION of the "people's constitution party" went off on Monday 16th, quite peacably. In Providence 2,154 votes were cast. The Dorr election took place on Wednesday. The N. York American presumes the force of public opinion in other states, and the proper and decisive manifestation of his views by the president, will prevent any serious opposition to the organization of the state government, to be determined by the latter election.

BY HIS EXCELLENCY SAMUEL WARD KING, *Governor, captain general and commander-in-chief of the state of Rhode Island and Providence plantations.*

A PROCLAMATION.

Whereas I have this day received from his excellency JOHN TYLER, president of the United States, a communication touching the political affairs of this state, a copy whereof is hereunto annexed, I do therefore issue this my proclamation, to make known the same to the good people of this state, that they may take heed thereof, and govern themselves accordingly.

In testimony whereof, I have caused the seal of said state to be affixed to these presents, and have signed the same with my hand. [L. s.] Given at the city of Providence, on the fourteenth day of April, in the year of our Lord one thousand eight hundred and forty-two, and of the independence of the United States of America the sixty-eighth.

SAMUEL WARD KING.

By his excellency's command:

HENRY BOWEN, secretary of state.

To his excellency the governor of Rhode Island:

SIR: Your letter dated the 4th inst. was handed me on Friday by Mr. Whipple, who, in company with Mr. Francis and Mr. Potter, called upon me on Saturday, and placed me, both verbally and by writing, in possession of the prominent facts which have led to the present unhappy condition of things in Rhode Island—a state of things which every lover of peace and good order must deplore. I shall not adventure the expression of an opinion upon those questions of domestic policy which seem to have given rise to the unfortunate controversies between a portion of the citizens and the existing government of the state. They are questions of municipal regulation, the adjustment of which belongs exclusively to the people of Rhode Island, and with which this government can have nothing to do. For the regulation of my conduct, in any interposition which I may be called upon to make, between the government of a state and any portion of its citizens who may assail it with domestic violence, or may be in actual insurrection against it, I can only look to the constitution and laws of the United States, which plainly declare the obligations of the executive department, and leave it no alternative as to the course it will pursue.

By the 4th section of the 4th article of the constitution of the United States it is provided that the United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on the application of the legislature, or executive, (when the legislature cannot be convened), against domestic violence. And by the act of congress approved the 28th February, 1795, it is declared, that, in case of an insurrection in any state against the government thereof, it shall be lawful for the president of the United States, upon application of the legislature of such state, or of the executive, (when the legislature cannot be convened,) to call forth such number of the militia of other states as may be deemed by him, as he may judge sufficient to suppress such insurrection. By the 3d section of the same act it is provided that whenever it may be necessary, in the judgment of the president to use the military force hereby directed to be called forth, the president shall forthwith, by proclamation, command such insurgents to disperse and retire peacably to their respective abodes within a reasonable time.

By the act of March 3, 1807, it is provided "that in all cases of insurrection or obstruction to the laws of either of the United States or any individual state or territory, where it is lawful for the president of the United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the laws to be duly executed, it shall be lawful for him to employ for the same purposes such part of the land or naval force of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect."

This is the first occasion, so far as the government of a state and its people are concerned, on which it has become necessary to consider of the propriety of exercising these high and most important constitutional and legal functions. By a careful consideration of all the above recited acts of congress, your excellency will not fail to see that no power is vested in the executive of the United States to anticipate insurrectionary movements against the government of Rhode Island, so as to authorize the interposition of the military authority, but that there must be an actual insurrection, manifested by lawless assemblage of the people or otherwise, to whom a proclamation may be addressed, and who may be required to betake themselves to their respective abodes. I have, however, to assure your excellency that should the time arrive—and my fervent prayer is that it may never come—when an insurrection shall exist against the government of Rhode Island, and a requisition shall be made upon the executive of the United States to furnish the protection which is guaranteed to each state by the constitution and laws, I shall not be found to shrink from the performance of a duty which, while it would be the most painful, is at the same time the most imperative. I have also to say that in such a contingency, the executive could not look into real or supposed defects of the existing government, in order to ascertain whether another plan of government proposed for adoption was better suited to the wants and more in accordance with the wishes of any portion of her citizens. To throw the executive power into this government in such a contingency, would be to make the president the armed arbitrator between the people of the different states and their constituted authorities, and might lead to an usurped power, dangerous alike to the stability of the state governments and the liberties of the people. It will be my duty, on the contrary, to respect the requisitions of this government which has been recognised as the existing government of the state through all time past, until I shall be advised in regular manner that it has been altered and abolished, another substituted in its place, by legal and peaceable proceedings, adopted and pursued by the authorities and people of the state. Nor can I readily bring myself to believe that any such contingency will arise as shall render the interference of this government at all necessary. The people of the state of Rhode Island have been too long distinguished for their love of order and of regular government, to rush into revolution in order to obtain a redress of grievances, real or supposed, which a government under

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which their fathers lived in peace would not in due season redress. No portion of her people will be willing to drench her fair fields with the blood of their own brethren, in order to obtain a redress of grievances which their constituted authorities cannot for any length of time resist, if properly appealed to by the popular voice. None of them will be willing to set an example, in the bosom of this union, of such frightful disorder, such needless convulsions of society, such danger to life, liberty, and property, and likely to bring so much discredit on the character of popular governments. My reliance on the virtue, intelligence, and patriotism of her citizens is great and abiding, and I will not doubt but that a spirit of conciliation will prevail over rash counsels, that all actual grievances will be promptly redressed by the existing government, and that another bright example will be added to the many already prevailing among the North American republics, of change without revolution, and a redress of grievances without force or violence.

I tender to your excellency assurances of my high respect and consideration. JOHN TYLER.

Washington, April 11, 1842.

NEW YORK.

On 11th April, two days previous to the adjournment Mr. Strong of the senate reported a bill to repeal the law granting the right of habeas corpus to fugitive slaves. Mr. Strong moved the bill to a third reading. He said that while New York would never submit to any invasion of the rights of her citizens, on the part of any other state, she was willing to bow submissively to the decision of the highest tribunal in the country, for that was the supreme law of the land.

Mr. Dixon said if the decision of the supreme court went to the extent which newspaper reports would seem to indicate, he did not know but what we were bound to pass this bill. So far as the mere question of the constitutionality of the act was concerned, he could not say but what the majority of the committee were correct. But he would not give his assent to the preamble which preceded the bill. He hoped that, at least, would be stricken out.

The bill was then ordered to a third reading by a vote of ayes 19, nays 8—several senators saying that if they would vote to order it to a third reading, but would not vote for its final passage.

Mr. Strong then submitted a preamble and resolution declaring that stealing a slave, contrary to the laws of Virginia, is a crime within the meaning of the constitution, and directing that copies of this preamble and resolution be transmitted to the executive of Virginia. Adopted by a vote of 16 to 14.

The same was passed by the house on the same day and express opinions adverse to the positions assumed by the governor, in his recent message to the executive of Virginia, in relation to a demand of the latter for the delivery of certain persons claimed as fugitives from justice. The legislature insert, in opposition to Gov. Seward, that the stealing of a slave, within the jurisdiction and against the laws of Virginia, is a "felony or other crime," within the meaning of the constitution of the United States.

Governor Seward thus properly and manfully vindicates both his executive rights and the rights of his fellow-citizens. [N. Y. *Amer.*

MESSAGE FROM THE GOVERNOR.

Executive chamber, April 12, 1842.

TO THE LEGISLATURE.

I received last evening a preamble and resolution in which the legislature, after stating my refusal to surrender Peter Johnson, Edward Smith and Isaac Gansey as fugitives from justice, and further reciting that I had assigned as the reason for that refusal that stealing a slave within the jurisdiction and against the laws of Virginia was not a crime within the meaning of that part of the constitution of the United States which relates to the demand and surrender of fugitives from justice has expressed an opinion adverse to the construction of that instrument which I had thus adopted. The subject to which the resolution refers is exclusively one of executive responsibility, the duties of this department in regard to the demand and surrender of fugitives from justice being prescribed, not by the constitution or any laws of the state, but by the constitution and laws of the United States. Nevertheless, it is not only rightful but it has always seemed to me to be proper for the legislature to express its opinion upon the subject by way of advice, and such an expression is more proper when the adherence of this department to its decision has, with other causes, resulted in unconstitutional aggression and retaliatory acts by Virginia and South Carolina.

Grateful, therefore, to the legislature for the advice which has thus been received, I have considered it with the most respectful deference to their wisdom, and with an anxious desire for harmony and agreement upon a question in which the rights, interests and honor of this state are deeply involved. After thus considering the subject, without the benefit, however, of any of the arguments which have brought the legislature to a different conclusion, I remain of opinion, that beings possessed of the physical, moral and intellectual faculties common to the human race cannot, by the force of any constitution or laws, be goods or chattels, or a thing; and that nothing but goods, chattels, and things can be the subject of larceny, stealing or theft. The constitution of the United States, so far from controverting truths which seem to me so obvious, acknowledges them by carefully treating persons held in involuntary servitude as bondage, and as property, just as many, while the declaration of Independence, expounding what to any mind may seem obscure in the constitution, declares that all men are born free and equal, and have the inalienable right to enjoy life and liberty, and to pursue the way to human happiness. In view of the crisis at which our relations with other states have arrived, and of the high duties devolved upon me, it seems my duty to make no delay in submitting these views to the legislature.

I am requested by that body to communicate the preamble and resolution to the executive of Virginia. The constitution of this state declares that it shall be the duty of the governor to expedite all requests made by the executive of Virginia, the legislature, and to take care that the laws are faithfully executed. But the legislature cannot effectually resolve upon any measure, or impose a duty on the executive, without the concurrence of both houses, and becoming laws by the executive approval or by a constitutional majority notwithstanding his objections.

In proper cases I cheerfully comply with the requests of the senate and assembly—but I cannot do so when a request conflicts with constitutional duties. I could not transgress my duties in the present case without silently acquiescing therein, and thus waiving a decision to which I adhere, or without accompanying the communication to Virginia with a protest of my dissent. The former course would be a plain, palpable dereliction of constitutional duty. The proceeding, if the latter alternative were adopted, would not tend to embolden any respect in which this state is held by her sister states and by the civilized world.

Cherished principles of civil liberty forbid me equally from recognising such a natural inequality among men as the resolution of the legislature seems to me to assume, and from contributing in any way to perpetuate the inequalities of political condition, from which results a large portion of the evils of human life.

The senate and assembly will therefore excuse me from assuming the duties which an assent to their request would impose, and will, if it be proper, select some other organ of communication with the executive authority of our sister commonwealth.

WILLIAM H. SEWARD.

NORTH CAROLINA.

Resolutions, as adopted at the North Carolina Whig Convention, held at Raleigh, the 4th and 5th inst.

Resolved, By the whigs of North Carolina, in convention assembled, that the death of WILLIAM HENRY HARRISON was an event deeply to be lamented by every friend of his country—and that subsequent events have taught us to regard it as the greatest calamity which has befallen the nation.

Resolved, That the great whig principles for which the contest of 1840 was waged and won, are as dear to us now as then, and that neither the desertion and treachery of supposed friends, nor the taunts and opposition of open adversaries, shall depress the energy or cool the ardor of our efforts to promote and perpetuate those principles as the best safeguard of our country, and the best inheritance of our children.

And whereas, John Tyler, the present President of the United States, was nominated by the National Whig Convention, which met at Harrisburg in December, 1839, as the whig candidate for the office of vice president, and accepted the said nomination, and was by the exertions and support of the whigs of the United States, elected to that office:

Resolved, That when by the death of Wm. Henry Harrison, he succeeded to the first magistracy, he was bound by every consideration affecting the integrity of man, to carry out in his administration the great principles of the party by which he was elected.

And whereas, the said John Tyler, instead of thus discharging the duties of the high office so devolved upon him, has renounced the principles and abandoned the party which brought him into power; whilst by adopting the measures and wooing the support of a party, lately the object of his declared opposition and distrust, and by scarce disguised prodigacy in the application of the patronage of the government, he has attempted, and is attempting, with utter disregard of dignity and duty, to buy up a party, and thus secure to himself a re-election: therefore,

Resolved, That this convention disavows all political connection with, and support of, the said John Tyler; approves the proceedings and address of the whig members of congress at the close of the late extra session, and holds the whig party discharged from all responsibility for the conduct of public affairs, whilst controlled by the present administration.

Resolved, That HENRY CLAY, of Kentucky, by eminent abilities, extensive knowledge, sound judgment, liberal and patriotic views, and by long, arduous and unsparing devotion to the service of his country, has entitled himself to the undivided confidence and support of the people of the United States—and that he possesses the first place in the affections of the whole whig party of this state: and therefore,

Resolved, That this convention, for themselves and the whigs of North Carolina, do propose and nominate the said HENRY CLAY for the next President of the United States, and do pledge themselves to give the nomination a hearty and persevering support.

And this convention does earnestly and respectfully urge the whig party of the Union to unite with their brethren of North Carolina in this nomination, and its steady and constant efforts to promote its success.

Resolved, That the whole official conduct of JOHN M. MOREHEAD in his present exalted station, merits the hearty approval of this convention; and that the whig party of the state, relying with entire confidence upon his integrity, intelligence, impartiality, diligence and economy, in administering the affairs of the state, do, with one heart and one voice, desire his re-election: and therefore,

Resolved, That this convention, in behalf of themselves and their constituents, do hereby nominate him for re-election in August next.

HOME INDUSTRY.

CONVENTION OF THE FRIENDS OF HOME INDUSTRY.

The committee appointed to state the influence which protection to home industry and a reciprocal trade with foreign nations has upon the general interests of the country, respectfully report:

The subject is full of interests, and presents conclusions in favor of protection and reciprocal commerce, too numerous to be given with the brevity desirable on this occasion. The committee will therefore confine themselves to a few points which they think have a new bearing on the subject, and such others as, from their irresistible force, cannot be omitted.

Labor is the life of the commonwealth; capital the product. Prostrate or neglect the former, and every fibre of the community becomes a sufferer. The social compact which invests government with the power, and holds its individuals, to protect the interests of the state, implies security to the motive principle of the whole, to wit, LABOR, *physical and intellectual*. The nation stands highest in moral and physical greatness, which gives the highest rates of wages and the largest returns for labor. It approaches nearest to an equal and mutual dependence, which is the most elevated state of national independence of which society is capable. It is equally removed from the wretchedness of pauperism and the oppression of the overgrown capitalist. Such has heretofore been the situation of our favored nation.

As the choice in the pursuits of labor rests with individuals, the measure of protection to each branch thereof is left to the government, with that government which the people can make or unmake. Wise or successful legislation cannot always be expected of those entrusted with government; but fidelity to the expressed will of the people should be demanded. It cannot be doubted that the nation now wills, that protection, ample and permanent, should be given to American labor in all its branches. And why?

Because, in addition to the foregoing reasons, it involves protection to our agricultural and manufacturing interests, and secures, by a reciprocal commerce, at home and abroad, the possession of a free trade, based on reciprocity of equivalents. None other should a free people tolerate.

Is it asked, what is meant by protection to labour? It is occupation—secure, productive, steady, and unshackled—free from foreign aggression, sectional favoritism, and vacillating party compromises; occupation, that tends to satisfy individual preference, if in connexion with national advantage, but not other-

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wise. With the government, as has been stated, rests the choice of discriminating what is meritorious by of protection; and, unless the people choose to throw away their strength for that vassalage to party which prefers the husks to the golden grain, the right of suffrage must decide which occupations have most votes.

Political collusion, or party log rolling, as it is called, may defeat the true interests of the country for a time, and this crime deserves at the hands of congress the punishment of treason to the state; but if there is not virtue or suffering enough among the people to correct this abuse, the commonwealth must remain a cripple. We think, however, there is both, and that this convention is a prognostic of renewed health in the body politic.

The measure of protection to each interest seems difficult, but, if it is adequate to all, the difficulty vanishes. The fear of giving too much protection—and the preference of a low, back-sliding, minister scale of duty, tending downward, until it is no protection whatsoever, has been the fruitful source of our embarrassments. Sectional jealousy and manner away has influenced some, but a political delusion has been the principal cause of our present predicament. We now, however, perceive light dawning again in that quarter from where the first beams of protecting policy of the country, and the stars which have irradiated her long night of error, already are becoming pale at the return of day. The South is awakened at her own sense of danger, and roused from her magnetic sleep, she now discovers that she most of all perhaps needs protection in no stinted measure.

To protect home interests, however, is no longer a question of policy *in any part of the country.* It is necessary.

Protection is due to all branches of industry—the planting and agricultural states, as well as to our commerce, navigation and fisheries; but in an especial manner, to manufacturers, artisans, and mechanics; not merely because their employment is low of wages, but the former have large capitals invested, and, in connection with both the latter, are constantly improving the arts, sources of wealth and independence to the country. They more than pay for all the fostering care they get from government, not merely by inventions, new improvements, consumption of home products, employing our agricultural industry, and encouragement to commerce, but in the direct cheapening of the cost of every thing they manufacture. The sequence which produces this is known matter of fact, and has the brevity of a syllogism to exemplify it. PROTECTION—HOME COMPETITION, AND REDUCTION IN PRICE. These follow one another as faithfully as the shadow follows the substance. The reduction in price, too, *where protection is ample*, will go to the lowest extent that will sustain the manufacturer, which must depend on the cost of the raw materials and price of labor; but deprive him of protection, and you muzzle the ox that treadeth out the corn; you give our children's bread to the dogs, and ask aims of foreign countries rather than be rich and independent within ourselves.

But our manufacturers and laboring artizans will not now be content without protective aid. *War is protection to them.* They know it. And yet, *friends of peace and the peaceful arts as they are*, is it to be supposed that if denied protection by the government, and not permitted to eat the bread of their honest industry and enterprize which they have been accustomed to earn, that they will not foment the causes of war, so rife at this moment, and bring about that forced state of protection they desired at once afford them profit and employment? Low murmurings of this policy are already heard from discharged workmen and weary-hearted labor; is it not this feeling a natural one, and full of apprehension to the reflecting? Ample protection to their interests is absolute protection to that of all others; and yet how lingering, slow and relucant are the measures of relief talked of, as if our legislators were conferring a boon on a set of pensioners! How long the talking is to continue is a matter of deep apprehension to thousands, but congress cannot adjourn without settling the principles of a tariff for revenue as well as protection. It is a grave business, one in which the millions represented by us in this convention, as well as those who are not represented here, have a deep interest; and it should be attended to.

No party, no secret sectional conclave, is here met, to agitate treasonable or unconstitutional influence upon the government, or any part of our beloved country; but delegates from all parties, and all the broad interests of the nation, come together openly, and with patriotic motives, to devise measures of relief to our suffering constituents. Relief must come to the hearth of every family, and the bosom of every American throughout the land; relief from want and the dread of want every where. We ask with one voice for *protection to American labor;* and to this motto we are sure that every star in our national banner, will lend its radiance, and the eagle which sustains it will carry victory on its wings—that victory which is peace—peace with protection and not war without it. Let it no longer be said that in this country, foreigners and smugglers are alone protected; and that we are ready enough to resist a right of search and trespass on our property, on shores on the ocean; whilst our harbors and home markets, and even our pockets, are searched by adventurers from every foreign country on earth. No such abuse do we feel interested in correcting, our manufacturers and our citizens need no such extra patronage; but they are becoming tired of being fleeced and shorn of their fair proportion of their own trade and ask legislators and executives to protect them. Will congress not listen to them?

The advocates of free trade, falsely so called, and of low wages, where high rates would give larger products to labor and capital, seem not to know where their delusive theories would land them. How low would they have wages reduced in the country? To the same level they have reduced it in the still lower pittance meted out in the Oriental countries? How near to nothing would they reduce their compensation for a day's work and protection thereto? To nothing or the next thing to it? Their theory infallibly leads them to this, and free trade is just about as consistent. It is Utopian—a gull trap for the unwary, and unsound and unsafe.

But there are those, who cannot be persuaded that the protective policy will be a good one, because it produces such striking instances of want and wretchedness in England. A moment's consideration ought to convince them, that these apprehensions are groundless. A monopoly of land holders in Great Britain, whose sound interest, independent of their being protected by aristocratic influence and corrupt monoyed interference in elections, causes a depression in the rates of wages, permanently unfavorable to the humbler classes. This is a grievance, and we fear is likely to be so. Even a repeal of the corn laws, it is feared, will not now give him ample employment. It is but fair to the landed proprietors it too large to be maintained by an overgrown manufacturing system, which has lost its advantage by e uptidity, that has turned customers into rivals. The evils England has to contend with may be mitigated, but cannot be cured, without a new formation of the elements of its social compact. Our own unrivalled advantages, in point of extent and position, must inevitably place us, ere long, far above her highest point of numerical or physical strength. Our territory is almost boundless. Open competition will prevent monopolies either by land holders or capitalists. The laboring classes in all departments, if protected against foreign fraud and interference, will have ample occupation and demand for what they produce, and a paralysis, such as now exists and which ought never to have existed, will probably not occur again in many years. It is true, that a people may become bankrupt in principle, and, by their measures, but this insanity cannot long continue; and when once our credit is restored, there may be danger of our running again into debt to foreigners, in be again crippled in our finances, as we are at this moment. But with proper protection to our industry at home and due encouragement to a reciprocal commerce, to enable us to exchange our surplus products, for such necessities or comforts as we may require, the evils of overtrading abroad will be limited; and with a well regulated sound currency for exchanges, on a secure metallic basis and the aid of a revenue, collected every where in cash or its equivalent, the prosperity of our country cannot be questioned, nor need any doubt exist, that its glorious destiny will be accomplished. All which is respectfully submitted.

C. C. HAVEN,
S. EARL HOWARD, } *Committee.*

THE RIGHT OF SEARCH.

DIPLOMATIC.

LORD ABERDEEN'S NOTE TO THE MINISTER MR. STEVENSON.

From the London Times, March 30

The following is a copy of the reply addressed by the earl of Aberdeen to Mr. Everett, the successor of Mr. Stevenson, as American minister in this country.

"The undersigned, &c. has the honor of addressing to Mr. Everett, &c. the observations which he feels called upon to make in answer to the note of Mr. Stevenson, dated on the 21st of October.

"As that communication only reached the hands of the undersigned on the day after the departure of Mr. Stevenson from London, on his return to America, and as there has since been no minister or charge d'affaires from the United States resident in this country, the undersigned has looked with some anxiety for the arrival of Mr. Everett, in order that he might be enabled to renew his diplomatic intercourse with an accredited representative of the republic. Had the undersigned entertained no other purpose than to controvert the arguments of Mr. Stevenson, or to fortify his own, in treating of the matter which has formed the subject of their correspondence, he would have experienced little impatience; but as it is his desire to clear up doubt and to remove misapprehensions, he feels that he cannot too early avail himself of the presence of Mr. Everett of his ministry to his knowledge the true state of the question at issue.

"The undersigned agrees with Mr. Stevenson in the importance of arriving at a clear understanding of the matter really in dispute. This ought to be the first object in the difference of states as well as of individuals; and, happily, it is often the first step to the reconciliation of the parties. In the present case this understanding is doubly essential, because a continuance of mistake and error may be productive of the most serious consequences.

"Mr. Stevenson persists in contending, that the British government assert a right which is equivalent to the claim of searching American vessels in time of peace. In support of this, Mr. Stevenson refers to passage in a former note of viscount Palmerston, addressed to himself, against which he strongly protests, and the doctrine contained in which he says is that the undersigned is understood to affirm.

"Now, it is not the intention of the undersigned to inquire into the precise import and force of the expressions of Viscount Palmerston. These might have been well adapted to Mr. Stevenson by their author at the time they were written; but the undersigned must respect that his doctrines upon this subject, and those of the government of which he is the organ, may be judged of exclusively from his own declarations.

"The undersigned again renounces, as he has already done, in the most explicit terms, any right on the part of the British government to board American vessels in time of peace. The right of search, except when specially conceded by treaty, is a purely belligerent right, and can have no existence in the high seas during peace. The undersigned apprehends, however, that the right of search is not confined to the verification of the nationality of the vessel, but extends to the object of the voyage and the nature of the cargo. The sole purpose of the British cruizers is to ascertain whether the vessels they meet with are really American or not. The right asserted has, in truth, no resemblance to the right of search, either in principle or in practice. It is simply a right to satisfy the party who has legitimate the right in knowing the truth that the vessel actually is what her colors announce. This right we concede as freely as we exercise. The British cruisers are not instructed to detain American vessels under any circumstances whatever; on the contrary, they are ordered to abstain from all interference with them, be they slavers or otherwise. But where reasonable suspicion exists that the American flag has been abused for the purpose of covering the vessel of another nation, it would appear scarcely credible but it not been made manifest by the representations of their representative, that the government of the United States, which has stigmatized and abolished the trade itself, should object to the adoption of the means are indispensably necessary for ascertaining the truth.

"The undersigned had contended in his former note that the legitimate inference from the arguments of Mr. Stevenson would virtually extend the right to the sanction of piracy, when the persons engaged in it should think fit to shelter themselves under the flag of the United States. Mr. Stevenson observes that this is a misapprehension on the part of the undersigned; and he declares that in denying the right of interfering with vessels under the American flag he intended to limit his objection to vessels bona *fide* American, and not to those belonging to nations who might fraudulently have assumed the flag of the U. States. But it appears to the undersigned that his former statement is by no means satisfactorily controverted by the declaration of Mr. Stevenson. How is this *bona fides* to be proved? Must not Mr. Stevenson either be prepared to maintain that the flag alone is sufficient evidence of the nationality of the vessel, which, in the face of his own repeated admission, he cannot do, or must he not confess that the application of his arguments would really afford protection to every lawless and piratical enterprise?

"The undersigned had also expressed his belief that the practice was general of ascertaining, by visit, the character of any vessel on the high seas against which there should exist reasonable ground of suspicion. Mr. Stevenson denies this, and he

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asks what otheation than Great Britain has ever asserted or attempted to exercise such a right? In answer to this question, the undersigned can at once refer to the avowed and constant practice of the U. States, whose cruisers, especially in the Gulf of Mexico, by the admission of their public journals, are notoriously in the habit of examining all suspicious vessels, whether sailing under the English flag or any other. In whose cruisers such vessels suspicious' Doubtless in those of the commanders of the American cruisers. But, in truth, this right is quite as important to the United States as to Great Britain; nor is it easy to conceive how the maritime intercourse of mankind could be safely carried on without such a check.

"It can scarcely be necessary to remind Mr. Everett that the right thus claimed by Great Britain is not exercised for any selfish purpose. It is asserted in the interest of humanity, and in mitigation of the sufferings of our fellow-men. The object has met with the concurrence of the whole civilized world, including the United States of America, and it ought to receive universal assistance and support.

"The undersigned cannot abstain here from referring to the conduct of an honorable and zealous officer commanding the naval force of the U. States on the coast of Africa, who, relying on the assurance of his government for the suppression of the slave trade, and sensible of the abuse of the American flag, entered into an engagement on the 11th of March, 1840, with the commander of a cruiser of her majesty's cruisers, on the same station, by which they mutually requested each other, and agreed to detain all vessels under American colors employed in the traffic. If found to be American property, such vessels were to be delivered over to the commander of any American cruiser on the station: or if belonging to other nations, they were to be dealt with according to the treaties contracted by her majesty with the respective states. The undersigned believes, and, indeed, after the statements of Mr. Stevenson he regrets to be unable to doubt, that the conduct of this gallant officer, however natural, and laudable in its object, has been disavowed by his government.

"It is not the intention of the undersigned at present to advocate the justice and propriety of the mutual right of search, as conceded and regulated by treaty; or to weigh the reasons on account of which this proposal has been rejected by the government of the United States. He took occasion in former note to observe, that concessions sanctioned by Great Britain and France were likely to be more compatible with the dignity and independence of any other state which should be disposed to follow their example. But the undersigned begs now to inform Mr. Everett that he has this day concluded a treaty with France, Austria, Russia, and Prussia, by which the mutual right of search, within certain latitudes, is fully established for ever. This is, in truth, a holy alliance, in which the undersigned would have rejoiced to see the United States assume their proper place, among the Great Powers of Christendom, foremost in power, most civilized, and connected together in the cause of mercy and justice.

"It is undoubtedly sure that this right may be abused, like every other which is delegated to many and different hands. It is possible that it may be exercised wantonly and vexatiously: and, should this be the case, it would not only call for remonstrance, but would justify resentment. This, however, is in the highest degree improbable, and if, in spite of the utmost caution, an error should be committed, and any American vessel improperly detained, it would be followed by prompt and ample reparation. The undersigned begs to repeat that with American vessels, whatever the pretext, British cruisers have no pretension in any manner to interfere. Such vessels must be permitted, if engaged in it, to enjoy a monopoly of this unhallowed trade: but the British government will never endure that the fraudulent use of the American flag shall extend the iniquity to other nations, by whom it is abhorred, and who have entered into solemn treaties with this country for its suppression.

"In order to prove to Mr. Everett the anxiety of of her majesty's government to prevent all reasonable ground of complaint, the undersigned believes that he cannot do better than to communicate to him the substance of those instructions under which the British cruisers act in relation to American vessels when employed on this service.

"If, from the intelligence which the officer commanding her majesty's cruiser may have received, or from the manoeuvres of the vessel, or from other sufficient cause, he shall have reason to believe, that although bearing the American flag, the vessel does not belong to the United States, he is ordered, if the state of the wind and weather shall admit of it, to go ahead of the suspected vessel, after communicating his intention by hailing, and to drop a boat on board of her to ascertain her nationality, without detaining her if she shall prove to be really an American vessel. But should this mode of visiting the vessel be impracticable, he is to require her to be brought to for this purpose. The officer who boards the vessel is merely to satisfy himself of her nationality, by her papers or other proofs, and, should she really be an American vessel, he will immediately quit her, offering, with the consent of her commander, to note on her papers the cause of suspecting her nationality, and the number of minutes she was detained (if detained at all) for the object in question. All the particulars are to be immediately entered in the logbook of the cruiser, and a full statement of them is to be sent by the first opportunity direct to England.

"These are the precautions taken by her majesty's government, and the instructions given to the performance of this service; and they are ready to adopt any others which they may think more effectual for the purpose, and which shall at the same time be consistent with the attainment of the main object in view.

"Mr. Stevenson has said that he had no wish to exempt the fraudulent use of the American flag from detection, and this being the case, the undersigned is unwilling to believe that a government like that of the United States, professing the same objects, and animated by the same sentiments as Great Britain, should seriously oppose themselves to every possible mode by which their owe desire could be really accomplished.

[Laughter.]

CIVIL APPROPRIATIONS.

SPEECH OF MR. ADAMS—APRIL 14, 1842.

Mr. ADAMS. My only difficulty is to reply to the gentleman's speech as to have any hearing at all upon the gentleman's motion. [Laughter.]

The gentleman talked with great eloquence and great ingenuity in favor of pushing this country into a war, under the mask of a very great solicitude for peace. He has drained the whole world of argument to prove to this house that, in the event of a war, we can burn London, and to establish the principle that we have a right to stop the vessels of Great search in time of war. Now, the two parts of the gentleman's argument do not seem to me to agree together. If we do go to war, and if it be which the gentleman has brought forward the attractive arguments that a war will pay all our state debts to England, and enable us to burn the city of London, and establish the doctrine of the right of search in time of war—it seems to me that the thing most essential to us of all others will be this very right of search. How does the gentleman expect we are to burn London, without we have the right of searching neutral vessels at sea? I ask him, and I ask this house, if this very right will not be the most valuable of all the instruments of this employ against Great Britain? And whether, though it may not enable us to succeed in burning London, it will not enable us to avoid of the bravery of our noble tars to meet upon the ocean and seize upon the property of our enemy which they will otherwise protect, by using the flag of every neutral nation under heaven? To take away this right would at once throw a shield of all the navies of Christendom, mercs, which would all continue to be carried on in perfect safety from any injury by us.

What bearing the arguments of the learned gentleman could possibly have on the question of our retaining a full minister at the courts of Austria and Prussia, I am totally at a loss to conjecture. But I do see that, under the cover of this motion, he has undertaken to instruct the new British minister how he may, with the greatest possible facility, settle all the questions between us and Great Britain, and gain for himself an eulogium. And how, pray, is he to do it? Why, by simply yielding every thing on every point in dispute. This, I confess, seems to me to be at least a very unusual basis of negotiation.

[Mr. INGERSOLL. I did not say any thing like that.]

If the gentleman did not in substance say that, I was very greatly have mistaken him.

[Mr. INGERSOLL. I said no such thing.]

The gentleman assumes that there are five points in controversy, and he says that on every one of them Great Britain is the aggressor, and that the only way to settle them is for her to agree to submit to every thing we demand. He included even the case of the Creole.

[Mr. INGERSOLL. What I said was that the main questions in dispute are not difficult of settlement; that I thought there could be no difficulty in settling the question of the Creole; and on that point I should rather have supposed that I was entitled to some little forbearance from the gentleman for my forbearance. I said further, that the Caroline case could be settled without much difficulty; and, after what the gentleman said last summer on that case, I think I am still more entitled to the credit of forbearance. I said, too, that I did not know much about the Oregon question, but believed, from what I did know that that question could be adjusted without difficulty. And I said, lastly, that the demand for the exercise of a right of search must be abandoned.]

Mr. ADAMS. Well, sir, the gentleman has again had his say: he now takes back what I understood him to advance, which was, that on all the five points in dispute Great Britain was the aggressor, and that it was our duty to yield nothing. I appeal not to the gentleman, but to the conscience of every member of this committee, and to their common sense, to decide whether that was not what the gentleman did say. If he said any thing now to contract it, let him do it.

[Mr. INGERSOLL. I do not choose to recant any thing. Although, as usual, the gentleman chooses to indulge his passion, and pelts my harmless ears whenever I rise, I do not choose to recant any thing. I said which does not happen to suit his own senile notions.]

Mr. ADAMS resumed. For a rebuker of a little transient intemperance of feeling, I think the gentleman himself seems a little excited. [A laugh.] The gentleman is mistaken if he thinks I was actuated in what I said by any feeling of anger towards him. They are, I said, and that what I shall yet say, is "senile" I admit; for I am much older than the honourable gentleman, and am very conscious of the infirmities which time and age have brought upon me. I refer it to the gentleman's conscience to decide whether such allusions are made in a moderate and a kind temper, or are very likely to restore good feeling if it has been overcome in these lost. I say, and I appeal not to the gentleman, but to the conscience of all who hear me if it is not so, that the gentleman said that on every one of the five points of controversy Great Britain was the aggressor, and whether his advice to the British negotiator, in order to gain an eulogium, was to yield up every point; and that we could not possibly gain one single one on one of the points. And now the gentleman says he does not choose to recant. There was perhaps one slight qualification in the Creole case. Then I think the gentleman added, in his usual mode (here Mr. ADAMS imitated very closely the tones of Mr. INGERSOLL's voice, and his peculiar manner while quoting his language. The laugh produced by this, the closing words were lost to the reporter save this—"as we say.") Thus far I am willing to admit his explanation. I was happy to hear that the gentleman, in the midst of his supererogatory display of valor, did seem to feel that this was rather a tender place, and that it would be best for him to get over it as soon as he could. He certainly did do it, in a lower and somewhat subdued tone, "as we say."

The gentleman has gone through such a range of the laws of nations, and of the condition of the world, and Newspapers have made so a discourse quite equal to "the admirable Crichton," who made speeches off hand on all sorts of subjects that were proposed to him, that really I feel myself unprepared to meet the whole; and many of the points he made: for indeed I can find not a point in all his speech which bears at all upon his own motion. What has the question about burning London or burning New York to do with our sending a full minister to the courts of Vienna or Berlin? But I do say that the whole course of his argument seems to me, under a profession of giving to us and to Britain the greatest perfect solution of all the disputed questions between this country and England, to be aimed, through out, at driving us into a war, and preventing the great ministration from settling our controversy with Great Britain. What was the tenor of his argument?

He began by saying that he was for peace—for universal peace. Then followed a most learned dissertation to prove that it was an entire mistake to suppose that we are not now prepared for war, and to demonstrate that a nation which goes into a war prepared will infallibly conquer. That it must be so, that every unarmed and unprepared nation always had conquered its adversary opponent. No; we are not prepared for war; not, at all, because we have in sight of the windows of this capitol two armed steamers; one of them, as I am informed, nearly disabled, so that she will need in a great measure to be rebuilt. So that, in case of immediate hostilities, we have one entire steamer, and with that we are to burn London; and though the gentleman really admitted that it was possible, nay, very probable, that New York would be burned too, yet as London was two or three times as large, we should have a great balance of burning on our side. Yes; we were to conquer Great Britain and burn London, and

that it would be a very cheap price for all this to have the city of New York burnt to turn, or burnt first. And this was an argument *for peace*.

What else did the gentleman say? (and what did he not say!) He made a great argument in relation to the right of search. Oh that—that was a point never to be surrendered. Never! No right of search existed, not even in time of war, and none in time of peace. Well, I do agree with the gentleman, partially, on that one point, so far as to believe that there is no need of our coming to an issue with Great Britain on that point—at least, not as yet. After reading, as I have done, and carefully examining, the papers put forth on both sides, I asked myself, what is the question between us and Britain? heard men of the very first intelligence say that they found themselves in the very same situation. The gentleman was guilty of a total misrepresentation of the demand of Great Britain in the matter. She has never claimed the right to search American vessels, no such thing: on the contrary, she has explicitly disclaimed any such pretension, and that to the whole extent we can possibly demand. What is it we do demand? Not that Great Britain should disclaim the right to search American vessels, but we deny to her the right to visit and to search pirates, who hoist the American flag; yes, and to search British vessels, too, that have been declared to be pirates by the laws of nations—pirates by the laws of Great Britain—pirates by the laws of U. S. States. Now, it happens that behind all this exceeding great zeal against the right of search is a question which the gentleman took care not to bring into view—and that is, the support and perpetuation of the African slave trade. That is the real question between the ministers of America and Great Britain—whether slave traders, pirates, by means of assuming the American flag, shall be saved from capture.

I say there is no such thing as an exemption from the right of search by the laws of nations, and I challenge and defy the gentleman to produce the proof. The right, in time of war, we never have denied. Nay, we have ourselves exercised the right: and the decisions of the supreme court have decided us in doing so: and we should have a bad chance indeed with Great Britain were it otherwise. What is the right of search in time of peace? And how has congress, and how has the executive government, felt on that subject? In 1817, when I was about to return from England to the United States, Mr. Wilberforce, then a member of the British parliament, very celebrated for his long and persevering exertions to suppress the African slave trade, wrote me a note requesting an interview. I acceded promptly to his request, and in conversation he proceeded to me that the British government had found that, without a mutual right of search between this country and that upon the coast of Africa, it would be impossible to carry through the system she had formed in connexion with the United States for the suppression of that infamous traffic. I had then just signed with my own hand a treaty declaring the traffic in slaves" (not "the African slave trade") "unjust and inhuman," and in which both nations engaged to do all in their power to suppress it. Mr. Wilberforce inquired of me whether I thought that a treaty for a mutual, restricted, qualified right of search, would be acceptable to the American government?

I had at that moment a feeling to the full as strong against the right of search, as I felt when I was exercised by British cruisers, as ever the gentleman from Pennsylvania (Mr. *Ingersoll*) had in all his life. I had been myself somewhat involved in the question as a public man. It constituted one of the grounds of my unfortunate difference from those with whom I had long been politically associated; and it was for the exertions I had made against the admission of that right that I forfeited my place in the other end of the capitol; and, which was infinitely more painful to me, for that I had differed with men long dear to me, and to whom I had also been dear, insomuch that for a time it interrupted all friendly relations between us. The first thing I said, in reply to Mr. Wilberforce, was: "No, you may as well save yourselves the trouble of making any proposals on that subject; my countrymen, I am very sure, never will assent to any such arrangement." He then entered into an argument, the full force of which I felt, when I said to him: "You may, if you think proper, make the proposal, but I think some other mode of getting over the difficulty must be resorted to; for the prejudices of my country are so immovably strong on that point that I do not believe they ever will assent." I returned home, and held the situation of secretary of state under the administration of Mr. Monroe, and was the medium through which the proposals of the British government was afterwards made. I resisted and opposed it in the cabinet with all my power, and, though not a slaveholder myself, I had to resist the slaveholding members of the cabinet, as well as Mr. Monroe himself, for they were all inclined to concede the right. I maintained my ground as long as I could; for there was at that time a strong inclination in congress also to assent to the proposal. Not a session passed but there was a proposition to request the president to negotiate for concession of this right of search. I resisted it to the utmost; and in private company words passed between myself and a distinguished gentleman from Virginia of so warm a kind, that he thought it proper to send them in a letter to his constituents, in which he opposed my election to the presidency; and one of the grounds taken against me at that election was, that I was a determined friend to the slave trade; and an elaborate argument was made in support of that charge, in which reference was had to my votes on this question of a qualified right of search. I state this that I may set myself right on this subject. A gentleman who was at that time the leader of one of the parties in this house had endeavored, from year to year, to prevail with the house to require of the president a concession of the right asked: I name him to honor him; for he was one of the most talented, laborious, eloquent, and useful men upon the floor of this house, Mr. Lynton Mercer, of Virginia. Session after session he brought forward his resolution; and he continued to press it until, finally, in 1823, he brought the house, by yeas and nays, to vote it down. I voted to the question, nay, there were but nine votes against it. The same thing took place in the other house; the joint resolution went to the president, and he unhesitatingly entered into the negotiation. It was utterly against my judgment and wishes; but I was obliged to submit, and I prepared the requisite despatches to Mr. Rush, then our minister at the court of London. Some be made his proposal to Mr. Canning, Mr. Canning's reply was, "Draw up your convention, and I will sign it." Mr. Rush did so; and Mr. Canning, without the slightest alteration whatever, without varying the dot of an *i*, or the crossing of a *t*, did affix to it his signature; thus assenting to our own terms, in our own language, the convention came back here for ratification; but, in the mean while, another spirit came over the feelings of this house as well as of the senate; a party had been formed against the administration of Mr. Monroe; the popularity of the administration was no longer favored, and the house came out in opposition to a convention drawn in confirmity to its own previous views. In the senate, however, all that could be got was the modification of one article. The senate ratified the treaty, giving the right of search, in the fullest manner, to Great Britain, with the modification of one article, which extended the right to the coast of the United States; that was rejected.

[Mr. Ingersoll. There were three articles negotiated; the second article was rejected, and some words altered in the third].

I cannot say as to a word or two, and I am willing to take the gentleman's statement as correct. Of one thing I am sure, the senate would not yield the right of search; that was conceded fully. In consequence of these alterations, further negotiation became necessary, and, finally, the treaty was ratified. But, as to the right of search, in the bitterness of my soul, I say it was conceded by all the authorities of this nation. I say this, because I am not now for conceding it. I hope the negotiations now about to take place may be carried on without any such concession. There has been blustering and bullying for more than in my opinion was necessary on the subject; but no insult has yet been done to, and far less have we come to war about it.

In this very pamphlet, of which the gentleman from Pennsylvania (Mr. Ingersoll) is so much honor, (and I shall treat it with honor, too, as having proceeded from a public minister of the United States at one of the most important courts of Europe), there is a proposition made which I do not say we should to concede. As a political question, involving the peace of two great countries, and the suppression of the African slave trade, (for which I could bring myself to almost any concession), it might have strong claims to consideration; but, as a politician, as a statesman, as a negotiator, I doubt if this expedient of General Cass be not even more objectionable than the right of search itself.

The proposal is that the cruising vessels of either nation should have on board a naval officer (a lieutenant I suppose) belonging to the other, and that he shall make the requisite search in person. This is held forth by way of compromise between the two parties, and as a mode of avoiding the difficulties which embarrass the question. I will not say that if the negotiation shall concentrate on this, as the only practicable expedient, it should be rejected; but I will say this: If the gentleman from Pennsylvania, or the senate, or this house shall be so pressed as to concede that, very little ground will be left them for refusing the right of search as here *before proposed*.

But as to this question itself of the right of search, when before was the question made a matter of such infinite importance? When, in the history of this nation, was the pretension raised that no such right existed on the high seas? I will ask the clerk to read the 34th section, I think it is, of the collection law of the United States, passed, I believe, in 1799 or '99.

[While the clerk was searching for the act referred to—

Mr. Ingersoll stated that although there was a majority in the senate for the ratification of the treaty which Mr. A. had referred to, there had been a minority of twenty-five (!) throughout.

Mr. Stanly and Mr. I. had here some passes, which were very much enjoyed, as it seemed, by the members around them, but which were unfortunately lost to the reporter, who loves genuine wit as well as any man].

The law was at length found, and the section read at the clerk's table; and Mr. Adams proceeded.

The point, said Mr. A. for which I have cited this act is, that it is here assumed that upon the high seas, at four leagues distance from the coast of the United States, you possess and may freely exercise the right of search. This is assumed in your revenue law; and, either by your revenue cutters or your vessels of war, you may search any vessel of any nation approaching within four leagues of your coast. Look to your laws for the suppression of the slave trade, and you find the same thing. You exercise that right now. If a slaver, fraudulently freighted with slaves should come to-morrow within four leagues of any point of the coast, your vessels may search her, and bring her in for adjudication; and all the slaves on board of her would be emancipated the moment she shore, at one free.—Now, if this be so, what becomes of the doctrine that upon the high seas the right of search does not exist in time of peace? The question should be whether the right should not be refused to be extended beyond the distance of four leagues, and such an article should be inserted in the convention, it would be effective, and would be a great concession to be made to it. Give Great Britain this right of search within four leagues of the coast of Africa, and what would become of the question about the "rights of national" vessels? Why, there is no such right exists between nations, that they shall be exempted from the right of search in time of peace. The only authority for such a pretension is a declaration of sir William Scott, in the case of a French vessel called the Louis; but even that solitary declaration was made hypothetically and extrajudicially; it was a mere dictum of that distinguished judge, and it was uttered in a case which he was called to decide: while, at the same time, there is another declaration of sir William Grant, an authority fully equal to that of sir William Scott, directly to the contrary. And this is the gentleman's authority from the law of nations.

I will take this occasion to say, in reference to the decisions of sir William Scott, that in cases where the West India slaves were concerned his decisions in regard to the right of search are very different from those which he was in the habit of making at the period of the French revolution. He was then a perfect scourge to our merchants. He extended his construction of the law even to vessels under convoy.—But, as soon as the peace took place, and the West India slaves were concerned, his decisions in cases were very greatly changed. I say this with no purpose of reflecting on the memory of that able and upright judge: a man with whom I formerly had the happiness to occasionally associate, as I had with his father before him. He was a highly amiable man in private life, and in conversation one of the most agreeable and instructive of companions. Yet, truth demands of me the declaration, that, while all were revolted by his decisions on the bench during the war, I have myself been quite as much so by those made since the war in cases of West India slaves. In some cases he has gone even beyond the severity of the laws of our own southern states; for in one case he decided that a slave who had come become free by having landed in England, if he returned to his former master returned at the same time to his bondage as a slave—which is a step further than the slaveholders of our country have ever yet gone. All his decisions, however, have since been annulled—nullified (I do not like the word, but it is here appropriate) by the universal emancipation proclaimed by Great Britain in all her West India colonies. The decision of sir William Scott is, therefore, no authority: and I say that there exists none other for the gentleman's position about the law of nations. Yet, in all the discussions I have seen upon the subject, this opinion in the case of the Louis is the eternal burden of the song; while no notice whatever is taken of the opposite opinion of sir William Grant, a judicial authority of at least as much weight.

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What have I brought this question before the committee for in this form? And why have I quoted the revenue law? To show that there is an ground whatever for this attempt to blow up a flame about the right of search; for declaring that this is a question never, never to be given up, and to make it the burden of a *pacific war speech.* [A laugh].

I do apprehend that the noble negotiator, to whose character and merits the gentleman from Pennsylvania has paid a just and very honorable tribute, and who to me is an acquaintance of nearly half a century's standing, whom I formerly knew as a young man of distinguished ability then scarcely of age, as I had known his father with whom I was on the most friendly footing—I apprehend, I say, that the British minister will not take his instructions from the honorable gentleman from Pennsylvania. If the noble pointed out by that gentleman is the only mode of settling the delicate and difficult questions subsisting between the two governments, I think he will not take it. If, indeed, France and England are so desirous of negotiative between taking this advice to acknowledge at once that his country has been the aggressor on every one of the disputed points, and yield everything that is demanded on every one of these questions, and a desolating bloody war, however light such a war may appear in the gentleman's eyes, (which he protests it does not, but which all his arguments show that it does), why then I should despair and go home and die, if I could. For the gentleman may make as light of it as he pleases, this is no light question with me. Should the honorable gentleman, I ask, I certainly have as little personal interest in it as any human being, for my career, at all events, must soon close, whatever calamities may grow out of it either to this country or to other countries, (and I have learned to feel that all my sympathies ought not to be absorbed in one, however dear), I can have no interest in them, looking to myself alone. To be sure, it is to that amiable little process of the burning of London and New York, what interest other gentlemen may feel I cannot pretend to say—and I know it is as many a man in this house who has a far deeper interest in it than I have or can have; but this I will say, if there is a man in this house who could hear the gentleman from Pennsylvania, with that cold indifference which animated his entire speech, (if indifference can be said to animate any thing), put the ease of the burning of the city of London as a revenge for the previous burning of the city of New York, without feeling a thrill of horror, I should wish to have little further intercourse with that man. The burning of London and the hope of that is to be a motive for ever assuming such an attitude and pursuing such a course as must infallibly bring us into a war! Would it much comfort the three hundred thousand men, women and children who would be turned houseless and houseless by the burning of New York to know that London, with a population four times as great, was to burn too? A fiend could hardly bring his mind to contemplate such a thought without horror. Would it be nothing to the people of the United States, nothing to the civilized world, nothing to the human race, that two such cities were swept from the face of the earth? Yet the gentleman very coolly spoke of such consummation as by no means impossible or improbable—he admitted that, in the event of a war, this might be one of the results.

[Mr. Ingersoll. What I said was, that a distinguished naval officer had assured me that it would be just as easy for to burn London as for the British to burn New York.]

Well: and that was stated as an argument why we ought to take such a stand with Great Britain as would bring us into war with her. I suppose the naval officer who said this was himself ready for the distinction of such a deed—and distinguished he assuredly would be.

[Mr. Ingersoll. Yes, he was; and he declared that he would do it.]

Mr. A. resumed. I remember that one of our most celebrated naval officers once gave this toast: "our country may she be always right, but, whether right or wrong, may she always be successful." This might be a very good toast for an officer of the navy. Military men, I admit, are not bound to enter into the moral questions which may arise between nations; by their commissions they are bound to take it for granted that their country is in the right, when those departments of their government which have the right of judging is consigned have so determined. The question of right and wrong in war is a question for such an assembly as this, not for the deck of a man-of-war. I do not therefore disapprove of the toast as one to be taken by a naval officer; but, as a moral question, to be decided by a vote in this house within two months' time from this day, I never would adopt the sentiment. I would rather say, "our country: may she always be successful; but, whether successful or not, may she always be in the right." That is the sentiment which I think every man should bring home to his heart on questions so weighty and so delicate as those involved in our present relations with Great Britain. If war we must have, oh let us have it for the right; and let us not expect the God of battles to give success when we are in the wrong.

I hope that the idea of our defenceless state, of which the gentleman seemed to make so light, as being of little consequence, will not be nothing no obstacle to our going to war, because, if the British born New York we can burn London, will be very differently viewed by his house, and that arguments of such a description will have no weight here.

Still less ought another argument which that gentleman presented to our consideration. He said that in reference to the threats by Great Britain to raise the flag of war against France, he supposed that, too, was a thing to be made light of, because Great Britain herself was in a condition so precarious that her own people were ready to overturn her government as it was to injure us at the south.

I will not meet the gentleman on that question. I believe that Great Britain, like all the other powers of Europe, and more especially France, (to whom we are advised to look as our chief reliance), is in a most precarious situation. I believe that they are still in danger of revolutions much more than so much as that very France. I must say here (and I do not know whether it will be very acceptable to this house) that if it be true, as the gentleman from Pennsylvania intimates, that the publication of our minister in France, by the publication of the pamphlet on which he bestowed so high praise, was the occasion of the refusal by France to ratify the quintuple treaty, I do not hold that proceeding in as much admiration as the gentleman does: it comes too near success in doing wrong. Her minister had signed that treaty, and the refusal to ratify it was based on the refusal by France of the right of search, for that right she had already granted by other and independent treaties now in force. She is bound already by that right. I may be the slave of the moral principles which govern the intercourse and conduct of nations, France owes no explanation to the world of her reasons for refusing to ratify. If it be true that General Cass has effected this result, I, for one, do not think him for it. Not only because he has persuaded France to break her faith and put herself in the wrong, but because he perverses which may arise between her and the other parties to that treaty, but also because it looks like an intermeddling with the affairs of Europe. I know it has the aspect of engaging us in entangling alliances with foreign nations, the very evil against which the venerable Washington and the venerable Jefferson both so emphatically warned their countrymen.

In Washington's Farewell Address (a paper which had lately been read in that hall, and which ought always to be read and studied with the deepest reverence) there is a paragraph expressly devoted to that subject. And Mr. Jefferson made it a sort of political motto, to have "peace friendship, and commercial relations with all nations, but entangling alliances with none." Such has been the policy of the United States from that time to this. And I must say that the pamphlet which was put out by our minister (of which he did use the honor to send me a copy, and which I have read with the most profound attention) has suggested to me the question as to the prudence and expediency of thus making us a party to the treaty to the wars which are ahead. And I here ask this house and the country to believe that if the refusal of France to ratify the quintuple treaty shall be ascribed to the pamphlet I can scarcely believe possible), that the right of search has not any part in the wars which may follow, and in which we are in the danger of becoming involved. That, I say, will form no part in such wars. It is no question between France and the four powers. France has conceded it. It is her bad faith in refusing the ratification that is more likely than any thing else to embroil her with those powers, just as it happened in what was called the Syrian question. She was then on the very verge of a war, when she found, before she was aware of it, that the fleets and arms of Great Britain had settled the question for her; and she then, for the first time, gave back and signed the treaty.

And what will be our condition if, in consequence of the intrigues of our minister, we are involved in a European war on the hollow pretence of this right of search? There is in the French house of deputies, which the gentlemen from Pennsylvania says was influenced by General Cass in its refusal to ratify, an interest whose constant aim is to overthrow the dynasty of Louis Philippe, and destroy every remnant of it: a party who are much more bitterly opposed to him than any portion of either house of congress is opposed either to Martin Van Buren or to John Tyler. They would annihilate his family, root and branch, and forever abolish the monarchical power he holds. I will not enter upon the question by what authority Louis Philippe holds his throne: it is not a question for this place or for this time: but I will say that France and her representative body have that question clutched between the parties which there prevail; and that, in this coming war, which it seems this pamphlet of Mr. Cass is to kindle up, I would not give a pinch of snuff for his throne. And this is the state of things in which we are invited to go to war with France for our sake!

[Mr. Ingersoll. The vote in the chamber was nearly unanimous.]

Very well; that makes no difference. I am showing that what the party which refuses the ratification are after in this question—the right of search. They throw dust in the Mr. Cass's eyes, and make him believe that it is; but that is not the question, I repeat, between France and the allies, nor was it the question in the chamber of deputies. The gentleman says the vote was nearly unanimous; but we know what that often means, viz: that nobody votes against a measure. But there was no *appel nominal,* (as they call it), no polling of the chamber. M. Guizot saw the flame that was spreading, and he did not think it politic to oppose it. Whatever may have been the case, he seemed that France never will go to war on the question of the right of search. And suppose we have her assistance, pray for what avail will it be, I ask, if we are involved in a war with Britain, when France herself will be torn to pieces with the armies of Russia and Prussia marching on Paris? When she refused the other league, she found herself in such circumstances that she was glad to accept it necessary to expend I do not know how many millions of francs in throwing a wall around Paris. And now, if she should ratify this quintuple treaty, she may find herself in the like case—they may have to put Paris within walls again, (just as if that could save them). What good could she do with her (fifty) millions? I believe, every one, (again I be mistaken) owned by Great Britain? One against a hundred—or say two. Well, that is two per cent.—rather worse than we ask the stock of the Bank of the United States. [A laugh.]

The gentleman has made a speech to incite us to war with England, because we may count upon the aid of France! And what good can France do us with such a hundred mountain be made at her own territory? Threatened as she is every hour with a renewal of the scenes of her revolution, when the Cossacks, and Prussians were called, were roaming and ranging through the country burning and slaying—rifling churches and breaking open nunneries, and tying the nuns and friars to drown them, calling it "republican massacres," butchering prisoners in cold blood, and keeping the guillotine in play till the kennels literally ran down with the blood of those whom they called aristocrats—their palaces and men of property. The sort of liberty there enjoyed was a jail delivery of prisoners to a mob who surrounded the prison doors, and as the victims were set free elbow them down in the street. That is history, and it will be history again if the very danger which the gentleman from Pennsylvania sees should be realized. And what good can I ask, by this for the United States in a war against England?

What I say is of necessity desultory. It must be so: I was taken entirely by surprise. The gentleman's speech was so desultory and rambling, taken unexpectedly by me. I had other topics which I intended to touch; but I have had no time to methodise. [Cries of "go on—go on."]

The gentleman from Pennsylvania talks about war between us and Great Britain as a very light thing, and then gives us all his good advice in order to prevent the occurrence. And next, for the instruction of the noble negotiator who has visited our shores, he tells him how certain it is that she must be beaten because we are unarmed—such must be the consequence: it always has been. Unarmed nations always have beaten those that were armed. It is natural they should. Really, this is a discovery—not in natural history, but in the history of war.

If we are to have a war, I hope that the negotiator will not take the gentleman's advice so far as to become alarmed, and give the advice to his government that it believes the belief of such position will lead to. I hope he will not give that importance to the remarks of the gentleman from Pennsylvania—to whose remarks I always attach great importance—and hope that the nation will weigh them well, and make up their minds as to the necessity of preparation. I hope that he will think that the honorable gentleman has been indulging in the imagination a little; that he has been displaying his ingenuity; that he has been speaking for the admiration of this house; or, if you please has been making a speech for Bun-

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combe, which means, in his case, I believe, the third district of the city of Philadelphia. [A laugh.] I hope he will conclude to give it this turn; that he will take it for granted all this is intended for the gentleman's constituents; that he is not really serious in this thing; and that, on the whole, he will conclude to go on with the negotiation just as if the speech had never been made. [Roars of laughter.]

But suppose that the negotiator, seeing the speech in the papers, and very possibly in pamphlets, and becoming aware of its deep impression on this house and this country, should conclude that it was a reproach to his place, and should write home to his government, giving them an account of the gentleman's speech, [renewed laughter,] and commending it to their meditations. We have had one experiment of the effect such a document may produce in England. There was, I believe, a certain report from a member of the committee on foreign relations quite as warlike as the gentleman's speech, and took, too, under the same profession of a great desire for peace. Well, sir, that report, through the agency, I suppose, of the British minister here, went home to his government, and when it got to London it produced a sort of combustion of London—not that it actually burnt the city down, as the gentleman's warlike fire is to do, but it set the city on a flame. And what was the effect of it? Why, sir, our minister wrote forthwith to the valiant commander of our squadron in the Mediterranean to lose no time in getting nearer home. [Loud laughter.] Take my word for it, if the speech of the honorable gentleman, or any thing else, shall get its into war with Great Britain, the constituents of this honorable gentleman and of other gentlemen who represent our great commercial capitalists on this floor will wish they could call to the two hundred million loans of their floating commercial money to get nearer home, too; but it will be then too late.

There is one consideration which ought to operate on this house, especially on those who represent the present commercial and navigating interests of this country; and that is, the difference between the constitutions of England and this country in relation to the declaration of war. If we were at war with Great Britain, we must do it by act of congress. Though our ministers and our executive officers may utter threatening words, they have, by the law, they have not the power to put the country into a state of war at their pleasure, whether it will or no. Should the president and his cabinet think with the gentleman from Pennsylvania, (Mr. Brewster,) or with the gentleman from Virginia, (Mr. Wise,) still the people have reason to bless themselves that the power is not lodged with that department of their government. Meantime, we cannot commit any act of hostility until war has been regularly declared.

But how is it with Great Britain? This very envoy has only to write home a letter of two lines, saying, "I perceive that the spirit of this people is for war," and another order, expressed in five lines more, directing all naval commanders to take every American vessel they find afloat, and sending every ship will be carried, without further delay or ceremony, into British ports, there to be—not condemned, but kept under sequestration; not confiscated, but just kept snug to abide the result of this negotiation.

[Mr. Severn, of Pennsylvania. I hope he will write such a letter.]

And then, if we do (as the gentleman holds out to our hopes) confiscate the two hundred millions of dollars of our state debt, the British will have something to compensate them for the loss.

Am I drawing a fanciful picture? The gentleman well knows that it is a practical and sober account of just what has heretofore taken place. That is the way in which Great Britain always begins a war. Let any one look to the past history of her proceedings, to the war of 1793, for instance. What was the complaint of France against her at that day? That her fleets swept the ocean before she had made any declaration of war. War is not there proclaimed by an act of parliament. No, an order issued to her commanders, naval or military, is all that is requisite. Are the gentleman's constituents prepared for this?

[Mr. Severn. "Yes, yes."]

Is this one of the advantages we shall enjoy in the desired war with England, that the first notice we shall have of it is the capture of our commerce in every sea?

I am well aware that it is a very easy thing for one to get up here, and cry in loud and boastful tones, "perish commerce, perish credit," perish every thing, but keep the nation's honor untarnished! "yield nothing, make no concession!" And if the minister of Great Britain is then to yield every thing, why that is the way to get an earldom! An earldom! I ha the spirit of John Bull? No, sir; that is not the way that earldoms are won in England. Rodney never got beyond the dignity of a viscount for doing much more than that. Nelson, it is true, did get to be an earl, and Wellington was created a duke—but it was not by surrendering any thing to any body. It is not the practice of John Bull to ennoble "sons or cowards;" the titles he bestows may possibly be fancies of the brain, unworthy the notice of a philosopher; but, were they so, they are not to be won by surrendering. There is one name in British history connected with surrendering, and it is that of Byng; and I think myself that the chance of sharing the lot of Byng is much more likely to be the fate of him who surrenders all his country's demands than the possession of an earldom.

[Here Mr. A. yielded to a motion for the committee's rising, which motion prevailing, the committee rose accordingly and the hour being late the house adjourned. On motion the following day Friday, Mr. *Adams* concluded his reply to Messrs. *Ingersoll* and *Wise*.]

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

April 14. Mr. *Barrow* presented the credentials of the hon. *Charles M. Conrad*, senator elect from the state of Louisiana in place of *Alexander Mouton* resigned. Mr. C. was then duly qualified and took his seat.

The president of the senate laid before the body a communication from his president in compliance with a resolution of February 2, on the Texas boundary, and of 24th July last, on the subject of our commercial regulations with Austria.

A petition was presented from citizens of Pike county, Illinois, praying to have the fire steamer of Uriah Brown, of Hinkville tested.

A resolution introduced some days since by Mr. *Woodbury*, and presented on a memorial from citizens of Portsmouth, N. H. in relation to our colonial relations, and instructing the committee on commerce to inquire into the arrangements of foreign governments, and whether their spirit is adhered to, and if not what measures are necessary to ensure reciprocity, was taken up.

Mr. *Woodbury* addressed the senate and argued that under a system of free trade, the increase of tonnage and freight had been great beyond all example, while in corresponding years of high tariff they had fallen off.

Mr. *Evans* replied, intimating his intention to go at length hereafter into the calculations and data furnished by the senator from New Hampshire.

Mr. *Huntington* contended that the colonial regulations had been made to act most injuriously to American interests. Practical men had felt it and knew it, men who have experience of it.

Mr. *Simmons* also replied to Mr. *Woodbury*, and after further discussion by Messrs. *Woodbury*, *Simmons* and *Huntington*, the resolution was for the present laid on the table.

After the transaction of executive business, the senate adjourned.

April 15. Mr. *Cuthbert*, of Georgia, appeared in his seat.

The president laid before the senate a communication from the war department in relation to what expenses can be reduced, in which he refers to his report at the commencement of the session.

Mr. *Smith*, of Connecticut, presented a petition from Isaac Barto, wounded by the bursting of a shell, to be placed on the invalid pension list. Mr. S. commented on the rule of the department, which made it necessary to have the evidence of an officer in cases of wounds, as an arbitrary and unjust rule. How were these soldiers in many cases to obtain the testimony required? for by another rule, no less arbitrary, they never could raise above warrant officers, be their merits what they might. They could avail themselves of no testimony, unless from an officer with an epaulet and educated at West Point.

Petitions from New York in favor of the currency bill as modified by the senate, and also for a reduction on jewelry were presented.

On motion of Mr. *Bagby*,

Resolved, That the secretary of the navy be instructed to select some suitable person or persons, whose scientific knowledge on such subjects may render him or them competent to the performance of such duty, to examine the recent invention of Thomas B. Easton to prevent the explosion of steam boilers, and to report the results of the examination to the senate with the least practicable delay.

The bill for the relief of capt. Isaac Hull, was read a third time and passed.

The senate then proceeded to the consideration of the bill to extend the laws of the United States over the territory of Oregon; when Mr. *Linn* rose and closed the remarks which he had commenced on the preceding day.

On motion, the senate proceeded to the consideration of executive business; and, after some time spent therein, adjourned over to Monday.

April 18. Mr. *Merchant* presented the preamble and resolutions of the legislature of Kentucky, relating to the restrictions imposed on tobacco by foreign nations, and recommending counteraiding duties.

Mr. *Allen* submitted a resolution calling upon the president for official correspondence between him and either of the contending parties of the state of Rhode Island.

A message was received from the house of representatives announcing the death of the hon. *Joseph Lawrence*, of Pennsylvania, when Mr. *Buchanan* rose and said: It has become my painful duty, the second time since the commencement of the present session of congress, to move the adjournment of the senate, as a token of respect for the memory of a member of the Pennsylvania delegation. *Joseph Lawrence* departed this life, at his lodgings in this city, yesterday morning, at a little after 11 o'clock, in the 54 year of his age. Of him it may be emphatically said, that he died as he lived, at peace with God and man.

Mr. *Lawrence* was no common man. His intellect was of a high order, and his mind was stored with useful and practical knowledge. Although he did not enjoy the advantage of a liberal education, he had in a great degree supplied this deficiency by his own industry and reflection. His fellow citizens at an early period of his life, became sensible of his worth, and for many nine years as a member of the house of representatives in the legislature of his native state. During four sessions of this period, he was elevated, by the confidence and regard of his fellow members, to the distinguished station of speaker of the house. He was afterwards transferred by the same constituents to the councils of the nation, and served in the house of representatives uninterrupted during the 19th and 20th congress. At a subsequent period he was elected by the legislature of Pennsylvania treasurer of the state, and during one year discharged the duties of that responsible office entirely to the public satisfaction. He was finally elected to the present congress, where he was destined to close his earthly career.

Mr. *Lawrence* was not a frequent debater, but when he chose to speak his efforts were always marked by good sense, sound argument and a thorough knowledge of his subject; and he always commanded the attention of his audience. Whilst he maintained his own opinions firmly, his heart was the seat of kindness and benevolence, and therefore he was always tolerant of the opinions of others. He discharged all the relative duties of life in a most exemplary manner. He was a most affectionate husband, a father and devoted friend.

He was a practical farmer all his days, and never pursued any other occupation. In this most useful and honorable employment, calculated above all others to implant the mind with elevated and ennobling thoughts, he early ascended from the works of nature by which he was surrounded to nature's God. He was a sincere and devoted but tolerant Christian, and he was not dead in his last hour to his state, since by that Being in whom he had confided. He met his fate with calmness and resignation, and passed through the dark valley of the shadow of death leaning on the arm of his Redeemer. In contemplating such a life and such a death, well may each of us exclaim, with the worldly-minded prophet of old, "Let me die the death of the righteous, and let my last end be like his."

The usual resolutions were then adopted. And the senate adjourned.

April 19. The senators attended the funeral of the hon. *Joseph Lawrence*, late representative from Pennsylvania.

April 20. Petitions were presented, from Perry county, Ohio, against annexation of Texas, various petitions for increase of duties on iron, leather, hats, caps, shoes, ready made clothing, &c.

Mr. *Wright*, of New York, presented resolutions adopted by the legislature of that state requesting their representatives and senators to vote for the repeal of the distribution act.

Mr. *Huntington*, of Connecticut, reported a bill for erection of a custom house at Providence, R. Island.

Mr. *Allen's* resolution for executive and Rhode Island correspondence, was taken up and Mr. *Simmons* preferring it to lay over until to-morrow, its consideration was accordingly deferred.

After further minor proceedings, the senate adjourned.

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HOUSE OF REPRESENTATIVES.

WEDNESDAY, APRIL 13. The house being in committee of the whole, on the bill making appropriations for diplomatic expenses, and Mr. *Linn*, of New York, having moved to strike out so much of as related to Mexico.

Mr. *Linn* said that as early as 1790, being the 3d session of the 1st congress, the incidental authority of the legislature over our foreign intercourse was exercised by an act limiting the appropriation for its service, and requiring a specific account of its expenditure. The power of this branch over foreign intercourse is rather incidental than express. It has been exercised from 1790 to the present time in the same form by this house through its power of granting or withholding supplies. Until 1818, these appropriations (excepting on an occasional special commission) were always general, and it was left to executive discretion to determine the magnitude and character of the respective missions. Since that period congress has adopted a more specific form, and has required a particularization of the agents employed, their destination and expenses. He premised this to show that a share of the responsibility of our foreign intercourse rests with this branch of congress. Economy and public utility, I am satified from examination, require a reduction of its whole system, &c., beneficial innovations might and should be made to lessen, down the grades, reduce expenses, and in some cases defining their powers. To this end was introduced at the last session by the gentleman from Massachusetts [Mr. *Adams*] a resolution inquiring into the expediency of such reduction, and I regret we have no report from the committee to which it was referred. We have some seven envoys and charges in the north and south American republics, whereas, by retaining the consuls, three are all that can possibly be needed, one at Mexico, and one at some point on the Pacific, and one on the Atlantic side. The commercial importance of Texas is not not very great. The sum of the annual imports from and exports thereto by last returns are $6,690,342, compare this with that of some countries where we have only a consul or other similar agent. The sum total to and from the Hanse Towns is $6,719,952, China $7,650,795, Cuba $16,145,992, and British American colonies $8,101,211. The fact of commercial insignificance admits of objections to Mexico, the same objections might be opposed to a mission to Brazil, Russia and Prussia. Brazil, because "empire" is honored at an useless expense with a minister plenipotentiary, while China, who would not receive a minister if we sent one, is successfully disposed of by a consular agent. If Brazil, Portuguese, Danish dominions, and Netherlands, Sweden, Norway, Sardinia, and the Sicilies, are communicated with through a charge, whence the necessity of a plenipotentiary to Mexico, Brazil, Russia or Prussia. Mexico, since Spain has acknowledged her independence derives her supplies, with exceptions of a few American articles, directly from Spain and the West India colonies. Her eagerness to carry on her commerce with us is indueed from a regard for her own revenues. They have several times insisted upon even the confiscation of our vessels and cargoes for the most insignificant transgression of mere forms, and for breaches of law, enacted if enacted at all, between the time of their sailing from and arriving there. These hard dollars which are made to jingle so musically in the ears of our agents in periodical convenance from Mexico to Tampico and Vera Cruz, are destined not for the U. States, but for Cuba and Europe, for governments, whose commerce is more important to them than is ours, and who, unlike the U. States, keep her banks and consuls, and to preserve her faith either by negotiation or by floating batteries. The most that our commerce can possibly require with her is a mere charge or a consul. But I have objections of another character that outweigh all others to granting this appropriation. I refer to our political relations and the adjustment of our claims upon her and our relations with Texas. Recent events have satisfied me that new and serious attempts are to be made to promote and accomplish the annexation of Texas to this Union. One of its principal instruments is the Mexican minister, author of our present minister, and as no higher interests can be involved than the political considerations which belong to this mission, I feel it my duty to advert to them at the earliest opportunity. Whoever would trace the progress of the Texian revolution from its inception to the present time, the legislation of several of the states and of congress, the men who produced the revolution, and connect it all with the present position of that country, would conclude that the difficulties heretofore existing between ours and the Mexican government had reference only to the annexation of Texas, and that the efforts to effect it were to be renewed with all its attendant moral and political evils. Mr. L. referred to the representative history of Gen. W. Thompson, to show that he had introduced the proposition to recognise Texas, and he doubted not one of the friends of his mission would be a renewal of the proposition for its annexation. Mr. L. noticed the claims of our citizens against Mexico, and expressed the conviction that, if ever settled at all, it would be by these relinquishment, either for a Mexican recognition of Texan independence or for the direct cession of its territory to the U. States. The consequences of this last result cause from this, this mission in his judgment ought not to be allowed. Mr. L. next deprecated all interference or sympathy for Texas on the grounds of good faith towards Mexico and its inevitable tendency to involve us in a war.

Mr. *Pickens* said that the gentleman from New York [Mr. *Linn*] had assigned as reasons for objecting to this mission that it had for its object the annexation of Texas, a point of deep interest for this country, and which was felt throughout the civilized world. The gentleman had put our foreign missions on the basis of commercial importance. Mr. P. considered that in political relations no country was at present more to be considered than Mexico. We we look to our political relations with her we must be impressed with the vast importance of that mission. It was said that important movements had taken place there with regard to California; Great Britain would put it to the gentleman of New York, if the city of New York itself was not more interested in this mission than Massachusetts or Virginia? If it was true that Great Britain had made large advances to the imbecile power of Spain, and the final league was to be the possession of Cuba, was it not a matter of vital importance to have a competent mission to Spain also, to inform us of those matters. Mr. P. felt pity and contempt for that narrow economy that would strike at the great interests of our country, therefore he would not, like a miser, be narrow and contemptible grounds of local interest. Mr. P. next eulogized the efforts of Texas, and asked if we could see the "brave Texans" fighting our battles, "driven from our very hearthstones, eloven down in blood and murder by our sides, with indifference? We must first tear from the heart every emotion, every sympathy, every feeling, that ties us to the fellow man. Mr. P. did not believe it was any part of the mission to procure the annexation of Texas; that measure was done, he was to hope, if it were true, it would be no reason with him for reducing or striking out this mission. This is no time for such a thing, when our own citizens were wearing chains in Mexico, and when the Texan revolution was tremendous bondage. The resources of this republic should be pledged to avenge the wrongs and vindicate the honor of the American citizen. Mr. P. hoped yet to see the day when the lone star of Texas would add new lustre to the constellation that blazes on our own banner. The cost of our whole foreign relations amounted to something under $80,000. He agreed that alterations might be admitted, particularly in respect to Austria, but he was willing to do as our ancestors had done, leave the subject to the deferred market. No reasonable man asked a war; because, we had all we could desire without it; even we could allee our government if necessary without it, as they were now doing in Rhode Island. There was no necessity of a war with Great Britain or any other nation but we must be mindful of our honor and character or we were bound to go to war with France or any other nation. His constituents wanted the northern country for their Yankee friends to eat pine trees if they wished and if it had been in the western country they would have had long before this because they would have settled on it. [Laugh.] There were two kinds of right; a special pleading right which we did not go so much for in this country; [a laugh] and the right of nature, such as the gentleman from Alabama (Mr. *Lewis*) had called it was what they wanted. There was no man in this house who wanted to see the search of our ships on foreign coasts.

The chairman called the gentleman to order for irrelevancy.

Mr. R. said it was his duty to speak of this because the subject of foreign relations was up. He would go even to raise the salary of our minister at London because he had more to do than any foreign minister. [Laugh.] His constituents wanted Texas with them; they were suffering unavoiced and he would send two or three ministers if it would effect the annexation of Texas or the relief of our men who were working as slaves in their mines, but the first thing was to know how they got there, and whether if they were caught in bad company we could do more than give them our sympathies. Our worthy friend from N. York, (Mr. *Linn*) seemed to think that our agents were abroad chiefly for dollars and cents. Mr. R. considered that a small matter to what we owed our country. The ambassador to England had more to do than any other minister. There were the Creole Oregon and other affairs, of which he was now prevented from speaking, which he had to settle, and he ought to be paid for his services. He would vote to increase his salary, and some others might be cut off entirely.

Mr. *Fillmore* said that the chairman of the committee on foreign affairs (Mr. *Adams*) who was his (Mr. F's) Mentor and he thought should be the Mentor of the house in reference to foreign relations had corresponded with the secretary of state and had stated that they had come to the conclusion notwithstanding their anxious desire to reduce them, not to recommend any reduction at the present time. Mr. F. would be unwilling to do any thing to countenance any steps towards the annexation of Texas but the fear of such a result would not justify the withdrawal of our minister. His hoped his colleague would withdraw his motion.

Mr. *Cushing* argued as unreasonable and fallacious the assumption by Mr. *Linn* of the tables of imports and exports tending to determining the propriety of the respective missions and instanced the Hanse towns that he had alluded to, as the entrepot of the German confederation and that our immense exports to them were for consumption by the Germans, not for the Hanse towns population. In respect to our relations with Mexico, he said though the U. States might justly have pursued the course of France and have battered down the castle of Ulloa but had adopted a more generous and kindness and good will to that country and had acquiesced in settling by negotiation and indemnification. Unprecedented commercial advantages were approved, supposed to be a part of a judicial tribunal, but no sooner had they arrived at Washington than they set up the pretensions of diplomatic agents. The difficulties were necessarily for commission to be settled, and others on the construction of the treaty for indemnity, and whether the U. States is to enforce the claims of the 2,000,000 of dollars under the convention to be due her, and whether the unliquidated claims are to be the subject of a new convention. But in addition another question not less serious was to be settled, and it was to be ascertained, whether Mexico will pay the $2,000,000 already due and, if not, and Santa Anna pursuing the same course as with other governments shall choose to repudiate this debt what course the U. States is to take. It pleased the gentleman to slide over and keep out of view this immense mass of questions, which creates an indispensible necessity for a minister at Mexico, besides this and if there were no other question, the fact that an American citizen was at this hour in bondsmen's chains treated as a felon was ample cause to send a person to demand redress. Would to God that the people of this country and the members of this house would feel that it is enough that a citizen of the U. States is held in bondage in a foreign country, by every maxim of patriotism and honor to arouse them to guard the life of our citizens as the Roman republic felt it her duty to maintain the honor and protect the lives of her citizens. The gentleman professed to believe that the appointment of Gen. Thompson originated in the purpose of annexing Texas to the Union and he (Mr. C.) refused to believe this. Had he any evidence, any knowledge of it. The gentleman had said the annexation would be a question of war. If he (Mr. C.) had followed the train of reasoning, it was not a question of war with Mexico but with Great Britain. That was to say, if there should happen to be an extension of the boundary of the United States, Great Britain was to make war with us, and we were to be deterred from our interests through the apprehension that Great Britain might frown on us. He would not say that the representatives from N. York or any other state in entertaining this apprehension, but he would say that he thought it was an apprehension that disbonored and degraded the house of representatives. Did Great Britain ask our permission to add a million of souls to her possessions every year; to go to China and seize and massacre unoffending thousands of the people of China, not only in outrage of the rights of the people of China, but of those commercial nations whose intercourse with China is thus interrupted? Not at all. And were we to be told that we are not to judge of our relations and foreign policy, but to ask whether the earl of Aberdeen might shrug his shoulder? The gentleman had alluded to some profit to Ferdinand VII for the cession of

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Cuba to the United States, which England prevented. He (Mr. C.) remembered many years ago reading with sentiments of admiration a message of James Monroe, and a passage of that message written, he believed by an honorable member of this house, in which the powers of Europe, one and all, were told that the United States would not look on with tranquillity it any power of Europe undertook to acquire Cuba from Spain. It was the monarchs of Europe who were told that we would not bear with patience that another king should be placed on the continent of America. The gentleman had wholly misrepresented the fact. It was the U. States that prevented the introduction of another monarch into this continent.

Messrs. *Linn* and *Cushing* briefly explained as to historical facts.

Mr. *Cushing* said the thing that happened was, that overtures were made from the subjects of Spain residing in Cuba. What their authority was, how they received it from the people of Cuba, was immaterial to the main point. He doubted not that overtures were made from inhabitants of Cuba, and they might be again; for now there was danger that England would place her grasping hand on Cuba, and the people of Cuba might again make these overtures.

Mr. *I. D. Jones*, of Maryland, said that he had listened to the remarks of the gentleman from New York (Mr. *Linn*) with no great surprise. When the member made the motion to strike out the appropriation for a mission to Mexico Mr. J. expected in advance of his speech to hear his reasons based upon the insulting language of Mr. Webster (which he had been appropriately styled in the other wing of the capitol) in reference to our people and government. He supposed, that, and the aspersions of our fellow citizens would be his causes for stopping all diplomatic intercourse. Imagine my surprise on hearing him base his motion on his belief that the purpose of sending him was to annex Texas. The gentleman did not explain to us the *modus operandi* of this new fangled arrangement. When he resumes I hope he will favor us with his explanation. Mr. J. then remonstrated and protested against the course of remark of Mr. *Linn* against Texas and said he knew no such place as the "revolted province of Texas." He had heard of the "state" of Texas as a part of the Mexican confederacy. Mr. J. then briefly recapitulated its history and stated that her independence had been recognized by the U. States, France, Great Britain, Belgium and Holland.

Mr. *Linn* asked if Mexico had ever recognised her independence and if not if she were not to be considered as in a state of revolt.

Mr. *Jones*. No sir; but nevertheless is Texas not *de facto* and *de jure* sovereign and independent? Were we not so, although Great Britain had not recognised us, from the day that we declared this country independent. Texas has fought for & gained her independence and enjoyed it in triumph. Mr. J. continued in a strain of panegyric on the deeds and prospects of Texas and having concluded,

Mr. *Slade* arose; thought the time of the impatience for the passage of the bill he should not now go into its discussion as fully as he desired; he would render, however, his thanks to the gentleman from New York (Mr. *Linn*) for having brought the question of this Mexican mission to the notice of the committee and of the country; and though Mr. S. could not vote in favor of the motion he had made, he rejoiced that it had been made since it opened the subject for debate. He expressed his regret that the gentleman had, from motives of delicacy, confined himself to a general outline of his argument, and had not filled it out more in detail; if the gentleman supposed he should, in the slightest degree, expose cause to certain quarters for such a course, he would find himself entirely mistaken. It was due to himself, due to the house, and especially due to the country, that the subject should be more fully gone into, that the community might be cleared from the stupor which seemed to prevail in regard to this whole subject of the annexation of Texas to this union.

Mr. S. declared himself in favor of the appointment of a Minister to Mexico in preference to a sidesh charge, not only on account of the direct relations which subsisted between us and that country, but also of the collateral bearings of the subject. But, while he was decidedly in favor of the mission, he did object to the individual who had been appointed to fill it, and he thought there were sufficient reasons why he ought not to receive his outfit and salary; at all events the committee had a right to discuss that question. The individual ought, in point of talents and coolness, to be second to no man upon earth. Mr. S. then expatiated upon his objections to the selection of general W. Thompson and thought his activity in favor of Texas when a representative would render him not as acceptable to the Mexican government as an individual less committed to that cause, and that his temper, however high his talents, unfitted him for it. Gentlemen in the south did not appreciate the feelings which pervaded the country in reference to this Texian question. Throughout more than half the states of this union, it was watched with the utmost jealousy, and excited the deepest feeling, because it was well known that anxious efforts had been going on to effect the annexation of Texas to the United States, and it was as perfectly understood that the entering wedge to the accomplishment of such a design was never applied in the open light of day, but in secret. The thing, if it appeared upon the surface, that wedge might not only be entered, but driven up past all hope of extraction before the fact was known to all. And there were those in this union who looked the more sharply at all such measures from their apprehension as to the connexion between the annexation of Texas and the extension of slavery. Mr. S. referred to the vast number of petitions which they had sent up against the annexation. That number was not so great now, because an impression had begun to prevail that the danger was over. But Mr. S. could assure them, they were entirely mistaken. It was not over; very far from it, and he again thanked the gentleman from New York, (Mr. *Linn*) for bringing the attention of the country to the subject. He should take for granted, what he had no doubt was true, that there was not a majority that house in favor of annexation, and that the ardent opinions of the gentlemen from South Carolina, (Mr. *Pickens*) would not be responded to. It was in vain that gentleman sought to rouse the feeling of the northern gentlemen to the battles of Jarnint or the Alamo. The American people never could be drawn into any such measure as the annexation of Texas: it would be utter ruin to the union of the states. Mr. S. would give the sleep of his fingers for this union from the day such a measure was effected. It would be dissolved *ipso facto* from that moment. Mr. S. was not the man to union, he desired to see it preserved, and therefore he deprecated a scheme that must dissolve it.

[A voice. "How are you going to dissolve it."

Mr. S. said he could readily tell gentlemen how it might be done; but he did not wish to go further into that subject; he desired to make a short speech and resume his seat. If he could show that the sending of the present minister had a direct bearing on such result, then he should feel himself grounded in the opposition he had made.

To procure an annexation, the assent of Mexico must first be got, a right claim must be obtained; and that Mexico had more than a mere paper title, the recent correspondence of gen. Santa Anna with Gen. Hamilton showed. The Florida treaty was made and the bargain consummated before the people knew or understood any thing of the matter. So probably it would be with Texas.

The next step was that Texas should rush into the arms of the United States. The legislature had formerly passed a resolution to that effect.

[A voice: Yes; but they repealed it again].

True; and they could pass it again, too; the same influence still operated. On the part of a certain class in this country this was a cherished purpose. And why? Mr. S. said he would not enter on the answer to that question, because in doing so he should be obliged to go into a discussion of a comparatively certain portion of the house, and once commenced, the argument would carry him on beyond the bodily strength he now had to sustain it. He would only say, in general terms, that he believed it arose from a desire to extend and to perpetuate slavery.

Mr. S. said that at the formation of the constitution the general expectation was that in less than 25 years slavery would be abolished, but instead of that it had increased threefold. It began with the purchase of Louisiana which was introduced into the constitution than any other event that has ever happened.

Mr. S. could show, did time permit, how slavery had governed this land; how it had chosen our presidents for a succession of forty years, while there had, since the foundation of the government, been a president of the slave states for twenty years but for twelve years and one month. And of these, one never would have been president had he not been "a northern man with southern principles." A review of the individuals who had filled the speaker's chair of this house would show the same thing.

Mr. *Sollers*, of Maryland, here interposed, and called Mr. S. to order for irrelevancy.

After several motions that he be allowed to proceed and much sensation, a motion by Mr. *Wise* that he be allowed to proceed in order, was put and carried.

Mr. *Slade* then resumed. Five out of six of those who had filled the mission to Mexico had been gentlemen of the southern states. Mr. S. next repelled the taunt of Mr. *Cushing* of his being actuated by a dread of British interference, but Mr. S. thought we should avoid being needlessly embroiled with that government. If the British government stood pledged to aid Mexico against certain contingencies to which the gentleman from S. C. had alluded to as a fact, that of itself was sufficient to put a prudent statesman on his guard. The southern gentlemen should clear their hands in the design of annexing Texas they would find a spirit of opposition they little dreamed of. Let us repudiate such a union and pronounce it to the world utterly impossible. We may ask Great Britain Mexico to open its ears to our claims. A proclamation of neutrality was made in relation to Canada.—Why should it not also be made in respect to Texas. We owed such to ourselves and the peace of the world. Let us maintain the open ground of neutrality and peace, and doing this the question had no connection with abolitionism whatever.

Mr. *Wise* next addressed the chair. He said as the question had been opened, he felt it a duty to his constituents and the country to take a part in it. He should, in a manner perfectly calm and dispassionate, address a few words to that class to which the gentlemen from N. York (Mr. *Linn*) and Vermont (Mr. *Slade*) belonged.

The gentleman from New York had moved to strike from this bill the item for the salary of a minister to Mexico, and this just at the moment when the New Orleans papers have announced to the world his immediate departure as minister to a government toward which we stood in the most delicate and important relations, which must be settled by the negotiations he was to conduct! Yes, and whilst, for all Mr. W. knew, there might be ten or a dozen of our own native citizens in the mines of Mexico, wearing the chains of a degrading bondage, although at the very first hint from the British minister a British citizen taken in company, side by side, with the very men of ours whom they had manacled and set to drive the streets, was promptly released. Yet the gentleman from New York would have our fellow citizens still wear their fetters, and still endure their public degradation; and why? Because, forsooth, it had been the ulterior object of the president and of a certain party in this country to annex Texas to the union!—Our citizens had claims on that government to the amount of twelve or thirteen millions, and there must not send a minister to demand the property or protect the freedom of our citizens in Mexico.

The tyrant of Mexico was now at war with Texas, and had threatened that he would invade her territory, and "never stop till he had driven slavery beyond the Sabine;" and the gentleman would let him let loose his savage hordes on the citizens of Louisiana, yet send no minister to remonstrate or to threaten him.

[Mr. *Slade* here explained. He had not been opposed to our having a minister at the court of Mexico; but only to the individual selected to occupy that post].

Mr. *Wise* said he could forgive the gentleman, because he knew not the consequences that might flow from the doctrines that he was accustomed to advance. These gentlemen would not send a minister to prevent the invasion even of the United States, lest by possibility it might lead to the annexation of Texas.

[Mr. *Linn* explained, insisting that he had not opposed the mission, but had conceded that there might be sufficient grounds for it. He had moved to withhold the salary at present, because he believed that the whole movement had originated in a design to annex Texas to the union. being, however, well satisfied that the committee would not consent to strike out the appropriation, he was willing to withdraw his motion.

(Loud cries of "no, no.")

Mr. *Wise*. No, the gentleman shall not withdraw it now.

Mr. *Wise* resumed, and repeated what he had before said as to the possibility that the Mexican arms might drive back the slaves of Texas beyond the Sabine upon Louisiana and Arkansas. The English papers openly advanced the doctrine that it was the aim and policy of Great Britain to make what she was pleased to denominate the *Indentured* Negroes pay their debts to her by the cession of territory. Thus Spain must surrender Cuba, and Mexico must surrender Texas and California. He referred to the British command of the Gulf of Mexico, and the possibility of her rendering that sea a *mare clausum* to the people of the valley of the Mississippi. And it was a part of the same policy that she should keep increasing the debt of Mexico, by affording to her the means of invading Texas and the U. States, and thus ultimately force her to give up California. The

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gentleman had stated that it was the design of the president to unconstitutionally annexation of Texas, if possible. Mr. W. demanded on what proof he made that assertion?

Mr. *Lisa.* Does the gentleman deny it?

Mr. *Wise.* I have no authority to deny it or to admit it.

Mr. *Lisa.* Do you make the issue, and I will give you the proof, &c.

Mr. *Wise* said that, though he did not know anything of the matter, he might for the argument's sake deny it, and, if he should do so, could the gentleman produce any proof of it? What was the authority on which the house was asked to believe it? The gentleman's mere *ipse dixit.* What did *he* know of the opinions or purposes of the president of the United States? His assertion must go for nothing. But suppose the president should be desirous of such an issue, what then? Mr. W. knew no more of the fact than the gentleman, but he earnestly hoped and trusted that the president was as desirous as he was represented to be. But Mr. W. was prepared to shew, and from the highest authority, not what was the opinion of a slaveholder, but of a gentleman now on this floor, but who occupied the presidential chair at the time the gentleman from Vermont (Mr. *Slade*) was a clerk in the department of state. He would show that that individual had offered a million of dollars for the addition of that territory to the United States. Here Mr. W. quoted the following letter from Mr. Clay, then secretary of state, to Mr. Poinsett, then our minister at Mexico, dated March 16, 1825. Speaking of the boundary between us and Texas, the letter said:

"Difficulties may possibly hereafter arise between the two countries from the line thus agreed on, against which it would be difficult to guard, it practicable, as the government of Mexico may be supposed not to have any disinclination to the fixation of a new line which would prevent those difficulties, the president wishes you to sound it on that subject, and to ascertain its real and favorable disposition, if you should find it, to effect that object. The line of the Sabine approaches our great western mart nearer than could be wished. Perhaps the Mexican government may not be unwilling to establish that of the Rio Brasos de Dios, or the Rio Colorado, or the Snow Mountains, or the Rio del Norte, in lieu of it. By the agreed line, portions of both the Red river and branches of the Arkansas are thrown on the Mexican side, and the navigation of both those rivers, as well as that of the Sabine, is made common to the respective inhabitants of the two countries, &c.

In a subsequent letter, dated March 15, 1827, the same officer opened the subject more fully to our minister in Mexico, as follows:

"The great extent and facility which appears to have attended the procurement of grants from the government of the United Mexican states, for large tracts of country to citizens of the United States, in the province of Texas, authorise the belief that but little value is placed upon the possession of the province by that government. These grants seem to have been made without any sort of equivalent, judging according to our opinions of the value of land. They have been made to, and apparently in contemplation of being settled by, citizens from the United States. These emigrants will carry with them our principles of law, liberty, and religion; and however much it may be hoped they may be disposed to amalgamate with the ancient inhabitants of Mexico, so far as political freedom is concerned, it would be almost too much to expect that all collisions would be avoided on other subjects. Already some of these collisions have manifested themselves, and others, in the progress of time, may be anticipated with confidence. These collisions may increasingly enlist the sympathies and feelings of the two republics and lead to misunderstandings.

"The fixation of a line of boundary of the United States on the side of Mexico, should be such as to secure not merely certainty and apparent safety in the respective limits of the two countries, but the consciousness of freedom from all danger of attack on either side, and the removal of all motives for such attack. That of the Sabine brings Mexico nearer our great western commercial capital than is desirable; and although we may not feel it for a long time may remain, perfectly satisfied with the justice and moderation of our neighbor, still it would be better for both parties that neither should feel that he is in any condition of exposure on the remote contingency of an alteration in existing friendly sentiments.

"Impressed with these views, the president has thought the present might be an auspicious period for urging a negotiation, at Mexico, to settle the boundary between the territories of the two republics. The success of the negotiation will probably be promoted by throwing into it other motives than those which strictly belong to the subject itself. If we could obtain such a boundary as we desire, the government of the United States might be disposed to pay a reasonable pecuniary consideration. The boundary which we prefer is that which, beginning at the mouth of the Rio del Norte in the sea, shall ascend that river to the mouth of the Rio Puerco, thence ascending this river to its source, and from its source, by a line due north, to the branch of Arkansas, thence following the course of the southern bank of the Arkansas to its source, in latitude 42 degrees north, and thence by that parallel of latitude to the south sea. The boundary thus described would, according to the United States Tanner's map, published in the United States, leave Santa Fe within the Mexican limits, and the Red river and Rio Roxo and the Arkansas, as far up as it is probably navigable, within the limits assigned to the United States. The extent of territory acquired would, as the next most desirable, agree to that of the Colorado, beginning at its mouth, in the bay of Bernardo, and ascending the river to its source, and thence by a line due north to the Arkansas, and thence, as above traced, to the south sea. This latter boundary would probably also give us the whole of the Red river, would throw us somewhat further from Santa Fe, but it would strike Arkansas possibly at a navigable point. To obtain the first described boundary, the president authorises you to offer to the government of Mexico a sum not exceeding one million of dollars. If you find it impracticable to procure that line, you are then authorised to offer, for the above line of the Colorado, the sum of five hundred thousand dollars. If the latter offer should be accepted, you may stipulate for the payment of the sum of money, as you may happen to prefer, within twelve or eighteen months after the exchange at the city of Washington of the ratifications of the treaty.

"Should you be able to conclude a treaty, it will be necessary that it should contain a stipulation for the mutual right of navigation of the Rio del Norte or the Colorado, as the one or the other of them may be agreed on, and for the exercise of a common jurisdiction over the river adjacent. The treaty may also provide for the confirmation of all bona fide grants for lands made prior to its date, with the conditions of settlement where such have been made, and it may contain a provision similar to that in the Louisiana and Florida treaties, for the incorporation of the inhabitants into the union, as soon as it can be done consistently with the principles of our federal constitution, and for their enjoyment of their liberty, property, and religion.

"There should also be a provision made for the delivery of the country to the United States simultaneously, as as nearly so as practicable, with the payment of the consideration. We should be satisfied with a somewhat less extent than that, as far as the river line extends, (the Del Norte or the Colorado), and to receive the residue as soon as the line to the Arkansas can be traced, which Colorado ought to provide should be done without unnecessary delay, and, at all events, before a future day to be specified."

Here, then, was proof that a former president of the United States not only wanted more territory added, but was willing to pay a million of dollars if it extended to the Rio del Norte, and half that sum if it went no further than the Colorado. And it showed further that he was not only for the purchase to the territory, but for the admitting its inhabitants into the union. This was authentic information, information on which the gentleman might rely with much more certainty than on any vague report about the existing chief magistrate. This was a line of policy which Mr. W. had approved and applauded at the time and which he still applauded and approved, if, as was said, it was the policy of Mr. Tyler. There was now no money to be paid for the territory, and it was occupied by a sovereign power which had authority to transfer it. If the annexation had been wise and peaceable, and practicable and desirable in 1827, it was not less so in 1842. It was fair to presume that the same motives still continued to operate on those who sought the same thing.

And why should not Texas be united to this union? What would be the effect of such a union? Do we extend slavery? Not at all. Slavery existed in Texas to just the same extent now as it would were Texas a part of the United States. The only difference would be to bring it under our own jurisdiction. It was now in a foreign state, where we could exert no influence over it to mitigate its severity or restrain its abuse. Was it in the spirit of philanthropy that gentlemen opposed it? In the spirit of Christian missionaries? Mr. W. thought it was held among them that to benefit the heathen you must be among them. Christianity must be brought to bear upon their minds; and so, if these philanthropic gentlemen wanted to mitigate those evils of slavery over which they made such doleful lamentation, let them bring it within our reach and jurisdiction.

Could they multiply their petitions ten thousand fold, would they abolish slavery in a foreign state? If the spirit of emancipation was to go forth, like an angel, from the north toward the south, striking off manacles and drying up tears, (Mr. W. now spoke as one of them was, why not bring the slaves of Texas also within its range? Why leave that one dark spot untouched? Did they not perceive that, as long as Texas remained, as a separate state, it would be an asylum for slavery?

But possibly they would evade the force of this argument by looking to England to emancipate the slaves there. If so, they utterly mistook the motives and the means of England. She had in the republic of Texas a rival to the United States in the production of cotton, and as long as she wished to retain her as such, she would keep up the slave labor in Texas against the slave labor in the United States. Mr. W. scouted the idea of England being sincerely engaged in the work of emancipation, referred to the late detection of a conspiracy between British cruisers on the coast of Africa and the slave dealers, and also to her undeviating course of oppression in India, and concluded by asserting that England wished to keep Texas as a foreign state in juxtaposition with our southwestern border, that she might be a mart for manufactures in exchange for the benefit of England, and to the injury of the southern states—if that was their plan—then it was the surest way that could be taken to rivet upon her the chains of slavery forever. Yet, if they were really sincere in their professed desires to see slavery abolished, their true and only course was to annex Texas to the United States. [A laugh in certain portions of the house.]

Mr. W. next expatiated on the possible effects of the war between Texas and Mexico and on the sympathies of the people of the Mississippi Valley for their Texian brethren. He said he saw there the conquest of the rich Mexican provinces, and you might as well attempt to stop the wind. This gentleman had spoken of danger to the frontier to turn them back, and they would run over them like a heard of buffalo. Or did gentlemen intend to put forth the odious, exploded, detestable doctrine of 'no expatriation?' The western people would mock at such a barrier; they would come armed to the frontier, and who should stop them from crossing the Sabine? Gentlemen had pleased to talk the work once begin, and Mr. W. did not know that this house would hold him very long. Let Texas give him but five millions of dollars, and he would undertake to do it, nay, undertake to defend against Mexico fourfold his demand. *He* would fix our boundary, not where Mr. *Adams* had tried to fix it, at the Rio del Norte, but far, far beyond, aye, and he would soon fix California under all the power of Great Britain should never be able to reach it. Slavery should pour itself abroad without restraint, and find no limit but the northern ocean. The Canadians should no longer hold the richest mines of Mexico; but every golden image which had received the profanation of a false worship should soon be melted down, not into Spanish milled dollars, indeed, but into good American eagles. [Laughter, mixed with some exclamations.] Yes, then should more hard money come into the United States than any exchange or sub-treasury could ever circulate. He would cause as much gold to cross the Rio del Norte as the mules of Mexico could carry; ay, and make a better use of it, too, than the bigoted priesthood under heaven. [A general laugh.]

Mr. W. next alluded to the blockade of the coast of Green Bay in 1814 by the privateer Captain Boyle, to Houston's Mexican blockade, to Alamo, and to his future fests. Nor could all the vaunted power of England stop the chivalry of the west till they had planted the Texian star on the walls of the city of Montezuma. Nothing could keep these booted loafers from rushing on till they kicked the Spanish priests out of the temples they profaned. Gentlemen might be horror-stricken at this.

[A voice: "Oh no, sir, not at all; we are quite calm."]

Mr. W. then entered into calculations to prove his correctness, &c. &c. finally said that he wanted no war with Mexico; he went for sending a minister to preserve peace; but, unless she treated our citizens as equal footing with those of England, he was for war, and cared not how soon.

It was said that this would marry us to a war with England. This had been too well answered by his friend (Mr. *Cushing*) already; but for his own part, if he was to choose a war with any power, the prospect of a war with England was the very thing he should desire. If he were to pick out a war he suit

his taste, it would be a war with England. Here was a "foeman worthy of our steel." He would leave Mexico to Texas and the people of the Valley: they could soon dispose of her. Let a war come; with France, the United States, and Texas, on the one side, and England and Mexico on the other; he would ask nothing better.

Mr. W. then insisted that a majority in the United States were in favor of the annexation of Texas, and he would ask the seamen of Maine and Nantucket if they were in favor of England getting possession of California. Our policy was peace but his threatens us with the growl of the British lion was the very way to rouse our people.

The committee now rose and the house adjourned.

THURSDAY, APRIL 14. A message was received from the senate announcing the passage of certain bills, among which was the loan bill with amendment.

This amendment was concurred in by the house, and the bill awaits the president's signature to become a law.

Mr. *Cushing*, from the committee on foreign affairs, reported the following resolution:

Resolved, That the President of the United States be, and he hereby is requested to enter into negotiations with the British government, for the purpose of effecting a permanent, equitable, and just conventional arrangement of the commerce between the United States and the British colonies in America.

The resolution and report were ordered to be printed, and the subject postponed for a week.

Mr. *Irwin* presented the resolutions of the legislature of Pennsylvania, instructing their senators and requesting their representatives to urge an appropriation for the improvement of the Ohio, so as to ensure a regular and permanent navigation, and requesting a grant from us, and to oppose the construction of a bridge over it at any point.

The house then on motion of Mr. *Fillmore* resumed the consideration of the bill for diplomatic expenditures, and the motion of Mr. *Linn*, to strike out the appropriation for a mission to Mexico.

Mr. *Wise* arose and vindicated the fitness of Gen. Thompson for the mission, which had been assailed by Mr. *Slade*. From intercourse he knew the character of Gen. T. than whom he had never known a more liberal and honorable man. He was accomplished in his manners as a gentleman, and in his address was more distinguished for the *suaviter* than the *fortiter*. The gentleman of Vermont, neither had ever been his associate or knew him sufficiently well to be a judge of his personal temper, but had felt the spear and lance of that gentleman on this floor.

Mr. *Butler*, of S. C. said he had heard with astonishment at the proposition, coming from the quarter it did. He thought it exhibited, in adjusting questions between this and foreign governments, an illtempered feeling. If there was ever a question in every member of this house, from whatever section he came, should forget his sectional feelings, when the honor of the country was concerned, this was the time when it should be done; but this proposition exhibited that there were strong sectional feelings uppermost in the minds of gentlemen, and an ill-temper towards the south.

This was the time when a representative of this country should be at Mexico to watch the course of events, and report them truly and faithfully. At this time, when its party tyrant was marching to invade Texas, aided by British gold and British influence, the proposition was to withdraw our minister! Whatever might be the sympathies of a certain class of gentlemen here and elsewhere, whether they might or might not be enlisted on the side of the tyrant of Mexico, his feelings were enlisted in behalf of the gallant people of Texas who, by their sufferings, their hardships, and their bravery, had entitled themselves to the consideration of the civilized world. The gentleman from New York had founded his belief only on the delusive and ill-natured feelings that governed him on all occasions.

His object in rising was mainly to reply to some remarks in vindication of his predecessor from an assault on his character by the gentleman from Vermont, (Mr. *Slade*.) He was sorry that the gentleman was not in his seat. The gentleman was a cool and calculating man, who approached a subject with care and caution. He regretted that on this occasion he had felt it his duty to have so far forgot what was due to an American citizen as to have taken the advantage of his position to have assailed an absent gentleman. Magnanimity would appear to have required from him that he should have made an open attack, aboveboard, and in the presence of the gentleman who might thus have insulted him. He saw the gentleman very seldom existed, but on every occasion in which opportunity presented itself he indulged in most violent, ill-tempered abuse of the south and her institutions.

He knew nothing of the instructions given to the present minister to Mexico, but hoped they were of such a character as to require immediately the delivery of all our citizens now confined in Mexico—that they were positive and peremptory; and if the demand is not complied with, that the next negotiator to be sent might be one of our squadrons commanded by one of our gallant navy officers; he would wish to see them off Vera Cruz, and he would trust to their honor to effect the release of our people which negotiation had failed to do. He knew nothing of the president's opinions, whether or not they were in favor of the annexation to Texas; if so, and if he could accomplish the object, he should regard him worthy of the highest honor. In the manner Florida was obtained from Spain, Santa Anna would be very glad to dispose of Texas, and this government might purchase it, and annex it to Mexico.

With respect to the invasion by the Mexicans and the subjugation of Texas, the greater probability was that Texas, with her single star, would march to Mexico itself, and he hoped the time was not far distant when they might hear the pleasing intelligence that that single star, the emblem of liberty, is flying in triumph over Mexico.

The gentleman from Vermont had now taken his seat. He had observed that the gentleman was a man who was not often excited, but when bent on this object of mischief, when engaged on this subject, which appeared uppermost in his feelings, would indulge in intemperance and violence towards that portion of the country, which he appeared to hate with a holy hatred. What might have been the relationship of that gentleman to the present minister to Mexico he did not know. The gentleman had taken occasion in his absence to say that, from his want of temper, he failed to represent us at Mexico. If the gentleman had received from this officer a private injury, it would have been much more becoming in him to have repelled the insult at home than at this place and time.

Mr. *Slade* was understood to say he had no recollection of having received insult or assaults of a personal character on this floor from the gentleman from South Carolina (Mr. Butler.)

Mr. *Butler* said he regretted that the gentleman from Vermont had seen fit thus wantonly to assail this gentleman in his absence.

Mr. *J. C. Ingersoll* rose to amend the amendment by reducing the sums of appropriation for the missions to Austria and Prussia one-half.

Mr. *C. J. Ingersoll* said, when an honorable gentleman, who was the chairman of the committee as the chairman of the committee of ways and means, hurried a bill of this sort through, when every body knew, as the gentleman from New Jersey, (Mr. *Halsted*) had proved by reports published a few days ago in the Intelligencer, that this house was already in advance in its business of former congresses at this period of the session—when the gentleman said he hoped there would be but little debate, he (Mr. I) said, in the face of the country—and that was the principal reason why he had risen—that it was better that the appropriations for the army and navy should be delayed than there should be any suppression of what any and every representative chose to say in committee of the whole on the state of the union. The committee of the whole was the great defence of the American public, an infinitely stronger defence than the whole army and navy. Mr. I. further referred to the wide range of discussion proper to be taken in committee of the whole, and said that an opportunity should be given to every individual to express his local and particular as well as his national views, and that the abridgment of this liberty was the great reason why this house was daily sinking in public estimation, when the other legislative body, with no better sense of propriety and decorum, was rising every day in good will. He intended in his remarks, to observe the rules of order, and appealed to the chairman to restrain him if he should transgress them.

The house would recollect (he was understood to say) that at the last session he had moved to reduce the diplomatic establishment, conceiving as he did that we had too many of it, and too expensive for the world. Our diplomatic agencies were cumbrous, were overdone. In the latter part of the letter addressed by the chairman of the committee on foreign affairs, (Mr. *Adams*,) the secretary of state had suggested whether the business could not be better done by a different arrangement, consultships instead of missions. He (Mr. I.) conceived that a consul would be sufficient at Vienna and Berlin, where we now had full ministers, and at Naples and Sardinia, where we had unrequited charges. He conceived that the whole system might be reduced to the republican standard.

There was a view of this matter which we never taken; that was, that precisely as we export foreign ministers do we import them. It was the imported foreign ministers, to whom we paid nothing, by whom we suffered vastly more than by those we export, whom we pay. Our foreign ministers cost us but little more than $80,000; but what did the foreign ministers cost us here? They had revolutionized this country. The gold-spoon influence which came from that quarter infected every body here: no man could escape it, neither presidents, secretary, nor all the rest. He thought that the change that had been made in this respect should be depreciated, both in its effects on the public and private man, on the statesman and the citizens of the republic. These foreign missions were therefore injurious, not only because they cost us so much money, and add so much to the presidential patronage in the unnecessary numbers sent abroad, but infinitely more in those they bring back on us. The gravest question in the world was now in negotiation in this city, which involved at once the question of slavery and the slave trade, in which the parliament of Great Britain, the deputies of France, and the congress of the United States were all agitated at this moment; and now it came to be connected with the immense question of the right of search. He was about to say that the representatives of foreign courts here, whose access to our ear and counsels was perfectly familiar, exercised a great influence. He did not speak of the president now in the chair, but might not the day come when these foreign ministers, from this personal influence with the executive of the United States, might have a most vital bearing on pending negotiations? This was the motive to him of doubting the propriety of extending our foreign intercourse, which had thrown back on us a correlative foreign influence of this kind.

Our foreign ministers should be men of talents.—Our correspondence, (Mr. I. continued,) in a series of excellent letters to the late British minister, and our minister in Paris, (Mr. Cass,) in an able pamphlet, which had commanded much admiration in Europe, by the ability he took on the subject of the right of search, had saved the infliction of the most dangerous and insupportable maritime tyranny which could be imposed on us. Mark the immense effect of General Cass's interposition on this subject. The French minister, of the highest and purest character and integrity, and, as he understood, a decided abolitionist, with the unanimous support of the throne, had been defeated in the chamber of deputies. We were saved the infliction of marine tyranny, which entitled itself to visit, to search, to capture, and send in for condemnation, under frivolous pretexts, every vessel in our coasting trade. From this we have been saved by the happy and honorable interposition of our foreign minister abroad, as he supposed, without specific instructions. Our ministers to England and France, (Mr. I. was understood to say), although they might have had no specific instructions from the present executive, could look into the journal of their missions, and see the laconic and noble correspondence of the late secretary of state—a man who had lately gone to his great account—a man who, in his long life, was never guilty of a mean, dishonest, or unworthy act—a great man. There was then before them a law laid down, from which it was not for them to depart, and they were sufficiently informed to take the stand they did, which saved us and the world from this marine infliction.

With reference to these developments abroad, and with the information he had received in consequence of the committee on foreign affairs, founded on the communication from the executive department, he was not prepared at this moment to act hastily or undeviatingly on any measure he might have. He was disposed to push matters to extremity, in the face of what they were told here by the gentleman who moved the resolution on this subject, and when the gentleman's opinion was corroborated by the report from the department of state; and while he had moved this amendment, it was for an opportunity to give his views on the subject, and not from any hope or wish that the amendment should prevail. He trusted, before he left this stage, he should have some opportunity, when the subject was under consideration, of presenting some propositions into our regulations on the subject.

Our foreign ministers were the cheap substitute for war; inventing to the constitution the cheap substitute for misunderstanding with foreign nations, which they prevent.

He desired to add, in connection with the subject, a very few words on what he conceived to be one of the most misunderstood interests in this country.—There had come among us lately an envoy extraordinary from Great Britain; a gentleman whom he had the honor to know personally a great many years ago, and who, it gave him great pleasure to say, as far as his personal inclinations and personal temper

were concerned, he was sure came to us in a peaceful spirit, because he was sure that was his nature; and he took great pleasure in saying it, as this gentleman had been the subject of some animadversion in the newspapers, that he never would be convicted of any dishonorable charge, and that in all his intercourse with Americans, at all times, throughout a long life, he had been a candid, liberal and generous man. What instructions this minister had, he knew nothing about; but in his (Mr. B's) apprehension, he could win his way at least without any difficulty by taking one course, and that he would take the liberty publicly to suggest.

It was a remarkable fact, not often adverted to, that on the five great points of controversy between the United States and Great Britain, she was in every one of them an egregious aggressor. On the Maine question she took our soil; in the Caroline affair she invaded it with force and arms; in Oregon she dispossessed us of our territory; in the Texas case she took what we held, and she had acknowledged to be our property; and on the question of search or visitation, she came across the Atlantic, from the old world to the new, with exploded pretensions, demanding that we should submit not only our vast commerce in all the seas of the ocean, but our coasting trade to the visitation and search of those who say that all they desire is to be constables of the ocean.

He was a man of peace, and he hoped we should have no war; but he conceived that the evils of war were altogether exaggerated, and were impossible to the evils of war; but he wished the British minister here to understand that he might depend upon it (and he said it with the spirit of friendship) that war would not do us as much harm as his country. In the first place, if we choose to apply the principles of war, it paid all the states' debts at once—$200,000,000 debts would be settled—[laughter]—or, at all events it suspended the interest on the capital during the war. In the next place, when they talked of the want of preparation, he had hardly patience to sit still and hear it. We had preparations beyond the preparation for either of the former wars; in the first place in having a sufficient population, in the capacity of clothing, of feeding, and in having all the materials of war greatly superior to the materials of any other nation in the world. There was nothing in any navy in the world to be compared to the two vessels now arrived in Hampton in the sound of his voice. There were none in the British or French navy at all comparable with these vessels; so he was informed by an officer of the navy, and that these ships were superior to any thing in the world. All our lakes and rivers were covered with transporting steamboats, which he was informed could readily be manned and fitted for battle.

On this subject of preparation, it appeared to him that we were under a lamentable delusion. He should be sorry if we were better prepared, because we must always compromise our peace, our prosperity, our country, our republicanism by the existence of an armed government; and he would rather take this nation as it is, than the most completely armed nation of the world. Give him, if we go to war, that mixed nation in whom the principles of liberty, independence and defiance exist, in preference to all the armed powers on earth. It was a monstrous humbug to talk of the British going into New York and burning it. He had been told by the first officer in the American navy that it was just as easy to burn London as New York, and that he would undertake for it, if they burned New York, give him a little opportunity and he would burn London too. [Laughter].

They talked of a servile insurrection, of setting the slaves of the south on us, and disembowelling the union. Were they to be talking in this way, when they knew that Ireland, India, and Canada, hung by a thread! and instead of disemboweling us, we had only to let loose what their own brilliant Canning called the spirit of freedom, and they would fall to pieces like the banking system of the United States! [A laugh.] He did not wish to see Great Britain otherwise than Great Britain, except when she made aggressions on our own country. He wished to tell her (he was understood to say) when he talked of disembowelling us, that we were in a state of perfect union, and he hoped that this mission now pending here would terminate by this administration taking its position and saying, "we are for peace. We do not want to fight. Do not make it for our interests; we cannot yield to your demands; if we should, the senate would overrule us; congress would defeat our purpose; the people would turn against us; in this popular country, concessions you require are extremely unpopular." We had the sympathies of all France, Prussia, Russia, Sweden, Denmark, every maritime nation in the world, Texas too. [Laughter.]

He had said these things in a spirit of peace; he had no hostile temper or disposition. He trusted that it might be heard, and he not altogether without some use. He saw no difficulty at all in settling the Maine boundary question; nothing insuperable in the Caroline case, or the Creole case, or the question of the Oregon country. He saw no difficulty it settling all these questions, excepting one and that could be settled in one day if Lord Ashburton were to say as to this question of search and visitation. "I find the country so much against me, I must, as a matter of necessity, give it up."

He challenged opposition to the opinion he asserted that there was no right of search in time of war, much less, and it was monstrous for Great Britain to come to us and talk of our yielding it in time of peace. It was merely an exercise of brute force. He believed in the thirty treaties he had examined within the last two hundred years, during a prolonged laughter, in which Mr. L. participated) he acknowledged that he was an old man; but he had intended to say that he had examined the treaty made for two hundred years, which, as well as the law of nature, vindicated that there was no right of search, and that this demand was a monstrosity.

The greatest question in the world, which now agitated all Christendom nearly, was this mixed question of the slave trade and this right of visitation and search; and if ever deserted by France, as we are by Russia and the other powers, how noble and glorious would be our position, how imposing our attitude, standing alone to uphold freedom by sea, as our example had given it life on land! Of the result he knew it would be for the United States to stand up in a peaceable attitude and say, we do not mean to go to war, unless you coerce us; we do not mean to strike principles, which are the true American principles. He trusted the British minister would be successful in his mission, if a mission of conciliation and peace; that he would retire upon his conciliatory mission, return to an earldom. Lord Ashburton had Mr. B's best wishes for such a triumph. It seemed to him that it was easy for him to succeed in his mission, provided he took the proper course. If he should, before they adjourned to go to their homes, he conceived that almost every difficulty would be settled. There was no difficulty in their settlement by the application of a little good sense.

So did he conceive there was little difficulty in settling our domestic affairs. He thought if they let the tariff alone for two or three months more it would settle itself. He felt as confident on that as on the question of our foreign relations. With regard to the bank question or the exchequer project, there also the restoration of specie payments all over the country was settling the question. He would not take care and talk in committee of the whole for a month or two all these things would settle themselves before that time. He had not had been charged with being non-committal, he begged leave to speak without reserve; and suggest a ground on which they might all meet in harmony on the current questions, and he saw nothing but party feelings to prevent it. He was not wedded to the sub-treasury. It was not a *sine qua non* with him. He was ready to vote for any measure which evinced the principle without its machinery. So, also, the bank of the United States he took to be out of the question for the present. All must yield. Let them fall back on the act of 1789, and of Washington's administration. Three was an act which, with a little addition to suit the circumstances of the times, would be all that was necessary. He desired nothing more. He conceived that there was no great difficulty in arranging our affairs abroad or at home.

Mr. *Adams* arose and addressed the committee. [See page 119] and having concluded the committee rose and the house adjourned.

Friday, April 15. Mr. *Underwood* rose and said that he held in his hand an old, tattered, and worn pamphlet, which had been printed before this government was formed. Its author was James Rumsey, and its subject steamboat navigation. Those who were here when Edward Rumsey, the nephew of James, made an address from a speech of unsurpassed eloquence on the subject of his uncle's claims to originality as the first human being who ever applied the power of steam in propelling a boat, might recollect his statement, that, when a boy, he had seen a pamphlet containing many evidences of the nature and date of his uncle's experiments upon the Potomac, and which pamphlet had unfortunately been lost. Sir, (continued Mr. J.) the pamphlet I now hold in my hand is the same which he alluded to. I procured it day before yesterday from Mr. Bliss, of New York, to whom I was introduced by a member (Mr. *J. C. Clark*) from that state. Mr. Bliss, who many years since was engaged in steamboat experiments in the west, obtained the pamphlet from Dr. Edward Rumsey, deceased, the brother of James.

One of the first articles in the pamphlet is the statement of Gen. Horatio Gates as to the manner in which Mr. Rumsey's boat ascended the Potomac, against the current, in December, 1787. And the last article is a copy of parts of a letter written by Rumsey to Gen. Washington, in 1785, on the subject of his invention.

The house knows that there is a bill now pending, reported by the select committee, proposing a grant of land to the heirs of Rumsey. The contents of this pamphlet will exhibit evidence of the facts upon which that bill is based.

I am, moreover, anxious, as far as I can, to redeem the character, the services, and the memory of James Rumsey from oblivion. I think the nation should at least acknowledge his services with gratitude, if his heirs are not to receive a substantial token of the estimate placed on their ancestor's services to mankind by a liberal grant of lands. Mr. U. moved that the pamphlet be reprinted for the use of the house. The motion prevailed without objection.

On motion of Mr. *Cushing*, the various resolutions which had been presented during the present session, on the subject of recognition of the independence of the United States, were referred to the select committee heretofore raised on that subject.

The house then resumed in committee of the whole, and Mr. *Thompson*, of Indiana, in the chair, the consideration of the bill for civil and diplomatic appropriations, and the amendment offered thereto by Mr. *Linn*, and its further amendment offered by Mr. *Ingersoll*.

Mr. *Adams* resumed and concluded his remarks.

Mr. *Campbell*, of S. C. addressed the committee, and having concluded, the committee rose, reported progress, and the house adjourned.

Saturday, April 16. The house resumed in committee of the whole the bill for diplomatic appropriations.

Mr. *Slade* desired to make explanations, and after a few remarks concluded.

Mr. *Hoar* also addressed the committee.

Mr. *Linn* withdrew his proposed amendment, and the amendment of Mr. *Ingersoll* to Mr. *Linn's* amendment was adopted, and the bill, with its amendments, the committee then passed on to the sequent items of the bill making appropriations for various objects, and finally rose and reported the bill to the house with its amendments, recommitting, having discussed it for some time, the house adjourned.

Monday, April 18. Mr. *Irwin*, of Pa. arose and announced the death of Mr. *Joseph Lawrence*, the member from *Joseph Lawrence*, and having delivered an eulogy, offered at the request of his colleagues, resolutions of condolence and respect to his memory which were adopted, and the house adjourned.

Tuesday, April 19. The members attended the funeral of the hon. *Joseph Lawrence*, from the house to the national cemetery.

Wednesday, April 20. The house proceeded to the bill making appropriations for civil and diplomatic expenses, and after a protracted discussion of various points of order, and having struck out an item of $20,000 appropriation for contingent expenses, and the indefinite sum of $100,000 for the judiciary, and passed an amendment limiting the receipts of the district attorney and clerk of the United States district court of the southern district of New York, the bill was ordered to an engrossment and finally passed.

Mr. *Fillmore* arose and stated that a letter from the secretary of war of 3d March, gave information that the appropriations for the quarter-master's and commissary general's departments were exhausted, and moved therefore, to go into committee, which being agreed to, he then moved to take up the army bill. Negatived 76 to 72.

Mr. *Cushing* moved that the committee take up the exchequer bill. Rejected.

Mr. *Mitchell*, of Pa. moved to take up the appointment bill. This motion was assented to, and after discussion, the representative number of 50,000, as moved by Mr. *Stewart*, of Illinois, was agreed to be substituted for the number of 70,000, as proposed by Mr. *Everett*.

The committee then rose and reported progress.

The speaker laid before the house a communication from the secretary of the navy, dated April 16, informing that the steam frigates Missouri and Mississippi, were at anchor off Greenleaf point, having been ordered here that members of congress, if so inclined, might have an opportunity to examine these specimens of American naval architecture, and inviting them on Tuesday next, the 19th inst. to visit said vessels. The time having passed, the speaker informed that the secretary proposed that the visit should be made on any other day agreeable to the house. After some conversation, it was resolved to visit them on Saturday 23d at 12 m.

The house then adjourned.

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CHRONICLE.

Asiatic Africans. They arrived at Sierra Leone on January 15, 50 days from New York, and were well received by Dr. Ferguson the lieut. governor. On January 30th, sir George Macdonald, the new governor arrived. These implements of civilization were allowed to be landed duty free. They found there many of their Mendi countrymen and liberated Africans of 69 different tribes, of whom the Mendians were the most numerous. The conduct of Cinque and the rest (with the exception of a few, and some of the men and lads), had not been so good as the missionaries had hoped, particularly in not abstaining from their old licentious habits. Still, the missionaries were full of hope, and seously desirous of securing some retreat where good regulations might be observed. The Mendians were highly pleased in continuing their school instruction. Several slave ships had been sent in and condemned.

Mr. Van Buren, accompanied by Mr. Paulding, arrived at New Orleans on the 11th inst. A deputation of gentlemen met him at the lake. Mr. Prieur, the mayor elect, in behalf of the committee and the citizens generally, bade him welcome to New Orleans. He will proceed thence to visit Mr. Clay at Ashland, says the Mobile Register, and gen. Jackson at the Hermitage.

Mr. Clay left Washington on the 21st on his return to his home in the west.

Explosion of the Medora. After the disastrous explosion of the engine of this steamboat at Baltimore on April 17, 100 hands were employed by the civil authorities in extricating from the watery graves, the bodies of the unfortunate individuals who were involved in its wreck. On Wednesday the 20th the last body who was known to have been aboard and missing, Mr. Francis McAlear, was extricated. On Saturday, the 19th, a coroner's inquest was held over the body of J. R. Boon for the purpose of eliciting such information as might tend to elucidate the mystery of the catastrophe. John Moale, the builder of the engine testified that the boiler had been tested previously to the extent of 27 and 31 inches, that previously to the arrival of Mr. Mundell who had directed the trial of the boat he ordered the engineer to close the damper and keep the steam down until he should arrive. He went in a few minutes afterwards to the gauge which showed 31 inches of steam—tried to lift the safety valve but could not. This excited his fears, and after examining the rope attached to the lever of the safety valve, to see if it was on the pully, he walked away. Still he was haunted with a fear that all was not right, and about the time that Mr. Moale came on board, he went to the boiler, in which he was ignorant of water. He tried the third cock of the boiler which ejected water—he then tried the cock above, and too like its appearance; cried out to Ferguson, and asked him how much steam he had—the answer was 22 inches; did not look at the guage himself. While farther engaged aft in the duties of his office, the explosion took place. He would not have feared 50 inches of steam, fears some foolish ambition was prevalent. The expansion of rarefaction of steam is so sudden that it is possible that 27 or 30 inches was generated in less time than the unassisted man can calculate with anything approaching to precision, the rapidity with which steam becomes rarefied. Some one board must have tampered with the safety-valve, placed an additional weight on its lever, or in some other way obstructed its free use.

Mr. Smith, who was slightly injured informed one of his workmen on Saturday morning that he was standing looking at the guage, when he saw it suddenly run up to the deck. He instantly betook himself to flight, but was arrested in his course by the explosion, which took place immediately after.

Gideon Brown, builder of the boiler, affirmed. Ten minutes previous to backing out, there was apparently very little steam on; left the vicinity of the engine five minutes before the explosion, because he thought too many persons were engaged in that quarter, in firing, &c.—he did not suspect any accident; but was of opinion that too many were in the bed the state of the water just before leaving the boiler, and was sure there was no deficiency. When the boiler was first tried on Saturday previous, there was a much greater pressure on.

Capt. James Chaytor at the time of the accident was standing on board of his own boat. As he saw the Medora backing out from the wharf, singular misgivings seemed to cross his mind, on account of the stillness which prevailed on board the Medora. She had not blown off much steam, and he was suddenly impressed with a belief that it was strange. The steam escaped from the boiler pipe very slowly. He voluntarily turned to those near him, and retreating, he exhorted them to follow. He was suddenly thrown down upon deck, and when he recovered from the shock, he saw a man, whom he afterwards learned was Mr. Edward Sparks, a shipjoiner, lying beside him, most horribly mutilated.

Several other witnesses were examined.

Verdict. The jury of inquest in the case of the death of John R. Boon, have summoned many witnesses who were on board the steamboat Medora at the time of the explosion of her boiler, and having ascertained that the deceased was on board of said steamboat after she was hauled out of dock; and having examined also those who assisted in taking him out of the water, have agreed that he came to his death by injuries received by the explosion, and from the evidence before them, are of opinion that the accident was occasioned by raising the steam too high, and greatly above the guage intended to be used in the ordinary use of said steamboat on board of said steamboat. We ther this was owing to carelessness or to tampering with the safety valve, the jury cannot undertake to say.

On the 19th instant, Joseph Cragg testified that without ten minutes previous to the explosion, I went forward to speak to Mr. Ferguson, the chief engineer, and requested him not to start the engine until after the return of a person who had gone on shore. I remarked to Mr. Ferguson that I thought the weight of the safety valve was too light; Ferguson stated that it had been pushed off the wharf, and requested me to open the door and push it out to its proper place, which I did; I then went aft to see if my friend who had left the boat, had returned; and finding that he had not, I discovered him on board, and immediately informed Mr. Ferguson that he was on board. As I had nothing then to attend to, the engine being in operation, I went to the forward part of the boat, and examined the water in the boiler, and found water 10 inches in the boiler cocks, and steam in the fourth; as I walked slowly aft, I gave a hasty glance at the steam guage, I found there was near as I can see-illect, about twenty-two inches of steam, by the swaying of the needle, but it was not two inches more than when Mr. Ferguson requested me to remove the weight; I here stopped a minute or so to wipe my hands, having got some paint on them from off the door, which had been just pushed out; I then, in about two minutes the explosion took place, when I knew no more until I found myself at the bottom of the water in the boiler, from which I came up I found myself under the wood and lumber from the wreck; get clear of the wreck and then got on the lumber until a boat came along and took me to the shore." Also positively denies any communication of any kind between Ferguson, Ramsay and himself, and testifies he had not spoken to Ramsay during or previous to his remaining the weight of safety valve. Did not put any additional weight on the safety valve, and cannot imagine any cause for the explosion. A. G. Ramsay on the 19th testified before justice A. H. Bennington, that "I, the day before, had a conversation during the evening, nor had any arrangement or understanding been made between Ferguson, Cragg or himself, as is reported in the papers of the 19th of April, nor does he know anything about the changing of the weights on the lever as therein stated or of any additional weight having been added."

List of the dead. John C. Moale, William Moale, Joseph Lecompte, captain John Vickers, Edmund Young, Benjamin French, John R. Boon, John Burns, Richard Linthicum, Robert Doyle, George Estey, John Hopper, John Haley, Andrew P. Henderson, John Boston, William Lewis, George Geddes, S. W. Hackney, James W. Lavers, James Mitchell, John Kemp, John Yeager, Jackson Reeder, John Spedly, Duncan Ferguson, Francis McAlear—26.

List of wounded. Captain Sutton, Joseph Cragg, John Mitchell, R. H. Middleton, John Henderson, Albert Ramsay, Zachariah Nichols, Alex. Sparks, Samuel Glenn, Wesley Culley, John Kaylor, James Wilson, William Roberts, Lawrence Reigar, James Clark, Thomas Hilditch, David Frazier, Patrick Collins, Francis Beall, ——Stripple, James Crawford, George Reynolds, George Hoofnagle, Saml Smith, George Hyde, Henry Snyder, George Chisy, Wm. Binion, Henry Wagner, Louis Wagner, (brothers,) Daniel Stevens, Martin Hickley, James Montgomery, Henry Lightner, William Allen, and two sons. Capt. Coffee, steamboat Georgia, (slightly.) Making in all 39 wounded.

Summary. Dead 26, wounded 38, uninjured 15. Making in all, as on board 79.

Elections. Robt. H. Morris (V. B.) received for mayor of N. York 20,633 votes, J. P. Phœnix (whig) 18,755, T. F. Field (abolition) 136, James Monroe 12. Total 39,546. Morris over Phœnix 1,878.

Fire. At Columbia, S. C. on the morning of the 13th, twenty-nine stores and dwellings were entirely destroyed, loss estimated at $200,000; about one half insured at the Augusta and Charleston insurance offices.

Home League. The convention of the friends of American industry which assembled at New York on April 5th, organized themselves on that day, determined the appointment of committees on 26 several branches of interest and adopted various resolutions on the 6th, received reports from several of them on the 7th, which are not yet published, received others on the 8th, and after voting that there be a national convention of the home lyceum at New York in October and during the fair of the American Institute, adjourned sine die. The report of one of its committees will be found on page 117. There were 1,100 delegates and near 400 present each day.

The N. York Canals were to be open for navigation on April 20.

Florida. The troops under Gen. Worth are actively engaged. On the 15th inst. the Withlacoochee Cove and Wahoo Swamp were to be thoroughly examined.

Right of Search. An essay from the pen of Henry Wheaton, L. L. D. minister of the U. States at the court of Berlin, entitled "enquiry into the validity of the British claim to the right of visitation and search of American vessels suspected to be engaged in the African slave trade, has just been published from the Philadelphia press.

Visitation of American vessels. We learn, says the Salem Gazette, that Capt. Conway, of the brig Mermaid, which arrived yesterday at this port, last from Rio Grande, was boarded twice on the coast of Africa, from H. B. M. brig Brisk. He was treated, on both occasions, with great civility by the boarding officer, and no attempt was made to search his vessel. The officer would not even enter the cabin, without a particular invitation.

Liverpool cotton markets, *April* 10th. The demand for cotton continues limited. American common declined ½d. per lb. from last weeks, the better qualities fully prices. April 4th, market without change. Sales amounted to 4,000 bales. April 5. Extremely dull. Sturts declined ¼d. The sales of the week were 18,940, including 1,200 American taken by speculators, and 600 American and 450 East India for exportation, leaving only 17,890 taken for consumption by the trade. The feeling altogether in the trade is one of great depression.

Tea. The trade has been dull, Congou has given way ½d. young hyson and gunpowder ½d. per lb. Have had further arrivals from China but the stock is still much below what it was this time last year; being 27,800,000 lbs. against 33,400,000 lbs. Congou souchong, twankey and hyson is less in proportion of stock on hand; but imperial and gunpowder shows an increase. The imports of tea this year have been 6,620,000 lbs. to the same period last year there was only 3,860,000 lbs.

Corn market, April 4. The week's imports of British grain, flour and oatmeal, are of moderate amount. From abroad we have received 10,314 quarters of wheat, 1,100 quarters of beans, and 2,265 barrels of flour. The rates of duty have advanced 1s. per quarter on wheat, 1s. 6d. per qr. on barley and peas, and 7d. per barrel on flour.

Maine. The Portland Argus says: "It is now pretty generally understood in this quarter that Mr. Webster has written to Governor Fairfield, requesting him to call forthwith an extra session of the legislature, for the purpose of appointing commissioners to treat with Lord Ashburton and the general government, on the northeastern boundary question. It is also understood that Gov. Davis, of Massachusetts, has been written to on the same subject, and for the same purpose."

Maryland. A celebration at the site of the ancient city of St. Mary's of the landing of the Pilgrim Fathers of Maryland in 1634, having been proposed by the Philodemic society of Georgetown college, will take place on the 16th of May. Arrangements have been made by the citizens of the lower counties for the co-operation of those of other parts of the state.

St. Lawrence. The navigation of the St. Lawrence at Montreal was opened on April 8th.

The Afghan war. Up to 1839, the war had cost the British government $60,000,000. Since then, it has cost $15,000,000 every year.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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CONTENTS OF NO. 9, VOL. 12.
Commerce.
Speech of Mr. Abbott Lawrence.
Proceedings of home industry convention at N. Y.
Speech of Mr. Adams
Congressional proceedings.
Chronicle.

COMMERCE.

TRADE AND COMMERCE. We observed some time since in relation to trade and commerce, that it was by aggregate results of a series of years, that any thing like a just estimate of the effects of a course of policy could be ascertained. We produced upon that occasion a statement of the comparative imports and exports of the United States for each year of the last half century, and argued that the inevitable effect of buying so much more, as had become our practice since the reduction of our tariff, than what we sold to others would pay for, had entailed upon us the most of the financial difficulties under which we are now groaning, and that if the policy by which this result is produced, is persisted in, absolute and increasing impoverishment would be the consequence. The position then assumed was, that it is the duty of every government,—and the policy of every wise government, to prevent by timely legislation, a habitual excess of importations, over what their exportations will pay for, and allowing a reasonable profit to the exporter.

As a striking contrast to the tables there exhibited, we now give below a table of the comparative value of imports and exports from Great Britain, for the last twenty years, from which we may learn how it happens that she is able to monopolize so much of the trading world to herself and yet to sustain a condition which seems indeed as if it were predicated upon the fallacy, that "a nation can be made rich by blessing." Whilst we are startled at a debt of seventeen millions, Britain flourishes under a debt of four thousand millions!! The secret may be unravelled by comparing the results of comparative imports and exports. In the last twenty years, the imports of the United States have exceeded her exports by the sum of $241,000,000; [two hundred and forty-one millions of dollars, see table p. 226, vol. 60;] whilst within the same period the *exports* from Great Britain have exceeded her *imports* by the sum of *two thousand seven hundred and twenty-six millions of dollars!*

Years.	*Official value of the exports of Great Britain.*	*Value of imports of Great Britain.*
1821	£47,345,317	£31,515,222
1822	50,796,771	29,769,192
1823	52,770,216	29,582,276
1824	51,755,035	34,501,264
1825	58,213,548	36,056,551
1826	55,608,327	42,660,954
1827	50,399,357	36,174,330
1828	61,085,445	43,489,340
1829	61,948,382	43,536,187
1830	63,691,301	46,245,241
1831	71,429,004	49,713,800
1832	76,011,591	44,586,741
1833	79,823,092	45,952,551
1834	85,393,586	49,362,911
1835	91,174,455	48,911,545
1836	97,621,548	57,023,862
1837	97,267,514	55,753,419
1838	85,535,529	53,224,874
1839	105,170,940	61,265,320
1840	110,198,716	62,004,000
	£1,459,301,595	£891,302,520

Here is a balance of trade in *favor* of Great Britain of 567,998,996 pounds sterling, or $2,726,395,180.

"THE PROTECTOR," a semi-monthly publication, "devoted to the coal, iron, manufacturing, and agricultural interests of Pennsylvania," edited by Henry K. Strong, Harrisburg, if we may judge by the first and second numbers, will be an invaluable auxiliary to a good cause. There are comparatively, few persons that have attended sufficiently to the posture of the coal and iron trade, to form any thing like a true estimate of its real importance, or of the vast interests which are at stake, in sustaining them. These sixty-four pages contain a variety of authentic statements that ought to be in the hands of every man who would wish to form a correct judgment in relation to the national policy which is about to be deliberated upon in the national legislature. And as that legislature seems to be so organized as to await for light from public sentiment, it is all important that the public mind should become so informed as to prompt from rational data, the course they would have their representatives to pursue. Then "give us the people light"—and let this moment more especially, give them *light* upon the topics involved in sustaining American interests and American industry, in order that congress may be sufficiently *illuminated* by the reflection from that light, to distinguish their path of duty beyond mistake. Diffuse the facts with which these themes are replete, *broadcast over* the whole land, and we shall soon see the fruits they will produce.

STATES OF THE UNION.

RHODE ISLAND.

Affairs in this state continue very unsettled. Revolution is seriously threatened.

On Monday the 9th instant, the "suffrage" party proceeded to hold elections for an entire set of officers that they design shall eject the officers under the established constitution. Those that were opposed to these proceedings of course would not so far countenance them as to attend the polls. The number of votes polled upon the occasion, was about six thousand. We have not yet received the accurate returns.

When the question was taken by the same party some time since between the old constitution and their project for a new one, the votes were for the old charter 7,910 for their new one 12,787. There being but slight legal authority to preserve the forms or restrict the right to which the privilege of suffrage was exercised in these cases, it is probable that the number of votes taken was increased on that account. At the vote taken under legal authority on the 22d and 23d March, when the constitution that had been framed under authority of law, was submitted for the decision of the people of the state, the vote for the new constitution was stated to be 6,671, against it 1,748.

The legislative committee on the subject reported the official majority against it to be 676.

On Wednesday the 21st instant, the elections under the legal constitution took place. Upwards of 7,000 votes were polled. The friends of the revolutionary movement we presume refrained from attending the polls. There were two tickets however voted for. The one headed by the name of General Carpenter received 2,400 votes. Gen. C. was considered as friendly to the provisions of the new constitution, but had positive refused to allow his name to be used on their ticket.

Mean time however there were strong indications that the new constitution party designed at all hazards to assume the government. The following appeared in the Providence Express, the organ of the party, on the 22d inst.

Critical situation to the military. The constitutional state committee hereby respectfully invite the chartered companies, the militia companies, and the volunteer companies, who are in favor of the people's cause and constitution, to give their attendance, as an escort, on Tuesday, the 3d day of May, when the general assembly, under the people's constitution, will hold their first meeting at Newport. The companies from the country are requested to be on the ground at an early hour.

For the committee, BENJ. ARNOLD, Jr.
Chairman, pro tem.

Providence, April 21st, 1842.

Governor King, having by proclamation, published the reply of president Tyler to his application to the U. S. government on the subject, (which will be found in the last number of the Register,) and finding that the constituted authorities of the state were nevertheless threatened, by proclamation convened the legislature, which assembled accordingly at Providence on Monday last, the 25th inst. The message of the governor recited the proceedings which had taken place during the recess, the application he had made to the president, and the partial effect which the reply had produced; refers to the perverted construction given to the letter of the president by the party who were seeking to usurp the government of the state, to their open declarations of a determination to carry out their project, and to their attempts to array with themselves "the lawless of the inhabitants of all the surrounding members of the Union," and to their holding daily and nightly meetings of armed bands of men for the purpose of "perfecting them in military discipline with the avowed purpose of overthrowing the government of the state. Under these circumstances he had thought it his duty to convene the legislature, and submit to them the propriety of adopting measures for the protection of the public property, the organization of an effective force, and the appointment of a board of council, to advise the executive during the exigency.

The message was referred, and next day the committee reported resolutions in accordance with the governor's recommendations.

NEW YORK.

VETO OF THE STATE PRINTING BILL.
MESSAGE FROM THE GOVERNOR.
Executive chamber, April 7, 1842.

To the assembly:

I return with objections the bill, entitled "An act to provide for the public printing."

The provision which declares that certain state officers may make contracts for the execution of legislative printing, at prices at least ten percent. more favorable than those now paid, and for periods not exceeding one year, not being imperative, might prove ineffectual.

The section which authorise the principal executive and administrative officers to contract for the printing required in the several departments, prescribe no duration to such contracts, and therefore would tend to enable officers to grant monopolies, and bring bark ancient abuses.

Formerly, although the printer to the state was removable at pleasure, official terms was indefinite. The error was corrected in 1840, by limiting the term to four years. The present bill would again make the term indefinite.

The bill proposes to remove an officer whose term is only about half expired. This proceeding, is in the term of a law, and yet in its nature, and in the spirit of the constitution, an *ex-post-facto* law, than a legislative act. My agency in such a case must conform to the general principles observed in exercising similar powers residing in the executive department alone, and claimed by that department with the senate. Although the governor or the governor and senate, may at pleasure, and without assigning causes, remove most of the civil officers not judicial or elective, before the expiration of their legal terms, yet that power, instead of being arbitrarily or capriciously exercised, is only put forth when there are just complaints of official incompetency or delinquency.—There is no such complaint against the printer to the state. The confidence reposed in him has not been disappointed, and he has performed his duties, so far as I am informed, diligently, discreetly and faithfully.

If it be necessary to revise the tariff of printing, as the bill would seem to imply, has such a proposition been made to the incumbent? Relying upon the public faith, he has necessarily invested a capital of thirty thousand dollars in procuring the materials necessary to execute the public printing; and it is apparent that under such circumstances he could better afford to submit to just and necessary modifications, than to have so extensive a business suddenly arrested, and materials required only for the public service left unemployed and useless. Grant that the incumbent, reposing upon his contract, would not submit to a just revision, which evidently is not known and which our knowledge of that officer will not permit me to believe; must we then strike down a party whose interest is opposed to our own because we have armed him with a legal defence against our demand?

If one party to a contract could upon any consideration rescind it, for his own advantage, justice and equity, nevertheless, would oblige him to indemnify the other for the injury he must sustain. Yet I find no pretence of such indemnity in the present case.—The laws of morality and justice, and the principles of equity recognize no distinction between states and individuals. If we can, without indemnity to the other contracting party abrogate, or rescind, or in any manner violate our contract, we can all others. If we claim an exemption from the obligation of contracts, that claim ought to be known and avowed.—

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But the bill before me presents the incongruity of abrogating a contract, which is in full force and yet directing others to be made, which could be at no more recent obligation. Of what use would be the new contracts? If we violate the contract into which we have entered with the state printer because it relates only to mechanical business, who can determine the point where the principle shall end? How shall we oblige the citizens of the state to perform their contracts, if the state does not keep its contracts?

Divide such questions as we may, the no less grave and important inquiry yet remains: Have we the power to abrogate, to rescind, or even to violate the contract? I speak not of physical force, but of lawful, rightful power derived under the constitution, from the source of all power, the people. All legislative power not so derived is a perversion of rightful authority, and is mere usurpation. The act passed January 13th, 1840, declares that "Thurlow Weed is hereby appointed printer to the state," for and during the term of four years, and shall perform the duties thereof and render all the services enjoined or required by law." Again the act declares that "the printer to the state shall hold his office for the term of four years;" and, again, that "the secretary of state and comptroller are hereby authorized to enter into a contract with the printer to the state appointed by this act, for the public printing during the term of his appointment; and that the contract thus to be made shall be reported to the legislature. The printer subscribed the official oath, the contract was executed and reported to the legislature, the responsibilities of the office devolved upon him, and the office, its rights and immunities by the combined force of the law and the contract vested in him absolutely and indefeasibly, except by his own consent or default. The constitution of the United States, adopting an immutable principle of justice, which would be of equal obligation even without that high sanction, declares that "no state shall pass any laws impairing the obligation of contracts." The supreme court of the United States in the case of Fletcher and Peck, decided that when a state law was in its nature a contract and an absolute right had vested under it, a repeal of the law was void and could not affect those rights, nor impair the obligation, even supposing that the original law was procured by fraud and corruption; that a grant from a state was as much protected by the constitution of the United States, as a grant from a private individual; that an executory contract was as much protected as one that was executed; and that a sovereign state was as much inhibited from impairing its own contract or contracts to which it was a party, as from impairing the obligation of contracts between individuals. In another case where New Jersey had declared by law in 1758, that certain lands should be to be purchased for the use of Indians should not be subject to any tax, and in 1804, directed a tax to be levied on the land which had thus been purchased, the same high tribunal decided that the act of 1758 was equivalent to an inviolable contract, and adjudged the law of 1804 a breach of that contract, and therefore void and of no effect. In the Dartmouth college case, the same court declared that all incorporeal hereditaments, as immunities, offices and franchises were rights valuable in law, and whenever they were the subject of grant or contract they were as much within the protection of the constitution of the United States as a grant of land. In a more recent case that final authority upon all constitutional questions declared that the objections to a tax on the ground of its impairing the obligation of a contract could never depend upon the extent of the change which the law would effect; that any alteration of any new condition, or any dispensation of a condition, however minute or immaterial its effect upon the contract, or upon any part or parcel of it, impairs its obligation.

These cases of these decisions show that although as far as general legislation is concerned, one legislature may rescind what another has done, yet when an act has been done under a law which is in fact and in contract, a succeeding legislature cannot recall it. The present is in the control of the legislature, and it may act for the future, but the past cannot be affected even by absolute power. Even the Roman laws of the States, has those of an ancient empire, change not.

The bill before me not only proposes to deprive the printer to the state of rights and immunities vested in him by the contract, but to remove him from the office guaranteed by a contract invested with all the authority and solemnities that human power can bestow. A legislative act more directly calculated to impair the obligation of that contract, than the bill before me, which would annihilate both the law and the contract, cannot be conceived. What justification then could I, who am under an obligation to support the constitution of the United States as thus expounded, find for approving and giving effect to such a law? No answer to this question suggests itself, except that the legislature reserved a right to repeal the law. Such a repeal it was evidently forseen might become necessary or needful, if the policy of the state should dictate or require it, in certain important duties. But inasmuch as a power reserved for such occasions might be perverted and exercised capriciously or unjustly, the legislature thought at the same time to secure the incumbent by a contract to last, not during the pleasure of the legislature or until the law should be repealed, but during the term of his appointment. Nevertheless, if neither the constitution of the United States would instantly attach, and which therefore would be beyond the reach of even legislative power. Thus obviously legal effect of the contract was foreseen and designed by the legislature; for when the act of 1840 was under consideration in the assembly, a motion to amend the same by inserting additional provision in these words, "the legislature may at any time alter modify or repeal this act; the effect of such repeal shall be construed so as to put an end to any contract made under this act," was lost. Yes, 15 to 35. Nay, also in the senate a motion was made to amend the section containing the reservation of repeal, by adding the words "and modify or rescind any contract entered into under the same upon such terms as shall be just and equitable," and was rejected, eight members voting for and eighteen against the same.

Such also would seem to be the sense of the present legislature, for it has not by a single act, even in any way to the contract, from which I infer that whatever may be done with the law of 1840, the contract is understood to be within the custody of the constitution, and beyond the reach of the legislature. It could not be doubted that if the bill expressly declared that the contract was thereby abrogated, it would be a flagrant violation and attempt to violate the constitution of the United States. But the effect of the bill is the same without such a declaration, for the legislature cannot do indirectly what it could not openly and avowedly accomplish.

I am well aware that if the bill should become a law, the public officers might suffer it to have effect, because the legislature of this state has not provided and the congress of the United States in the amendment of the constitution prohibited from giving to the injured party an appeal to the courts of justice. But that reconsideration, so far from being an argument for committing the wrong, is the most conclusive reason against it.

The specious argument thus noticed did not escape the consideration of chief justice Marshall, who well observed that "the constitution of the United States, as adopted, gave the federal courts jurisdiction in suits brought by individuals against States. A state, which violated a contract could not be made amenable to the courts of the United States for that violation. Would it have been a defence in such a suit to say that such a state had passed a law absolving its citizens from the contract? It is scarcely to be conceived that such a defence could be set up—and yet if a state is neither restrained by the general principles of our political institutions, nor by the words of the constitution, from infringing the obligation of a contract, such a defence would be valid. This tribunal is no longer bound in the constitution, but is also in the constitution of those with which it was originally associated."

What, then, is my authority for interposing objections to a bill infringing the obligation of a contract? I find it thus expressed in an opinion of a tribunal conceded by the same learned and honored jurist:—

"Whatever respect might have been felt for the state sovereignties, it is not to be conceived that the framers of the constitution viewed, with some apprehensions, the violent acts which might grow out of the feelings of the moment; and that the people of the United States, in adopting that instrument, have manifested a determination to shield themselves and their property from the effects of those sudden and violent gusts to which they were seen exposed. The caution on the legislative power of the states are obviously founded in this sentiment; and the constitution of the United States contains what may be deemed a bill of rights for the people of each state."

Some of our constitutional rights as citizens are protected by the courts of justice. But it is when such rights are invaded by the state, and she at the same time closes her courts of justice against us, that the obligations of the law making power are doubly imperative, and that we feel and know the value and importance of the oath which binds that power to the constitution.

In applying a constitutional restriction in the present case, I cannot permit even an apprehension of error to intrude, since there could be danger only in approving the bill, while it can never be otherwise than safe to be just and forbearing in the exercise of power, to abide by the laws and contracts of the state, and preserve her faith from dishonor and reproach.

WILLIAM H. SEWARD.

PROTECTION OF AMERICAN INDUSTRY.

SPEECH OF MR. ABBOTT LAWRENCE.

At the convention of the shoe and leather dealers, recently held at Boston, Mr. ABBOTT LAWRENCE, was invited to attend, as an unwavering friend and advocate of American industry. When the following resolution was read:

Resolved, That while the productions of American machinery may successfully compete with the productions of any other country, the productions of American labor (unless protected by a wholesome legislation,) must fall beneath the shock of European competition.

Mr. LAWRENCE rose, and greeted by unanimous applause from the audience, said—

Mr. PRESIDENT: I appear before you without having had time for the slightest preparation to make a speech on this occasion, having received your invitation to take a seat in the convention but a few minutes before I entered the house. I should most certainly have declined the invitation with which you honored me, had I anticipated being called out to take part in your deliberations. You, Mr. President, and many others present, know that I am a man of deeds rather than words—a plain business man, and not a skilled public speaker. It is, sir, the pleasure of the convention that I should say something upon the resolution under discussion, I will present a few plain facts, such as a practical distinguished friend who preceded me, on the most trifling intimation given that I am taking up too much of your precious time, I will at once bring my remarks to a close.

If gladdens my heart, Mr. President, to see before me so large and respectable a representation of the 40,000 persons engaged in the manufacture of leather in this commonwealth; a branch of industry very much underrated, being in reality among the most important, and perhaps it would be safe to say the largest mechanical and manufacturing interest in amount in the country. I rejoice to see the people are awake to their true interests, and that they have sent you here to consult and deliberate upon the best measures for protecting and fostering the interests of the laborers in this branch of business. I look at this convention, assembled without distinction of party, as "the dawn of a brighter day," and I hail it with joy as the commencement of a general movement of the people in all the states, favorable to the protection of our labor; hoping that a strong expression of public opinion may produce the adoption of a system of measures by our government, which not only the people but the government itself requires. The remedy for the evils, under which we now suffer, is simple and easy. Only give us, as sovereigns, and can make and unmake our rulers; it is at the ballot box that the question of protecting our labor is to be settled. The great majority of the people of this country are working men, laborers upon the soil, or in some one of the mechanical trades; and when they, in the consciousness of their integrity and power, rise and assert their rights by sound arguments, you may be certain they will be heard and respected by the congress of the United States.

I ask you, fellow-citizens, to look for a moment to the condition of our country. Have we ever seen any thing like it, in time of peace before? or even since we existed as a nation? In twenty-five of the states we have a paper currency not convertible into coin—without a standard of value. The credit of several of the states gone, and their stocks selling at one-fifth, and one-third par. The treasury of the United States empty, and its credit distrusted, so that treasury notes are at a discount, and government loans cannot be negotiated. The general government cannot pay its debts. Some of the states cannot pay. Banks do not pay, and is it surprising that individuals do not pay?

Mr. President, the great business of this great country is paralyzed; every branch of industry is almost at a stand-still, and this too in a country blessed with every thing man can desire, with all the elements of prosperity in his hand. Distress is brought upon the people by the want of a very moderate amount of honest and wise legislation.

The nation, several of the states, and individuals, are bankrupt. Strange as it may appear in this power of our affairs, it is proposed to depart from the uniform policy by which we have been governed since the adoption of the constitution, and try the experiment of low and uniform duties upon imported merchandize. Sir, I am opposed to experimenting upon the labor of the country. It is a mere *experiment upon the laborer*, and a *little* experience will be sufficient to prove my assertion. We want no more foreign merchandize at present. We have already

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quite too much, more than we can pay for. *We import too much and manufacture too little.* "The whole question is in a nut shell," and can be seen at a glance: our distress arises chiefly from the surplus of foreign products, forced upon us in many instances by foreigners, under the compromise act and ad valorem duties. Who are the men in our country that feel most sensibly the effects of the fluctuations in the currency, excessive importations, and revulsions in business? Is it the merchant, the farmer, the professional man, or the mechanic? All men and all interests are more or less affected by these changes; but, sir, it is the hard-working, frugal, industrious mechanic who is the greatest sufferer, and in no one branch of mechanical labor does the pressure of the times cause greater embarrassment than among those engaged in the manufacture of leather; for it is produced in large amounts for export to other parts of our Union, and when a link in the chain receives a blow, it vibrates to either end with a force that is felt severely by all. The annual product of leather, when manufactured, in all its branches, has been estimated at $50,000,000, and a large portion of this enormous amount is made up of boots and shoes; and shall this vast interest be suffered to perish for lack of a moderate protection from the general government? Shall it be sacrificed upon the altar of an *abstraction, called free trade!* No, sir, it requires protection, and must have it. You, sir, a right well informed commercial man, have spoken against the distressed and miserable pauper labor of Europe. We should have a protection that will secure the poor journeyman and the apprentice, as well as the master-workman. It is that laborer who requires the fostering arm of government.

I have already said, that the great source of our trouble is, that we import too much and manufacture too little. Why, sir, our imports for the last ten years have far exceeded our exports. We have run up a debt in Europe, the amount of which is truly frightful. The amount of state, city, bank, and other corporation stocks held abroad, which we have sold and pledged amounts to two hundred millions or more, and (before this paper reaches my readers should do so,) nearly a million of dollars every month for interest. Yes, sir, more than two hundred thousand dollars goes every week to Europe to pay our interest on debts. Now, I ask, what good can we show for this two hundred millions of debt, created in the last ten years, under the compromise act of low duties and no duties at all on *one-half of all our* imports? *Why, we have had a great amount of champagne and French ribbons, and a* little railroad iron. I confess that the recklessness with which our public affairs have been managed in this department, and our national economy, is absolutely appalling. Our country literally mortgaged, not at home, but abroad, for two hundred millions of dollars, for which we have received the surplus products of the labor of every country in Europe, to the permanent injury of our farmers, mechanics, merchants, manufacturers; in fact, of every individual, whatever his occupation or condition may be.

Many persons have regretted our loss of credit abroad; for one, I cannot agree with them, at the risk of being denounced as a political heretic. I rejoice that we cannot borrow a dollar. My only regret is, that we have been able to borrow as large an amount, much of which I fear will never be paid, to the disgrace of those who have contracted the debt. It would have been a great blessing to us all, if our credit had failed us abroad many years ago. If we had drawn the coin for the loans instead of broadcloths and calicoes, French boots and shoes, &c. &c. our debt now would have been but a small amount.

Mr. President, the question comes up at once, when we look at the condition of the country, what may be done to restore our lost prosperity, and raise the failing credit of the country? The first measure, in my humble judgment, that should have occupied the attention of congress last December, and have received ample provision, by the adoption of the tariff of duties upon imports, to meet all the necessary expenses of the government, and provide a sinking fund to pay off the national debt. If this had been done, confidence would have been restored, and you would not witness the scenes of trouble that present themselves at the present time. I regret, however, to say that the condition of affairs at Washington is not flattering, and that many things are doing that should not be done, and a great many left undone which it "is their duty to do."

I do not speak as a politician. I wish nothing from the people but their good will, and nothing from the executive and congress but wise legislation, such as will restore to the whole country a fair reward for the industry of the people.

It appears to me, sir, not a very difficult matter to fix upon a plan to achieve the great objects we all have in view. A sound currency can only be based on a sound tariff; give us the latter, and we can afterwards establish the former. I am very clear in the opinion, that we can never maintain a sound currency throughout the United States, if we are to transfer our workshops to England, France and Germany. We can never be prosperous in this country, and maintain a uniform standard of value, without protecting the laborer in his employment. Our wealth, our resources, everything we possess and enjoy, is founded on labor; hence it must be cherished, and never suffered to languish from foreign competition.

I do not desire, Mr. President, to raise one dollar more revenue than may be required for the necessary and economical support of the government. Looking back to the expenditures of the government, and forward to the condition of our defences upon the seaboard, our Indian relations upon our borders and frontiers, together with the positive wants of the navy and army—I have estimated the expenditures at *thirty millions annually* for the next five years, and shall set aside *two millions annually* to create a sinking fund for the extinguishment of the national debt. The amount then to be raised is thirty-two millions of dollars. I estimate the whole amount of imports at one hundred and two millions annually for five years; the two first years will fall short of that amount, the three last will probably exceed the estimate. Of this one hundred and ten millions, I deduct from the amount the duties, say twenty millions of articles, which should be free of duty, leaving about ninety millions upon which duties should be assessed. We have then ninety millions upon which we can assess thirty-two millions annually, which would give about thirty-three and a third per cent.

The difficulty now arises, how shall the duties be assessed? shall it be a general duty of thirty-three and one-third per cent. ad valorem on every thing; or shall we adopt the principle of discrimination and specific duties? From experience and observation in these matters, I have no doubt whatever of the expediency, nay the necessity, of adopting the latter. Discrimination was adopted in the first tariff established, and should not, I think, now be abandoned. Specific duties are far more safe and convenient, in most cases, than the ad valorem system. All practical merchants agree in regard to the utility of specific duties. The revenue officers prefer them to be upon us. The revenue, I am confident, would be much larger under specific duties, equal to twenty-five per cent. than ad valorem duties thirty-five per cent. The effect of ad valorem duties has been to place the foreign importations of the country in the hands of foreigners, a great proportion of the silk goods, woollens, cottons, linens, and fancy articles are brought to us by British subjects, and nine-tenths of all the ad valorem merchandise imported into New York from France is imported by Frenchmen. So is with ad valorem German goods. I believe it essential that there should be a specific duty upon boots and shoes. Under the tariff of 1832, you had a specific duty of one dollar and fifty cents per pair on boots, and thirty cents on shoes. Now there have been under the reduction of the compromise act, large quantities of French and German boots imported, the best French boots cost four dollars, and the German three dollars; under an ad valorem duty, you will find these boots invoiced from France at three dollars, and perhaps at two dollars and fifty cents, and from Germany at two dollars. A duty of thirty-three and one-third per cent. would not give you the protection that would enable you to pay the laborer any thing like the wages you have been in the habit of receiving; of course if his wages are materially reduced, he and his family must be deprived of many of the comforts they have usually enjoyed. Besides, you degrade the character of our now independent laboring people, when you reduce the wages of labor so low as not to allow them the means of educating their children, and clothing them decently, that they may attend public worship and the Sunday school on the Sabbath. We should exert all our efforts to elevate, and not depress the laboring classes. We live under a popular government, founded on public opinion, and it is to the intelligence of the people we are to look for its stability and permanency.

Sir, I am for universal education. I have no fear of the people learning and knowing too much. Our government cannot, will not stand, but with an intelligent and moral population. Shall we compare and place in the same scale the free, intellectual, industrious mechanics and working men of our country, with those half-paid, half-starved, paupers of Europe? No, sir, my indignation is excited when I hear it said that the reason why we cannot compete with the old countries in manufactures and the mechanic arts, is because our labor is too high—we must bring down the labor, it is said, to the European standard, and then we shall go on very well. Sir, I do not desire to compete with foreign labor. I hope never to see the time when labor can be obtained at the price it is now in Great Britain. A fair handloom weaver obtains but from $1 75 to $2 per week. Farmers may be hired for 20 to 25 cents per day, and most kinds of mechanics in proportion; paid, of course, according to the skill and employments.—Most articles of subsistence, too, you must remember, are double the price they are with us. Upon the continent of Europe labor is still lower. Can we, shall we ever compete with our great competitors and rivals in the world, and maintain free trade, which is all on one side? Not a country in Europe will take our products, free of duties, and they are not obliged to receive either for revenue or their manufactures. Cotton they cannot at present do without, although an effort is making, and I fear a successful one, by Great Britain, to supply herself with the common varieties from India. Tobacco is taken for revenue with a duty from 3 to 800 per cent. Flour, pork, beef, in short all our great staples, with the exception of cotton, tobacco, and rice, are prohibited, and every article that competes in the slightest degree with their own labor. And yet they have the assurance in England to write books and pamphlets, and to make speeches, and send out reports from the British house of commons upon the sublimated beauties of free trade. We have seen their plans from the time of Mr. Huskisson down to the last and boldest of their rise up to the last report of Mr. Hume—and it has all ended in promises. Not a step has been taken to ameliorate the restrictive system of Great Britain—we do I believe that there is any person of a change that will be of the smallest benefit to us. The corn laws, it has been often said, for the last fifteen years, will be repealed. Has it been done? No. Nor will they be repealed, or modified, so as to admit foreign corn, without the price reaches about $2 per bushel with the duty. I am tired with this everlasting speculation upon free trade. It means nothing. It is ideal, a mere phantom, and not to be entertained by practical men. It is a transcendental, utopian doctrine, not practical nonsense. My friends, we have in this country but one course to pursue, and that is to look to our own country, and to the special care of our own labor—let us protect it—and with the protection which a paternal government is bound to extend to this all-important interest, I have no fears for the prosperity of our glorious republic. I have very much at heart the success of this question, which, I think, is yet doubtful. I am whole nation—and I feel its importance to such an extent, that I sincerely believe that nothing now will save from national bankruptcy but a tariff, embracing the principle of discrimination and specific duties—and unwilling as I always have been to appear in public, I am ready to spend and be spent in this cause, which I believe to be that of the country's best good—and would willingly, if it should be found necessary, buckle on the armor, and canvass the public ear, from the shores of Cape Cod to the hills of Berkshire. I am encouraged, however, in looking to the future, from the fact that there are indications that the people are taking this matter into their own hands. I think, in Ohio, the whole nation—and I feel its importance to such an extent, that I sincerely believe that nothing now will save from national bankruptcy but a tariff, embracing the principle of discrimination and specific duties—and unwilling as I always have been to appear in public, I am ready to spend and be spent in this cause, which I believe to be that of the country's best good—and would willingly, if it should be found necessary, buckle on the armor, and canvass the public ear, from the shores of Cape Cod to the hills of Berkshire. I am encouraged, however, in looking to the future, from the fact that there are indications that the people are taking this matter into their own hands. I think, in Ohio, the whole nation is on fire. I believe it to be that of the country's best good—and would willingly, if it should be found necessary, buckle on the armor, and canvass the public ear, from the shores of Cape Cod to the hills of Berkshire. I am encouraged, however, in looking to the future, from the fact that there are indications that the people are taking this matter into their own hands. I think, in Ohio, the whole nation is on fire. I believe it to be that of the country's best good—and would willingly, if it should be found necessary, buckle on the armor, and canvass the public ear, from the shores of Cape Cod to the hills of Berkshire. I am encouraged, however, in looking to the future, from the fact that there are indications that the people are taking this matter into their own hands. I was highly gratified to learn a few days ago—after an eclipse of five and twenty years—that a bright spot could be seen in New Hampshire, where an influential gentleman, long in the public service, who has of late been devoting himself to agriculture, and editing a most excellent agricultural paper, has changed ground, and has well urged that the best way to encourage agriculture, is to give its products a home market, by protecting home manufactures. New York, Pennsylvania and Ohio too are discussing the question with spirit and ability. I hope that a strong expression of public opinion will produce the result we so much wish.

Mr. President, I am admonished by the clock that I have already consumed too much of your valuable time, and will only add that I welcome the numbers of this convention to our city on my own account, and feel assured that I may include our whole population, who I am certain entertain the same sentiments that you and I do, upon the important question which has brought you together.

I cannot but express the hope that a national convention may be held, composed of representatives of the workmen of our country—and let them come together without party feeling. My friends, it is time to discard our political party bickerings. There is a crisis in our affairs, which demands of us this sacrifice upon the altar of patriotism. Let us know no other party than that of one for our country, without reference to party leaders. Of what consequence is it to you or me, who administers the government, provided it be well administered? For myself, I shall go for the country, and care not who may be the chief executive of the nation, if he be honest, capable, and faithful to the constitution.

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HOME INDUSTRY CONVENTION.

From the New York Tribune.

New York, Tuesday, April 5.

The convention assembled in the Hall of the Tabernacle at 11 o'clock, A. M. It was called to order by *Joseph Blunt, esq.* of New York, on whose motion *Henry Shaw, esq.* of Massachusetts, was called to the chair, and *L. D. Chapin*, of this city, was chosen secretary. After a few remarks from the chairman, on motion, the states were called in order, and delegates from Maine, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Michigan and Illinois, were found to be present.

On motion, delegates from each state were requested to nominate two of their number to form a committee to report officers for the permanent organization of the convention.

The general committee on organization now retired to select suitable persons to be proposed as officers for this convention. During its absence the convention was briefly addressed by Mr. J. Arnold, of New Bedford, in exposition of the character, importance and relations of the American whale fishery.

Mr. Drinker, of New York, spoke to exhibit of the common mistake, that this convention had met for the purpose of securing protection especially to manufactures. Its objects are broad as the whole range of American industry—agricultural, mechanical and commercial. The manufacturing interests of the country are now less in need of protection than the agricultural and others; and it is for the benefit of all that this convention has assembled.

The memorial to congress of the ship owners of N. Bedford and others engaged in the whale fishery was read to the convention by Dr. Fisher. It asks for efficient protection of our home industry as essential to the well being of the whole interest.—While oil, it urges, is in great part consumed in our manufactories and mechanical pursuits, these must be prostrated by the want of protection, and that business would be transferred to Europe, in whose port one oil is met by prohibitory, or nearly prohibitory, duties, in favor of these new trades. By such duties, and corresponding bounties, France has firmly established and England largely extended her fisheries; at this moment, the business is largely carried on in the British colonies, from which agents are constantly in our ports offering tempting inducements to our experienced whalers to engage in their service. The whaling interest, asks, therefore—and relies on foreign oils, but duties on foreign products generally imposed with a primary view to the protection of our home industry generally, thus preserving for only attainable market for our oils and preserving the whaling interest by sustaining the general industry and prosperity of the country.

Mr. J. Blunt, of New York, followed in support of the general positions of this memorial, in review of the policy of our government through former years, and in illustration of the necessity of protection to the mechanics, farmers and laborers generally of this country. He showed that not merely the pauper labor of Europe, but the still cheaper labor of the East Indies, will be brought in direct competition with us unless, that not merely boots from Paris; but boots from Manilla are now selling in New York, at a lower price than they can be made by the American shoemaker, while he supports in comfort and chiefly with family.

Mr. J. Arnold, of New Bedford, Massachusetts, stated many facts bearing upon the interests of American labor. Among them was the observation of Mr. Adam, a gentleman who has spent many years in India, and who is entirely confident that much of the soil of that country is as favorable to the growth of cotton, and yet in the world, and that, very large labor there, it may be abundantly produced at *ten cents a pound*. He said that the manufacturers of Massachusetts were generally disposed to let things take their course, believing that they can stand free trade quite as well and as long as other interests.—Let them be destroyed, if necessary, and then it will be no longer possible to excite the prejudices of the ignorant against protection by clamor against manufacturing *monopoly* and *aristocracy*.

Mr. Asaph Rice, of Massachusetts, a venerable patriot of four score, confirmed the statements previously made by Mr. Blunt, of the distress and embarrassment which pervaded this country prior to the adoption of the federal constitution for want of efficient protection to home industry. He lived in those times, he shared in those distresses, and knew how they were caused and how remedied. He thrillingly appealed to the patriotism of the whole people to unite in such measures as are now eminently necessary to restore the country to prosperity and independence.

Rev. O. Choules, of New York, spoke in behalf of the agricultural interest, of which he appears as a representative. He stated from personal knowledge that the farmers generally are awaking to a just and strong interest in the cause of protection, as essential to their welfare and that of the whole country. He expressed the sanguine hope that the feeling which animated, and the sentiments expressed by this convention would be warmly responded to by the whole country.

The committee on organization now reported the following list of officers, which was unanimously adopted, and the officers appointed accordingly, viz:

For president, gen. JAMES TALLMADGE, of N. York.

Vice presidents, gen. Robertson Hull, of Vermont; hon. Henry Shaw, of Massachusetts; Stanford Newell, of Rhode Island; hon. H. Barnard, of Connecticut; Stephen Warren, of New York; hon. Mahlon Dickerson, of New Jersey; hon. George Howard, of Maryland; Robert E. Little, of Illinois; A. J. White, of Michigan; Robert McKay, of Delaware.

Secretaries, L. D. Chapin, of New York; Stephen Conger, of New Jersey; H. D. Maxwell, of Pennsylvania; William D. Bartlett, of Massachusetts.

General Tallmadge, on taking the chair, returned his thanks to the convention for the honor conferred on him, and appealed to the convention to keep all its objects and proceedings entirely free from all party political purposes and feelings. He proceeded to take a rapid review of the organization and progress of the Home League, the reasons which had rendered necessary the call of this convention, and the present deplorable condition of the country, economical and moral. General T. proceeded to show that the commercial and industrial interests of this country have always claimed and received ample protection from the government; amounting to absolute prohibition in the case of our coasting trade.

General T. showed that the necessity of protection to our labor became more and more important to us every year, as our relations with Europe were rendered more intimate by the reduction of the distance between the countries, and the increase of the facilities of

We had heard much, he said, of free trade—but he had never been able to ascertain its meaning. He went on to examine the effect of a protective tariff on consumers, and showed, that by the influence of a duty on the single article of nails, they had been reduced in price from 10c. to 5c. per pound. Paper, too, had been reduced one-half. At present 261,000,000 pounds of the raw material were consumed; and of this 150,000,000 were of home production. If the horizontal duty were laid, this would be entirely lost —and, as our rags cannot be carried to any foreign port, a net amount of $4,000,000 annually, with a duty is saved—would be lost. He spoke also of the influence of protection on iron foundries. At the close of the last war, an iron pot was the highest achievement of American foundries; but he showed that by improvements that had been made upon the casting of iron in this country we were able greatly to excel the English in this branch of industry.

He next alluded to the effect of a discriminating tariff on agriculture. The amount of agricultural productions in this country he stated at 1,222,655,533 dollars. He stated the amount exported to six principal ports; and showed that if a horizontal duty should be adopted, England would enjoy all this trade, of which we should be thereby deprived. With relation to the merchant marine, there is (had) 282,639 tons of shipping—more than one-fifth of the whole naval force—were employed in this trade. He then proceeded to some of the arguments used by those opposed to a protective tariff. So far as the raw material of paper was concerned, he showed that the six cotton-growing states received the protection, and that much more. And another part of this article was consumed at the north than at the south, the north paid by far the most of the duty—the benefit of which, moreover, went to the south. He showed the same fact in regard to wool; and upon this article he said they stood to the north with reference to protection as 284 to 11. Flint glass, brushes, and other articles, were cited, as showing the same thing.

He cited the difficulties attending the system of home valuation. In chief objection was that whenever we had a prostration of mercantile affairs every importer would say, that there was no home valuation—whereas when the articles were really needed no one would dare to import them. He reminded the convention that the paper to be sent to Washington should be comprised of *statistics.*

Mr. Alvan Stewart next addressed the convention in a series of most eloquent and forcible remarks.

The first, second, third and fourth resolutions were adopted.

The fifth resolution was laid on the table.

The sixth resolution was then called up; and some member having made reference to the compromise act and to Messrs. Calhoun and Clay with expressions of dissatisfaction against the latter.

Mr. Shaw objected to its arraignment of the last great friend of American industry, and to the introduction into this convention of subjects so foreign and so destructive to the objects it proposes. He cared not what was said elsewhere of them, but he protested against their introduction here. He said he should be recreant to the principles he had professed for the best half of his life, if he suffered here or any where the name of Henry Clay to be mentioned as hostile to American industry or American interests. (Loud cheers.)

Mr. C. C. Haven said that the drawer of that resolution never once thought of Mr. Clay. He had the very highest respect—he challenged any one to go beyond him in respect for that staunch friend of American industry, (cheers.) The chairman suggested that the introduction of any name must be considered out of order—as special eulogy entitles to special censure from those who choose—and this was no the purpose of this convention, (cheers.) Mr. Haven insisted that the intention of the drawer of the resolution should be understood.

The president said that in accordance with what he believed to be the wish of the convention, he should shut out such reference to individuals hereafter.

Hon. Shaw said he had heard a name dear to him associated with a name he could not respect: and his remarks had been made with reference to that violation of the rule adopted by the chair. He believed the sixth resolution would be read, if passed, with pain, by the members in their cooler moments. He objected to the use of the word "reprobation" in it—as applied to those men who had purified every thing in our cause, and justified his objection at some length. He moved that this resolution lay on the table.

Hon. Harmar Denny supported the motion. He had the best reason to know that the distinguished man alluded to had been actuated by the best of motives in the introduction of the compromise act. Thus much he felt bound to say, more he could not, lest he should violate the rule of the chair.

The sixth resolution was laid on the table.

The eighth was read and its adoption moved.

Mr. Elcod said he liked the language of this resolution. If he understood the subject at all, *protection was but another name for independence.* Some connected it with the idea of prosperity; he did not so regard it. This was the essential question for which our fathers fought, and he was glad to find it now met so boldly at this convention. When rightly understood, protection could not be hampered with either revenue, or distribution, or any thing else: the motto would be protection for the sake of protection; and protection for the sake of independence. Some gentlemen insisted that the resolution was foreign to the purposes of this convention, and that its pledge would not be observed if adopted.

Mr. Asaph Eice, from Massachusetts, said he was glad the resolution had been introduced, because it carried him back to the days when, in the spirit of patriotism, he aided his fathers by the adoption and practice of a similar resolution, in securing the liberties of the country. But he hoped it would not pass, because he feared it would be violated before the members left the city.

Mr. Fisher argued that the resolution merely embodied a recommendation, and not a pledge.

After some further deliberation, it was laid on the table.

The business committee reported the following resolution, which was adopted:

Resolved, That protection to the labor and capital of this country, and the acquisition of reciprocal benefits from foreign commerce, should be provided for by laws of congress rather than by treaty stipulations.

The convention then adjourned to Thursday, at 10 o'clock, A. M.

Third day, Thursday, April 7.

The convention having been called to order by the president, and the minutes of yesterday read by the secretary, the reports of committees were declared in order.

The committee on business reported that a committee on the book trade, be appointed. Agreed to and Messrs. R. Lockwood, L. D. Chapin, James Van Norden and T. B. Walker, were appointed.

Mr. J. J. Mapes, from the committee on sugar refining, reported at length on that subject, showing by statistics that the business of sugar refining will be entirely destroyed if a horizontal tariff is imposed, and urging the necessity of a discriminating tariff in of domestic refined sugar. The report was accepted and laid on the table for the present.

Mr. J. Blunt from the committee on that subject, reported a memorial to the congress, praying the adoption of a preamble to the tariff law about to be enacted similar to that of the first tariff act under the present constitution in 1789. *Whereas* it is necessary for the support of government, the payment of the debts of the United States, *and the protection of domestic manufactures,* that duties be laid on foreign goods," &c.) The report forcibly describes the facts in regard to the preceding condition of the country, and to this action, in which Washington, Madison, Hamilton, Franklin, and their coadjutors concurred, and asks that *this same preamble* of 1789 be incorporated in the new act.

Mr. S. Oakley, from the committee on iron, coal, and manufactures of iron, reported that the subject committed to them had been divided into three parts, and referred to three sub-committees, which would report severally. Mr. D. D. Kellogg of Troy, read the pertinent report, embracing general considerations, showing the importance of the iron trade to the independence of the country, the comfort and wealth of the people, and the progress of civilization and the arts.

Mr. S. Oakley then reported at length on the subject of the production of iron, including nails, tracing the history and progress of the iron in this country, down to the present time. The report states that the business has been but indifferently profitable through the last fourteen years, and that it must be entirely abandoned east of the Alleganies if the duty is reduced to a horizontal standard, as provided by existing laws. The difficulty has arisen from the cheaper and cheaper iron, and the abundance of capital in England, where the Mineral coal used in smelting, costs but $1 per ton, while the charcoal used in this country costs ten times as much. But new processes and improvements, the establishment of works where iron ore and coal beds are found in close proximity, and especially a new discovery of a mode of making bar iron with anthracite alone, is fast reducing the cost of making iron, so that it can now be produced nearly as cheap here as it could in England fifteen years ago. But the English cost has also been reduced; and the committee believe that a duty of twenty-five dollars a ton on bar iron will now suffice, instead of thirty-seven and a half dollars levied in 1828; and of eight dollars on pig iron, (instead of twelve in 1828) will be adequate to sustain the business. With such a duty, the committee are confident that the cost of producing iron can be steadily reduced year after year, as it has hitherto been, until it shall be as low here as in any part of the world.

The number of persons dependent on the iron business for subsistence is now over two hundred and fifty thousand—the wages paid amounting annually over eighteen millions of dollars; the amount of agricultural productions consumed by them about eleven millions per annum. The total annual product of iron in the country is two millions; capital employed about twenty-two millions; including mines and woodlands, thirty millions. This capital will be almost wholly destroyed by a horizontal tariff.

Dr. J. U. Fisher, from the same committee, reported on coal. The amount of anthracite coal produced in 1840 was 863,000 tons: of bituminous 27,000,000 bushels, (28 to a ton) total value (at 85 per ton) over $8,000,000. Number of persons employed in producing it is 23,000; including their families, 90,000; their annual consumption of agricultural productions over $4,500,000. Coal abounds throughout our middle, western and south-western states; but its vast stores can only be developed by abundant protection to the mining of iron, &c. We do not need a pound of iron or a bushel of coal from abroad; we have an abundance at home, and with a steady policy of protection, it can be produced amply and cheaply.

The only direct competition with our coals is from Nova Scotia. Our coal is generally situated a hundred miles more (from tide-water) not so that of Pictou which can then be brought into a cheaper market than our own products. Why should we build up the British colonies at our own expense, and render them formidable and powerful to our defenceless in case of a war? The committee recommend a specific duty of six cents a bushel on imported coal, believing that such duty will not add materially to the cost, while it will give the whole domestic market to our own producers.

Mr. Winslow, of Troy, reported on nails, showing that the price of nails had been greatly reduced by protection, and that under the tariff of 1828 the price of nails had been reduced from 10 cents per pound to 4½ cents per pound, and the duty now asked for is 3 cents per pound, 40 per cent below the rate of duty of 1828.

Mr. P. Ripley, of Conn. reported on hardware and manufactures of iron. He gave the statistics of the trade; amt employed 27,000; capital employed $27,000,000; dependent thereon 114,000, consumption of food $7,000,000 per annum; for clothing $2,000,000; home market $1,000,000.

The amount invested in the manufacture of woodscrews alone (a new branch) is about $1,000,000, which now stands nearly idle, for want of due protection. The value of duty on iron manufactures is estimated by the committee at thirty per cent. imposed specifically, so as to obviate frauds on the revenue. Sheet iron has never been produced in New England, but she does not object to paying a duty on it for the encouragement of its production at the south.

The present tariff is very blindly and injuriously adjusted. Many articles of iron manufacture (bed screws, hinges, &c. &c.) are now taxed much less than the material from which they are made, and some of them much cheaper than the *manufactured article can be sold here cheaper than the raw material.* The committee recommend that these articles be charged with the same duty as is imposed on the materials, and twenty per cent. added for the protection of the manufacture. The committee states that domestic cut nails are now sold here at a lower rate than the duty (five cents) charged on the foreign article. Such will be the effect of a fair, steady protection to iron manufactures generally.

Mr. Shaw, from the committee on woollen goods, reported that the committee had had under consideration the new tariff bill reported by Mr. Saltonstall, which, in principle and general provisions, it heartily approves. It excepts, however, the provision of thirty per cent. on "woollen manufactures not enumerated," as opening a wide door for fraud and evasion. It objects also to the departure from the principle of home valuation. It recommends, therefore, instead, a specific duty on "woollen goods not enumerated," of seventy-five cents the square yard. It also objects to the easy admission of cheap foreign wool as interfering with the American wool grower, opening a door to frauds, and not necessary to our manufactures. The committee recommend specific duties, based upon minimums and a home valuation.

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The committee report the number of sheep in the country at 20,000,000; annual product of wool 50,000,000 lbs.; persons employed in manufacturing it 50,000; with their families 200,000. Agricultural productions consumed by them $8,750,000 per annum; cost of wool (36 cents per lb.) $17,500,000; persons employed because of the manufacture of wool, 150,000; their annual consumption of agricultural products $22,000,000. Capital invested in the woollen manufacture, $25,000,000. Agricultural capital employed in producing the wool or on account of the manufacture thereof, $50,000,000. The farming interest in the production of the woollen manufacture is *eight times* that of the manufactures.

Mr. Drinker, of New York, from the committee on auctions reported strongly in favor of imposing a duty on the sales of foreign goods by auction, showing that such sales are almost entirely on foreign accounts, and are destructive to the American importer and trader. We cannot find room for even a synopsis of this report, which traced these auction sales through all their ramifications connected with excessive importations, inflated credit, &c. The committee recommend a duty of not less than five per cent. on all sales of foreign goods by auction.

A member proposed a recommitment, with a view to the modification of the rate of three per cent. After some discussion, the motion to recommit was carried.

A member objected that he had understood the report to reflect on the character of foreigners who sought our shores as emigrants, which he trusted was not sanctioned.

Mr. Howard explained, that the distinction in the report between foreign emigrants who come here to be naturalized, and made a part of us, and those foreigners who came here only to enrich themselves by the sale of their goods, was a very broad and palpable one. We welcome the emigrant to our shores, while the mere trafficker who comes to drain us of our specie and impoverish us, is rightly regarded as an enemy to our well being.

Mr. Fessenden, from the committee on business, reported that a committee on philosophical and astronomical instruments be raised—which was agreed to, and a committee appointed.

Mr. Grover, from the committee on the general interests of manufactures of American labor, and the necessity of protection, made a report, defending the principle, and setting forth the general grounds of protection; which was adopted.

Upon the question of adopting this report, Mr. J. Crane of Schenectady addressed the convention with much animation and humor, in powerful advocacy of the policy of encouraging and preferring American products, in our individual as well as general capacity.

The business committee reported a resolution requiring the several committees to appoint one member of each to act as a general committee of arrangement, revision and publication; and to proceed to Washington to submit the facts and statistics embodied in their several reports to congress. Agreed to.

Mr. C. C. Hawes, from the committee on the effect of protection to the public interest, made a report. It was adopted.

A motion was made to raise a fund by assessment of $5 each on the members of the convention to pay the expense of publishing its reports and statistics. Agreed to.

On motion of Dr. J. W. Thompson, of Del. the resolution reported by the business committee proposing a preference for American products in our individual action, was taken up, advocated by Dr. T. Mr. J. P. Simpson, Crolius, and others, and adopted.

The thanks of the convention were tendered to Messrs. Boardman & Hart, and D. Felt, for presents of ink-stands, paper-weights, and stationery.

The convention adjourned to Friday morning at 10 o'clock at the same place.

Fourth day, Friday, April 8.

Reports from committees being in order, one on pins and buttons was read, showing the extent of the manufacture in this country, &c. The capital employed in the making of buttons is $1,400,000, of which $600,000 are devoted to gilt or metal buttons. Number of persons employed 2,500. Value of goods produced annually $1,550,000. The proposed duty of thirty per cent will be an adequate protection.

In the manufacture of pins from eighty to one hundred persons are employed, with a capital of from $75,000 to $100,000. Annual value of pins made $100,000. A high specific duty is recommended.

The committee on shoes and leather reported that a duty of 20 per cent affords no protection. Coarse and cheap shoes and boots have recently been imported to some extent, and orders to a large amount have gone out to Germany. Great quantities of calf-skins and morocco have been imported from France, at lower rates than the domestic manufacturers can afford. A duty of 30 per cent on all descriptions of leather is recommended, with a specific duty of $1.50 per pair on boots, and of 30 to 50 cents the pair on shoes.

The committee on agriculture was not yet ready to report.

The committee on commerce reported a constant increase of foreign tonnage as the consequence of the reciprocal treaties, while there has not been a corresponding increase of our native tonnage employed in foreign commerce.

In conclusion, the committee recommend,

1st. That our government terminate the reciprocal treaties, so called, with foreign countries, as speedily as it can be done with good faith, except such as are limited to the direct trade, and in which we have equal privileges.

2d. That laws should be adopted, giving advantages to our vessels when it can be done consistently with our treaties with other nations, by imposing additional duties on goods imported in foreign vessels.

The committee on commerce and currency reported in substance that the existing derangements of the currency are mainly owing to the adoption of free trade principles, and that a remedy can be found in protection.

The committee on cotton and silk reported that the protection heretofore given to the cotton manufacture has proved greatly advantageous, but that the approaching withdrawal of it by the terms of the compromise act, threatens fearful mischiefs.

By the terms of that act, all protection will be withdrawn from this important interest, and this is greatly aggravated by coming upon us at a time when the markets of Europe, gorged with their over productions, are throwing upon our shores an immense amount of their surplus products, which are thrown into auctions, and sold frequently for less than half their original cost. The effect of this has been the stoppage of a portion of our factories, the ruin of one of a large class of citizens, and the fearful apprehension of the entire prostration of this important branch of American industry. As a remedy for the evils felt and apprehended, the committee recommend a duty of not less than six cents per square yard upon all uncolored cotton goods, and seven and a half cents upon all colored or printed goods.

Reports on the fisheries, on straw bonnets, on ready made clothing, on glass and earthen ware, and on mechanic arts not enumerated, were presented and referred to the committee on publication, without reading.

In reply to an inquiry by the president, the secretary stated, that the credentials of eleven hundred delegates had been received, but only about 400 had attended.

On motion of Mr. Bartlett, of Massachusetts, it was recommended that the friends of home industry throughout the country hold mass meetings for the purpose of furthering its object.

It was voted, that there be a national convention of the home interests in this city in October next, during the fair of the American institute.

On motion, the convention then adjourned *sine die.*

CIVIL APPROPRIATIONS.

SPEECH OF MR. ADAMS—APRIL 15, 1842.

Mr. Adams, who was entitled to the floor from Thursday, rose and addressed the committee nearly as follows:

When the committee rose yesterday, I was endeavoring, as much as lay in my power, to make a reply to the very extraordinary, and, to me, most unexpected and sudden introduction into this house of no less a question, in substance, than that of peace and war between this country and Great Britain, and that on so slender a peg as a motion to reduce the full ministers to the court of Vienna and Berlin to the rank of charges. The preceding day had been occupied, in a manner equally sudden, with the consideration of the like question of peace and war, not with Great Britain only, but also with the empire of Mexico. These were subjects solemn and grave, to me, to a most extreme degree. As chairman of the committee on foreign affairs I had hoped that the only duty I should be called to discharge in relation to these diplomatic appropriations was to sustain the estimates received from the department of state, and to answer the resolution of this house inquiring whether the expenses of our diplomatic relations might not be lessened by the reduction of our missions to Europe and to South America. But in that expectation I have been very painfully and unexpectedly disappointed.

Now, I must premise by saying that the committee of foreign relations is to be discharged from all responsibility for any remarks I may make in regard to all the topics on which I am now to speak. They had not taken into their consideration any part of those subjects. The house is well acquainted with the present composition of that committee, and with certain circumstances relating to the history of that committee. I prefer to them only to say that, since the present composition of that body, no committee of this or of the other house, at any congress since the formation of the government, could have proceeded in the discharge of its duties with more perfect harmony. No question has agitated its deliberations so as to divide its opinion on any important point; and having been charged by them with the duty of supporting the necessity of the expenditures estimated for by the department—because, after full consideration, the committee all saw that there was no occasion to alter the existing number or grade of our missions abroad—I did hope that having done that, my whole duty would have been discharged. I say this, because, speaking as I do in some sort officially, as far as these appropriations are concerned, and having been suddenly called, both yesterday and now, to enter on the discussion of topics totally different, and topics which have not occupied the attention of the committee, I wish it to be understood that what I said yesterday, and what I may have occasion to say today, is not spoken by virtue of any instructions from the committee, but solely in my individual capacity as the representative of one of the congressional districts of the people of the United States, speaking on my own personal responsibility, without the concurrence, so far as I know, of any other member of the committee on foreign affairs.

And here I must be permitted to notify the house that, if I should consider it a want of due preparation for the discussion of these great and all-important topics before this committee, if I shall exhibit a deficiency of memory and of power to do justice to the cause I support—by which, I mean, the cause of the peace of the country and of the world—I can only express my hope that other members of this committee, better prepared, better qualified, better able, as they will have to meet, in the discussion, some of the ablest members of this body, will take the duty upon them and discharge it in a more worthy manner—only remarking, that, of necessity, I am very desultory, and in a great degree destitute of order and arrangement, from the entire want of time for suitable preparation.

But it is, I say, a question of peace and war which has suddenly been sprung upon this house, from two distinct and totally different quarters of the house, apparently, but which are united by ties which, perhaps, it will require considerable time to solve and unfold in the face of the world. I must take them as I find them, united in one great object, which is to precipitate us into a war both with Great Britain and Mexico, with the ultimate purpose of preserving and perpetuating the institution of slavery and the slave trade. This is the object of war with Mexico, as represented to us by the gentleman from Virginia, (Mr. Wise). This is the object of war with Great Britain as recommended to us by the gentleman from Massachusetts, (Mr. Adams.). In this they are perfectly united; and there is danger to the country of an immediate war at once, with these two powers, which must probably involve in it a war of the whole civilized portion of the human race. This is the object which they hum united with all their forces to recommend.

Now, I must say that, all unexpected as it has been to me, and unprepared as I am to discuss the subject in the manner it deserves, I am not sorry, I do not regret in the slightest degree, that this subject has been brought before the house. If I have any regret upon the subject, it is that it was not brought here before; that the house has heretofore suppressed all debate on the general subject, or at least on a great part of it, when it might have been discussed under circumstances so much more favorable, at a moment when there was no negotiation pending on any subject between Great Britain and the United States within hearing of my voice. I should have been much more delighted to have gone into the discussion before any of those delicate complexities were in the way to restrain the course of argument, which I dare not now enter upon, and which yet belong essentially to the subject.

It is a question of peace and war, immediate and present; the danger of war is at the doors, and here, if any man dares to raise his voice against going to war, he is immediately charged with being a *British* partisan—an *English* orator. This is not a moment in which imputations of that kind are likely to be received with indifference, more especially when negotiations are in actual progress. I should have been much more gratified to have discussed the subject at

the commencement of the session, or even before that. But I must take it as it comes; and, speaking as I do as the representative of a single district, I must say what is necessary to be said, though it should be imputed to English feeling or any other, in quarters from which I may be sure there never will come the imputation of a good purpose to any thing I can say.

When the committee rose last evening, I was endeavoring to answer some of the arguments for war made and assertions of the most pacific spirit by the gentlemen (the more recent of the two) who have recommended to us a war with Great Britain. What were the points of his argument? I. That a war would extinguish two hundred millions of our debt to England. 2. That it would ruin the city of London. And, 3. That because we were totally unprepared, therefore, this was the proper moment for beginning it. In the course of that argument he brought into view, I think, five points of controversy with England. Now, if I recollect right, there is in the city of New York a somewhat distinguished place called "the Five Points," [laughter] and really, if I were to judge of the character of the gentleman's speech from its own intrinsic merits, I should have thought that precisely the place it must have come from. [Great laughter]. The gentleman, I believe, represents a district in which there are some places somewhat like the celebrated Five Points in the city of New York.

[Mr. Ingersoll here asked leave to explain.

Mr. Chair. Does the gentleman from Massachusetts yield the floor?

Mr. Adams. Oh yes; the gentleman may explain as much as he pleases.

Mr. Ingersoll here spoke earnestly for some minutes, but in a spot and in a position which brought his bath to the reporter, and rendered it impossible to hear much of what he said. He was understood to say that the gentleman from Massachusetts had thought proper to make the most indecent allusions to his place of representation, in which he spoke of places which, for aught he knew, the gentleman might be in the habit of frequenting himself, but he knew that in his hall, dressed in a black gown and seated on a cushion, the gentleman had had the indecency to speak of the English nation in terms which deserved to fix upon him universal execration. Mr. I. also alluded to a letter written by him, as the public minister of peace at Ghent, in which he had spoken of his own country in terms like these: "with three frigates for a navy, and five regiments for an army, Britain was expected to bid us defiance!" These were his expressions while his country's accredited minister to conclude peace with Great Britain].

Mr. Adams continued. This is undoubtedly extremely opposite to the question whether our ministers to Austria and Prussia shall be exchanged for charges. Well, sir, the gentleman, in the great politeness and calmness of his temper, which is never to be ruffled by any thing, thought proper to allude to certain circumstances in my past life. I shall not reply to his remarks, because I hope I am a better use for my time. I meant no unkindness to the honorable gentleman when I spoke of his speech and observed that it might have proceeded from a place in the city of New York as moral and generous as the inhabitants, and as respectable in its inhabitants, as the district which the gentleman himself represents—a district to which I made no uniriendly or disrespectful allusion, and in which I have no doubt there reside as many warm-hearted patriots, as many virtuous and upright citizens, as are to be found about the Five Points in New York. [Laughter.] I meant, I said that the speech was such a one as might have proceeded either from the Five Points, or from the honorable gentleman's district. If he chooses to receive this as a reflection either upon the Five Points or his own district, that is his affair; qui capit ille facit. The gentleman, at any rate, I consider as representing a portion of that democracy which, in a letter from my partner Clement C. Clay, of Alabama, is said to be the natural ally of the "peculiar institutions" of the south. Of that democracy I have no doubt a very large portion is to be found both at the Five Points and in the gentleman's district. And the gentleman is the representative, not of that party which, in the war of our revolution, would have made the gentleman's ancestors take the side of Great Britain; not of that portion of the community which he would have represented at the time heaven and earth were moved to prevent his confirmation as district attorney in the other house of congress, (by whom he was nominated to that office he knows) not of those by whom the strongest tariff paper was sent here that I ever saw in my life; not of those whom he represented when he was a candidate for the appointment of director of the Bank of the United States;—

[Mr. Ingersoll here, alluding on Mr. Adams for an explanation, Mr. A. replied, "I will tell the gentleman in private whenever he pleases."]

Not of that portion of them whom he represented when Gen. Jackson turned him neck and heels out of the same office of district attorney, and which set he generously rewarded by declaring that Gen. Jackson was "every inch a president." No, sir, many changes have come over the dream of that honorable gentleman.

[Here Mr. Ingersoll asked for the floor to explain.]

Mr. Adams. I am tired of yielding him the floor. I take this house to witness that I did not begin this examination into past history; and if it does not meet the feelings of the gentleman, he has himself to thank for it.

[Mr. Ingersoll. It suits me perfectly.]

Now he is the representative of the war party in this country—the pure democracy of the third congressional district of the city of Philadelphia.

But, to turn from this subject to what, perhaps, more properly belongs to the discussion, and adverting to the pacific argument made by the gentleman yesterday, in which he made such an exulting, such a triumphant use of a pamphlet put forth by our minister to France, and pronounced such lofty encomiums on the correspondence of our late minister to the court of St. James, which was let off like a Parthian shaft, when he was just about to fly—a shaft which he letoff just after he had given his admonition to our commander that it was time to get nearer home; the courage and spirit of which the honorable gentleman so warmly admired, though dated at the Bloomsbury square, where the minister who sent it was on the point of departure to get out of harm's way himself. In commenting on the pamphlet of Gen. Cass, (of whom I shall always speak with due respect and honor,) I said that the very fact for which the gentleman so much admired it excited any thing but admiration in me; because I considered it as an interference with the internal affairs of France, under color of sounding the tocsin of alarm against a concession of the right of search: I said it was, in fact, a tocsin against the peace of the United States, and that, in effect should be to produce a war between France and the other four powers who had signed the quintuple treaty, under the false pretence of the right of search; for, sir, we should find ourselves totally deceived; for that the right of search was not at all involved in the refusal of the chamber of deputies to assent to the ratification of that treaty.

I has so happened that this very morning I have seen a letter directly from France, containing an account of that very debate, from which I will now read, in order to show the correctness of the positions I took, that the right of search was not the ground of the decision, that being not a question between France and the four powers, but that it was a movement hostile to the reigning dynasty of France. The letter begins thus:

"*Paris, January* 30, 1842.

"Louis Philippe continues to manifest his hostility to the press. It made him what he is. Royal gratitude shows itself by persecuting it. Charles the tenth wanted to gag the press, and lost his throne: let us see if Louis Philippe will be more fortunate in the long run."

Does not this passage expressly show what is the present condition of that dynasty, at the head of which stands Louis Philippe?—the danger by which he is surrounded—the immense mass of prejudice and passion which is accumulated against him? Does it not show what confidence is to be placed in acts and treaties proceeding from such a source? and what sort of an inducement it is for us to go to war with England that we shall have a power like this for our allies? Then the letter proceeds to relate the fact that a certain officer in the National Guards had been dismissed for certain reflections on the government published by him in a newspaper, and of his re-election by his comrades in defiance of this act of the government, and presents this fact in proof of the great unpopularity of Louis Philippe. The letter goes on to say that "Thiers, in the debate on the address, has been speaking all manner of hard things against England." This Thiers is the democrat whose great object is the overthrow of the dynasty of Louis Philippe by the only way to the introduction of a democratic form of government. This was the man who was for going to war with the four powers on the Syrian question, in consequence of which he lost his place. This man, it seems, had been speaking all manner of hard things against England. Had the two gentlemen from Pennsylvania and Virginia been studying in the same school? This seems a pretty good account of one of these speeches. And here I will take the occasion to say, that speaking all manner of hard things against any foreign nation is no very good instrument of negotiation for peace. I am doubtful this, let us only for a moment bring the case to ourselves. Should we, if a British minister should come to this country and openly say all manner of hard things against us, consider that as a very proper mode to aid him in a successful negotiation with this government? It may be said that we have given no occasion for hard things to be spoken of us, and I hope it is true that we have given as little occasion as others. But if we are to take our own opinion of each other, as a just standard of judgment—if we are to be guided, for instance, by what one-half of this house says of the other half, (and in this I have no reference to particular parties), we cannot complain should very hard things be heard said of us. In this present debate, frequent mention has been made of the head of the Mexican government; and he has been called on this floor little else than a merciless tyrant, an usurpator, a usurper, and the like. This may be a very good means to adopt, if the object is to go to war with Mexico; but I should scarcely consider it a likely mode of preserving amicable relations with that power.

And here I beg that I may not be misunderstood nor represented as making a Santa Anna speech, which I have no doubt I shall be, and I do not know but that it may be said that I would General Santa Anna knows the proper means to propitiate members of this house. General Hamilton, at least, thought that there were certain means of propitiating him, which, when tried, did not prove as effective as he had anticipated. I profess no special regard for General Santa Anna. He may, for ought I know, be a merciless tyrant. I certainly do not much approve of some of his exploits in war, and still less his negotiations here at the White House some four or five years ago. I wish I could know more of what passed in that negotiation, and I should be very glad if this house would call for the correspondence which took place between a late president of the U. States and General Santa Anna when he was here. That there was a negotiation of some kind has not only been acknowledged by Santa Anna himself, but a letter of President Houston to him has caused me still more to wish to know what was its nature. Nor do I believe that the true relations of this country either with Texas or with Mexico can be rightly understood without this; and yet if I were to make resolution calling for that information, some gentleman from Mississippi or Alabama would instantly start up and object, when it must be over under the rule, and would actually lay the resolution on the table. Could I have an assurance that no such result would follow, I promise you I would offer such a resolution at once.

But to return. The Monsieur Thiers said all manner of hard things against England, and, if he can get France into a war, he is himself to be the minister of Louis Philippe. Then what will happen to France on mass knows, and sorry I am to say that what will probably happen to this country, if she shall be allied to France, I cannot look upon with satisfaction as a "member of the peace party."

The letter then goes on to say of the discourse of M. Thiers. "His harangue excited great interest, not from its eloquence or wisdom, but because it is believed that it spoke the sentiments of the war party, which is headed by the duke of Orleans."

This opens up to us a view of the real source of the present parties in France. This duke of Orleans, as the eldest son of the king, is the presumptive heir of the throne. He is head of the war party in the nation, as Mons. Thiers is in the house of deputies. He wants war, and what he wants it for I stated yesterday. There are intestine divisions in that country. Here we see the heir of the crown conspiring against his father, probably thinking, as his grandfather did before him, that, instead of conducting him to the guillotine, it will bring him to the crown. In war he anticipates the opportunity of displaying his talents as a military commander, of fighting battles and winning fields, and by military renown, securing his passage to the throne.

"The quintuple slave trade treaty was attacked by Thiers, and then an amendment was moved. The royal speech contained this paragraph: 'I am endeavoring, at the same time, by negotiations prudently conducted, to extend our commercial relations, and to open new markets for the productions of our soil and of our arts.'"

"The address school this sentence, and M. Billault proposed, as an amendment, the following: 'The prudence of the government is a guaranty that in the arrangements relative to the repression of a culpable traffic, our cabinet will carefully protect the legitimate interests of our maritime commerce and the complete independence of our flag against all foreign attempts.'"

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That is the amendment in which is couched the effect of Gov. Cass's pamphlet. Is there any thing there about the right of search? Not a word. How could there be? France is already committed. She is bound to Great Britain to admit the right—bound by express treaty stipulations, and has been for ten years past. The amendment could not even glance at what was its real object, viz: to induce *France* to break her faith. No, but this was the mask which was held up there and is held up here for going to war. The letter proceeds:

"It was finally arranged that the amendment should run thus: 'The chamber hoped that the government, in still concurring in measures for the suppression of the slave trade, would still know how to preserve from injury the interests of French commerce *and the independence of our flag*.'"

This is still more guarded, still more remote from the question of the right of search.

"Remember," says the writer, "to understand the *animus* of this amendment, that the new European treaty for the suppression of the slave trade mutually grants the right of search on the sea."

The *animus* of the amendment, its true intent, is so little apparent that it must be pointed out.

"Theirs argued that the English cruisers on the Guinea coast are kept there chiefly for the sake of disturbing the French trade, that the *prevention* of the slave trade was inhuman".

Yes, that the prevention of the slave trade was inhuman. There is Theirs's argument, openly advanced in the face of the world. Here is the *animus*, indeed! Here the cat is let out of the bag. The object of the resolution, its true intent, is to preserve and perpetuate the slave trade; and now, let this country reflect what are the principles really involved in all this blustering about the right of search. The object at the bottom of it all is the *restoration and preservation of the* AFRICAN SLAVE TRADE. He gives his reason:

"As it is sometimes led to whom cargoes of slaves being cast into the sea to prevent capture, and that the treaty of 1833 (made when himself was minister of commerce) was illegal, as it confiscated all vessels which were proved to carry slaves."

There is the argument of Mr. Theirs.

"M. Bihilat strongly denounced the English claim to 'the right of search.' They have made it, as an attribute of the sovereignty of the seas, for more than a century. In war it was natural they should push it; in peace, he contended, England had claimed it under the pretext of philanthropy. In 1830, this same 'right of search' had been conceded by France, and insisted on ever since by England. However, America did not concede it, but England was using the anti-slave trade treaty as a clause to carry this point. The freedom of the seas was involved in this question. France might concede it, but he anticipated that between the United States would dispute the sovereignty of the seas with England in every quarter of the globe."

If claiming the right of search under the pretext of philanthropy is a proof of hypocrisy, we were ourselves the first to give it, for we were once zealous in the prevention of the slave trade; but now we have done away with all that. As the French antagonist says, in one of Shiere's plays, "The heart used to be on the left side, but now we have changed all that, and the heart is on the right side." Yes, I hope we shall ever maintain the freedom of the seas. I adhere to that, as I ever did. It is part of the freedom of the land; it is a part of the great question of human liberty. I admit that the claim of England to the sovereignty of the seas is part of it, be resisted by all the other nations of the earth. Our contest is for the freedom of the seas, not for the sovereignty of the seas.

"M. Guizot made an important reply. M. Jacques Lefebvre's amendment (the *second* one above) was a censure on the slave trade treaty of 1841, and was meant to oppose any extension of treaties of 1831 and 1833. The minister defended *all* the treaties, and said what those of 1831 and 1833, had done was to consist: human flesh as contraband of war."

The gentleman from Pennsylvania says that the determination of the chamber was nearly unanimous, on which I yesterday remarked that this unanimity is often only apparent, and a vote is sometimes recorded as unanimous when the minority not even a majority in its favor. But what says M. Guizot?

"They did nothing more and nothing less; they assimilated the crime of the slave trade to that of contraband of war. The sea remained free as before; there was only one more crime added to the code of nations, and there were nations which in common yielded to repress this crime. And on the day in which *all* nations shall have taken this engagement, the crime of slave trade will disappear; on that day the men who have pursued that noble aim through political storms and party battles, will be honored in the world; and I hope that my name will appear among those."

[The word I have italicised was taken to reflect on the United States.]

The word italicised is the word "all"—"when *all* nations shall have taken this engagement, the crime of the slave trade will disappear. This was considered as glancing at the United States, as the only civilized nation that now resisted the right of search for the suppression of the slave trade. He hints that we stand alone among the community of nations, but adds that when we, with the rest, shall concur in granting the right, then slavery will disappear.

Now, I entreat the members of this committee to remember that I am not for conceding the right of search. I repeat it. I cannot consent to it even for the suppression of the slave trade; because I believe that other expedients can be formed to accomplish that object without this resort; and because, in the correspondence of the British minister with Mr. Stevenson, I see no demand for such concession. On the contrary, the Right to search and seize is expressly disclaimed by Great Britain. We may, indeed, be called upon to aid her in the suppression of the slave trade by the terms of a part of our naval force, but this we can do without conceding the right of search.

"What he also said will be read with great interest in America. He said that the United States decided by vindicating England and condemning the United States by implication. I give the very words. M. Guizot said: "I wish it were in my power to induce the United States to participate in the convention, for my success would do honor to my country, *and render a great service to humanity*; but God forbid that the United constitution should be used in order to compel any nation to become a party to the treaty. The United States are free, and will remain free. *On the day when they shall have acceded to the convention, they will have done their work*, for in that day they will have accomplished the abolition of the trade in the whole world; but do not let it be involved in this question. That will remain as it was. The slave trade is no connection with the question of the freedom of the seas; for, like piracy, this traffic is excluded from all common right. It has been assimilated to the contraband of war which exists in the case of the contraband of war. Are you willing that the traffic in human flesh should be treated with the rigor which, in the case of the contraband trade, is assimilated to it in the world? And does his exceptions to the great principle of the freedom of the seas affect that principle? No, gentlemen; on the contrary, the principle is rendered more sacred by the exception.

"The implication is—that America must be charged with inhumanity *until* you accede to the anti-slave trade convention."

"The amendment was carried—ministers choosing to adopt it, rather than run the risk of defeat on the original motion."

There: there is the explanation of unanimity, or approach to unanimity, of which the gentleman from Pennsylvania made or attempted to make so much yesterday.

But now, as I do not wish to intrude on the attention of this committee a single moment longer than is necessary, I will pass over the rest of what I might say on this subject, and recur in a few observations to the other war trumpet which we have heard within the last two days.

They unite in one purpose, though they seem to be pursuing it by different measures. The gentleman from Virginia, (Mr. Wise,) by his observations, and to our relations with Mexico, also urges us to war with the same professions of a disposition for peace as were set forth yesterday by the gentleman from Pennsylvania in regard to Great Britain. He does not immediately connect the questions of war with Mexico and war with Great Britain, but apparently knows and feels that they are in substance and in fact but one and the same question; and that, so surely as we rush into a war with Mexico, we shall shortly find ourselves in a war with England. The gentleman appeared entirely conscious of that, and I hope that no member of this committee will come to the conclusion that it is possible for us to have a war with Mexico, and yet, at the same time, going to war with Great Britain. On that subject I will venture to say that the minister from England has no instructions. That is not one of the five points on which the gentleman from Pennsylvania tells us our controversy with England rests, and the surrendering of which is to open to that minister so easy a road to an earldom. The war with Mexico is to be produced by different means and for different purposes. I think the gentleman from Virginia in his speech rested the question of the war with Mexico on three grounds: 1st. That our citizens had claims against the Mexican government to the amount of ten or twelve millions; 2d. That some ten or twelve of our citizens had been treated with great severity and suffered disgrace and abuse from the Mexican government, having been made slaves and compelled to work at cleansing the streets; that these citizens were detained in servitude, while one British subject has been promptly released on the first demand of the British minister there; and 3d. That a war with Mexico would accomplish the annexation of Texas to the union. The gentleman was in favor of war, and yesterday for the immediate purpose of annexing Texas to the union, but he was for war by peremptorily prohibiting Santa Anna from invading Texas. I will take up these reasons in order.

And first, as to going to war for the obtaining of these ten or twelve millions of dollars, being the claims of our own citizens on Mexico. This seems a very extraordinary reason when, according to the doctrine of the gentleman from Pennsylvania, a state of war at once extinguishes all national debts. If we go to war with Mexico her debts to our citizens will not compare with the argument of the gentleman from Pennsylvania be true. He did, to be sure, qualify the position by saying that war would at least suspend the payment of interest, but then it would equally suspend interest in the case of Mexico. The arguments of the two war gentlemen happened to cross each other, though they are diametrically the same end. One of them will force us go to war with Mexico to recover twelve millions of dollars; the other would have us to go to war with England to wipe out a debt of ten hundred millions. Will not compare the arguments of the two gentlemen together, but will say in regard to the doctrine of the gentleman from Pennsylvania that it hasquite too much of republicanism in it for my taste. I do not think that a war with England would extinguish these two hundred millions, but that, on the contrary, Great Britain would be likely to say to us, we will go to war to recover the money you owe us. That is one of the questions which we must settle if we go to war, but which we might otherwise, at least for a time, stave off. But, if we go to war, we must pay the interest of the paper that holders We must pay our two hundred millions, with the interest. As to our debt from Mexico, I believe the way to recover it is not to go to war for it. We, besides failing to recover the money, will occasion us the loss of ten times the amount in other ways.

As to war producing a suspension of interest on a national debt, let the gentleman look back a little to the wars of France. In 1793 France was at war with almost all the countries of Europe, and she immediately confiscated all her debts to them. But what happened thirty years after, when the question came? The allies took Paris, and in the settlement which then took place they compelled France to pay all her debts, with full interest on the whole period during which payment had been suspended. That was the consequence to France of going to war to extinguish debts. And if we go to war with Great Britain to-morrow, she will make us, as one of the conditions of peace, pay our whole debt of 200 millions, with interest. And what shall we gain? Spend millions upon millions every year as long as the war continues, and unless it be greatly successful, have to pay our debt at last, principal and interest. This would depend on the chances of war, or the issue of battle. And as our contests would be chiefly on the ocean, we must first obtain a superiority on the seas before we can put her down and vanquish her; and this to save ourselves from the payment of 200 millions justly due from our citizens to her!

I have cited a letter from the governor of Mississippi in defence of the repudiation of debts by the legislature of that state: an operation, the justice of which one of her representatives here (Mr. Thompson) *endeavored* to explain to the satisfaction of this house and the country. The letter of the governor gives an account of the motives of the people of Mississippi for repudiating; and the governor in that letter says that he expects the subject will be made a matter of negotiation between Great Britain and the United States, and thinks it will present a very delicate question.

[Mr. THOMPSON here was desirous of obtaining the floor for an explanation, but what he said could not be distinctly heard.]

Mr. ADAMS. I say that it is true: I have myself seen the letter, and read it.

Mr. THOMPSON. There must be some mistake; because no part of the debts (and I have examined and traced them all) is due to the people of England.

Mr. ADAMS. I speak of a letter which has been published in all the papers of the country; it is signed with the name of governor McNutt, and never has been contradicted so far as I know. He says that he expects the matter will be the subject of negotiation; and adds that a great majority of the peo-

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ple of Mississippi would sooner go to war than yield to the payment of the debt. I cannot take the assertion of the gentleman that there is a mistake as sufficient evidence against a document which I have seen in various papers, uncontradicted.

[Mr. THOMPSON here repeated his explanation. The governor could not have expected that his letters would be made the subject of negotiation with England, not one dollar of which was owing to any British subject.]

Mr. ADAMS. Well; it is possible the letter does not name the foreign power with whom the negotiation is to be held. He says that he expects it to become a subject of negotiation. I will not undertake to say that he actually names Great Britain, nor is it material; the principle is there; the people would rather go to war than consent to pay their debts. I shall not enter on the subject of the propriety or expediency of the legislature of Mississippi repudiating their state debt; but the gentleman from Pennsylvania and the gentleman from Virginia both made this a question, in their arguments for war. The gentleman from Virginia says we must go to war with Mexico to recover the ten or twelve millions due by her, and the gentleman from Pennsylvania tells us that if we will only go to war with England we shall at one dash spunge our whole debt of two hundred millions. Now, to reference to moral principles, I must say that I prefer the principle of the gentleman from Virginia. I had rather, if I must go to war, do it to recover a just debt, than to spunge a debt justly due. I make a deep distinction between the moral principle of the gentleman from Virginia and the moral principle (if moral it can be called) of the gentleman from Pennsylvania. I speak of it as a matter of fact. Both gentlemen make incentives for war out of the debts due to us or from us. But I am now replying more particularly to the argument of the gentlemen from Virginia. I am not willing to go to war for the recovery of the ten or the twelve millions of dollars due us by Mexico. I think it not justifiable to do so; and, if I am in favor of retaining a full measure of the debt, it is precisely for the reason that I am for conducting a pacific negotiation for that debt, and not for going to war to recover it. I am therefore for a pacific negotiation to Mexico. I am for taking all the possible the final right of the government of the United States to assume a threatening tone in order to recover this debt. That time, I think, is not arrived. When it shall arrive, there will be no occasion for a special mission, but for raising money, a thousand fold more than the whole amount of the debt, in order to obtain right and justice. Now, as to war with Mexico, even though it should present to us the tempting advantage of robbing churches and priests, would not be my mode for recovering our debt. I do not think it the proper method, and I give one of the reasons why I am for retaining the full mission.

There is a second reason given by the gentleman from Virginia in favor of war. He reminds us, with great warmth, that there are some twelve or twelve citizens of the United States now prisoners in the city of Mexico, and dragging chains about the streets of that city; that a British subject taken with them has been liberated while they are kept in bondage. Now, I am not correctly informed, our American citizen, a son of General Combs, has been liberated on the application of the minister of the United States, who was fairly a subject of imprisonment as the British subject of whom the gentleman speaks. I certainly have no objections to our minister's making such representations as he can in favor of the release of citizens of the United States, although taken in actual war against Mexico in association with Texian forces; but I am not prepared to go to war to obtain their liberation. I must first be satisfied to ask, how is it that these men happen to be in the streets of Mexico? Is it not because they formed part of an expedition, got up in Texas against the Texian city of Santa Fe? Were they not taken *flagrante bello*, actually engaged in a war which they had nothing to do with, to which the United States were no party? In all this great pity and sympathy for American citizens, made to travel hundreds of miles barefoot and in chains, the question "how came they there?" seems never to be asked. And yet, so far as the interposition of this nation for their recovery is concerned, that is the very first question to be asked. It was a regular warlike expedition, got up by the president of the republic of Texas for conquest within the Mexican territory, the object being, no doubt, to secure to Texas the possession of the sources of the Rio del Norte, for Santa Fe is situated at the source of that river. The state of Texas has never explicitly declared her boundaries, so that they are not exactly known; but, whatever they are, they are no bounds to them, for President Houston has declared that he means to transcend them, and to push on into Mexico; and the gentleman from Virginia tells us that if Houston does not do it he himself is ready to go and plant his standard on the lofty summit of that city. [A laugh.]

Well, sir, this same president of Texas has done another thing. I do not know whether it is likely to bring us into difficulty with him, for really the symptoms among us are such that it seems he will be allowed to do any thing. He has proclaimed a blockade of the ports of Mexico. Now, a blockade must have the effect of cutting off our trade with those ports. Not a vessel of the United States can approach the port of Vera Cruz, but she will be stopped and turned back, to the total derangement of her voyage and the probable ruin of her owner, and that under this paper blockade. The two states are at war; and the most recent act of hostility is this expedition against Santa Fe with a view to conquer and attach it to the country of Texas. From one valley west of the Mississippi, on whose valiant and enterprising sons the gentleman from Virginia pronounced so high a panegyric, and whose high-minded patriotism is so strongly stimulated by the prospect of robbing priests and pillaging churches, [a laugh], ten or twelve persons, in the ardor of their disinterested zeal for liberty, joined this Texian expedition against part of the dominions of Mexico; but fortune did not smile upon the enterprise. I have heard of no very valiant exploits achieved by their arms; but, on the contrary, the unarmed inhabitants of Santa Fe, with the aid of Mexican authorities, weak as they are, they laid down their arms and became prisoners of war at discretion. They were treated as Mexico treats her prisoners of war. I do not undertake to justify that course of treatment; but I will say, that if our minister to Mexico has received instructions imperatively to demand their release, if that demand has been refused, to come immediately home, what will be the consequences? I hope the consequences will be to save to the treasury a little of his salary as minister; any other consequence, I fear, will be disastrous. If, however, he does come back, I confess I shall not regret it; for, even after the high eulogium bestowed on him by the gentleman from Virginia, I, as a gentleman from Virginia, if my opinion were asked, should still say that I prefer that some other individual should occupy the post. I say nothing in opposition to the eloquent and enthusiastic panegyric on the individual: my reasons are, that, upon the questions in controversy between Mexico and this country, I believe that the course of conduct is the very least likely to perpetuate a state of peace between the two countries, or very advantageous to the union of these states as now constituted. On a subject collateral to, if not connected with, this, I have had the misfortune experience of the sentiments entertained by him, by the gentleman from Virginia, and by another gentleman from Maryland, who I do not now see in his place, (suppose he is not,) Mr. W. C. Jones. I have listened upon this house that execrable 21st rule, which is fast driving this union to its dissolution. I say this without hesitation. A rule which has created more dissension and more ill blood than all other measures adopted in this house, and which is leading a large portion of the people of this country to approximate towards the opinion that even an open dissolution of the union would be better than the state of things in which we now live. As to the talents of the gentleman in debate, I, too, have known him on this floor; and, perhaps, the gentleman from Virginia may say of me, as he said of my excellent friend from Vermont, that I, also, have great reason to appreciate the gallant valor of his friend from South Carolina. Sir, his friend threatened me with the penitentiary once —[roars of laughter]; that is the greatest exploit of his valor that I am acquainted with. I have met him in this house, and I have said to his friends that he should give it as my opinion that my friend from Vermont is more than a match for him; and I would say so to his friends out of doors. Whether or not I have felt the power of his lance I leave posterity and the world to say. At the same time, I disclaim all feelings of unkindness toward the gentleman in question. I must say that in the private and individual relations of society there is not a man in this house with whom I have had a more friendly intercourse during the whole time of his continuance here, even within three days after he had threatened me with the penitentiary. [A laugh].

I beg the gentleman from Virginia distinctly to understand that if he means to apply the remarks he made as his friend, our present minister to Mexico, being so very terrific a champion in this house, I have never felt any of the dread which the gentleman thinks he was calculated to inspire. I met him on his station here. I never was afraid to meet him.—I appreciated and respected his talents, and I have sometimes lamented the influence he exerted in the house. I have often differed from him, but he never assumed the airs of that superiority which here seems to be claimed for him by his friend from Virginia; and I hold it scandalous for any gentleman in this house to assume to speak of any other as dreading a fellow member upon this floor. I know nothing of such dread. I speak of the minister to Mexico, as I would speak of him if he were here, and as I am in the habit of speaking on all occasions. It does not befit my spirit, and I hope I never will befit the spirit of any of those representing that part of the country from which I come, to meet any man here under a spirit of slavish inferiority. I hold in disgust every man who, from assumption of superiority, or the reaction of personal deference in a body like this, I meet gentlemen here in open debate, and I speak my mind, sometimes too strongly, indulged I may be by a momentary feeling of irritation, which soon passes over, and which I am afterwards the first to regret; but the gentleman from Virginia has never seen the time when I allowed him on a footing of perfect equality, or any other member of this house, past or present.

But there is one observation which I feel called upon to make at this time, and which I make most unwillingly; and that is, that heretofore, when our present minister to Mexico was a member of this house, and was very recently, within but four days past, it has happened that members from two sections of this Union are not permitted to stand on the same footing whenever what are called the rights of the south are touched. I refer particularly to the case of my friend from Vermont, (Mr. SLADE,) who rose here and proceeded to speak most perfectly in order, if he was thus doing as order does exist, but was arrested for touching upon what are called the peculiar institutions of the southern states, and was compelled, by a decision of the chair, to take his seat.

At witnessing that decision I was greatly afflicted, for I had been so much entertained and so much instructed too by the remarks of my friend, that I felt regretted that he should be prevented from proceeding, he would have continued to enlighten us by remarks strictly to the purpose. Yet within half an hour after that decision, a member from Virginia, (Mr. WISE,) rose and almost immediately broached the same subject of slavery, and was permitted, without let or interruption, to pursue the whole range of argument and declamation he chose to run in regard to it. (And for saying this I do not know but I may be arrested and ordered to take my seat, and not to "touch upon the subject of slavery.") I, for one, am not disposed to submit to that inequality any longer. I have submitted it too long, and in a great variety of forms; but I have always resisted it, and I hope that a sufficient number of the house will be found resolute enough, no longer, but determined to maintain their rights upon this floor; and that, if put down here by the force of numbers, they will make their appeal to the chair of the nation.

I must ask pardon of the house for the desultory character of these remarks. It was said by one of the principal speakers of ancient times, as an apology for having detained a public assembly in a long speech, that he "had not had time to make it shorter." I may say the same thing now. If I had had the requisite time for preparation, I should have endeavored to condense and methodise what I had to say; but as such is not the fact, I must be permitted to hope that the house will bear with me.

The second reason in favor of war, put forth by the gentleman from Virginia, I say, is no reason at all. I am willing that our minister should present a modest, sober solicitation to the government of Mexico

sidered, but as a national question between us and Spain, and between us and Great Britain, whose subjects they were. The ground I took be the order of my government, not so much to justify the acts as in put off the ground of claim by Great Britain, was, that these individuals had intermeddled in a war they had nothing to do with; in a war not between us and Great Britain, but between us and certain Indian tribes, and that if they choose thus to expose themselves they must abide the consequences. It was a question of the war between us and that on which we are now asked to go to war. I did contain, as a question of national law, the right of General Jackson to treat them as he did: and the minister of Great Britain at that time, Mr. Canning, told our minister, Mr. Rush, that they had concluded to pass it over, after many anxious consultations held by the British privy council. But, he said, if I had but lifted my finger, you would have had to answer for that act of Gen. Jackson by war. In that case there was quite as much to be said for Great Britain had she taken up the quarrel for the hanging of the two British subjects as for us if we should go to war for the ten or twelve citizens of the United States taken in the expedition to Santa Fe. I say again, if the government has ordered our minister to Mexico peremptorily to demand the release of the American citizens now held as prisoners of war, and in case of refusal to resume home, as a signal of the purpose of this country to prosecute the demand in a sort to war, they have gone beyond what is right, and, as I believe, have gone beyond their power.

I say, further, that, in my judgment, we have adopted too menacing a tone in our negotiations with that power. I speak not, of course, with certainty, for I do not positively know; but I do say, if our minister has been ordered to return on the demand, I have stated, the government have transcended their power; and I say, further, that the executive department is not authorised to threaten any foreign nation with war because they have a right to proclaim war, and because that power is among the most precious powers held by this and the other house of congress, who, under the constitution, are made the trustees of the war power of the nation—the most solemn trust that can be committed to human hands. It becomes this house to vindicate its own authority, and to let the executive department know that it is not for them to threaten foreign governments with war. If a war is coming, and especially if there is immediate danger of its occurrence, and if the executive is apprised of the fact, it is his duty to inform congress, and especially this house, of such a state of things, and refer to them the terrific question of authorising war—a question, involving, whenever it comes, the lives, the fortunes, and the happiness of millions. If instructions of the kind I have mentioned have been given, I shall much regret it, though I shall not be displeased that the present minister shall return.

I come now to the third ground for war urged by the gentleman from Virginia. And I hope I do not misrepresent him when I say that I understand him to affirm that if he had the power he would prohibit the invasion of Texas by Mexico, and if Mexico would not submit to such a requirement, and should persist in her invasion, he would go to war. The gentleman stated, as a ground for war, that Santa Anna had avowed his determination "to drive slavery beyond the Sabine." That was what the gentleman from Virginia most apprehended—that slavery would be abolished in Texas—that we should have neighbors at our door not contaminated by that accursed spot. He would have us, if possible, to do so sooner than slavery should be driven back to the United States, whence it came! If he is so the avowed opinion of this committee, in God's name let my constituents know it. Let the constituents of all the free states in the Union know it—the sooner it is proclaimed upon the housetops the better. The house is to go to war with Mexico for the purpose of annexing Texas to this Union. Yes; and the gentleman produced, as a triumphant authority (not indeed his eyes, for he has not been in the habit of regarding the source of it with such respect), but still as good authority) a document from a former administration, intended by him to justify the existing executive in proclaiming that he was resolved to do all in his power for the annexation of Texas. Yes, a predecessor of the present incumbent, even myself, for want of better authority, was referred to, and alleged to have entertained the same feeling, the same disposition for the acquisition of the territory.

The gentleman was so good as to send me two letters written by a distinguished gentleman now in my eye, than secretary of state, to our minister at the court of Mexico. I have not had time to read them over. [A voice: "The extracts are given in the intelligencer."] From those letters the gentleman caused certain extracts to be read, with a view to prove that in 1825 and again in 1827 instructions had been given to propose to the Mexican government a cession of the territory of Texas to the Rio del Norte, and a sum of money was to be offered in consideration. I thank him for citing this paper; it is a correct document. I had myself, in the negotiation of our treaty with Spain, labored to get the Rio del Norte as our boundary, and I adhered to the demand till Mr. Monroe and all his cabinet directed me to forego it, and to accept the Sabine.

And now I repeat what I have said before, that before the treaty was signed it was carried by me, at the command of Mr. Monroe, to Gen. Jackson, who, after examining it, said it was a good one, and agreed of the Sabine as the boundary. That fact was contested, with the usual candor of the organ of the administration, and it was declared that a member of the house went to Gen. Jackson, in person, and he recollected nothing of the matter. I then sent for the document in which the fact was put down in writing at the time, and, though it was published in the papers, it was sent to Mr. Van Buren for his inspection, and after looking at it he became satisfied that it was true. Perhaps this is not a material fact; I could at any rate have the gentleman from Virginia to show that I did not originally negotiate the treaty with the present boundary of the Sabine. I maintained my demand for the Rio del Norte till Mr. Monroe—Mr. Jefferson, I say, that this was sented to the Sabine. But at that time Texas was a wilderness with no population, or at least no American population. I do not believe there were 5,000 people in the whole territory, and they were Spanish subjects. In the course of negotiation, and after the terms of the treaty had been concluded, the first American proposed for the settlement of the country was brought into being. I received a very long letter from Moses Austin, I think his name was Moses, (father of Stephen Austin,) stating that his object in life was to settle Texas with a free population; it was a sort of a Boone; and he proposed to collect in the midst of New England as large a colony as he could, and will there, and then, and there, settle the country. That was the state of things under which I was in favor of annexation.

When my proposition was made to the Mexican government in 1825, Mexico had abolished that territory. There was not a slave there, nor was there the least reason to expect there would be. There existed, therefore, no reason why I should be averse to the annexation of that region to the territory of the Union. Had it been annexed, it would have been settled by freemen. I should certainly have voted for it, and that, too, do I know that I should object now, if it were brought within the scope of possibility. I should not indeed desire it, because I think we have quite territory enough; I wish we had less rather than much as we can manage. But even as territory, it is not desirable. I should not wish it to form a part of the Union, even if it were settled with freemen, and were a free state, as I would have wished it in 1825 or 1827. Slavery was then abolished, and if Texas had come into the Union, there would have been no power in the Union to restore it. Does the gentleman from Virginia think that because, under such circumstances, I wished to see the annexation at that time, that this is an argument either to show the expediency of the annexation now, or any inconsistency in me because I am now utterly opposed to it.

Mr. Wise here asked liberty to explain, and Mr. Adams having yielded the floor, Mr. Wise said, I rise to ask the gentleman a question.

Mr. Adams. No, sir no questions. Explain, if you please.

Mr. Wise. I wish to ask him if he did not instruct our minister to protest against the abolition of slavery in Mexico.

Mr. Adams. (With vehemence.) No, sir! never!

Mr. Wise. Not while the gentleman was president?

Mr. Adams. No, sir! never!

Mr. Wise. It is no charge.

Mr. Adams. As to charges, I hope the gentleman does not expect me to answer them. I never have protested against the abolition of slavery in Mexico or any where else. I have said that I was not prepared at this time to vote for abolishing slavery in the District of Columbia, and I have offended numbers of my constituents by repeating that declaration, but that is a different thing. But even if I could have protested against the abolition of slavery after it had been instituted, still if my voice could be heard either here or in Texas, or in any other part of the civilized or the savage world, I would have protested from the bottom of my soul against its restoration, and that is the insurmountable reason why I never will consent to the annexation of Texas to these United States. I would not take the territory if it were ten thousand times more valuable than it is, sullied as it is with the crime of slavery restored. The people of Texas have not the apology which, with whatever force, is plead by many of those in our southern states, that the slavery which now infests them was a vice, a crime, a misfortune, a disease inflicted upon them by the parent state, and that that is the reason why they must support it now. I must say, that in my heart, if not in my mind, that is the strongest argument that they ever have had or adduced in support of it: but Texas has no such defence to set up; slavery was not bequeathed to them from a selfish and cruel stepmother, as almost all the liberal men of Virginia have said of it in their commonwealth not many years ago, and as some among them still say. If there can be an apology for this plague spot, I say again that the people of Texas have none to plead, and that is the reason why Texas never shall, with my consent, or, as I hope with the consent of my constituents, or of any portion of the free people of the United States, become an integral part of this union.

There is another reason—a reason I admit vastly inferior to the other, but still it is a reason. Texas has asserted the right of secession; she is bound by treaty to that effect. If you take her as a part of ourselves, you take her with her treaties, and then we shall be bound to cede the right of search to Great Britain. I say that this is a reason of inflexible less importance; yet so like am I to a drowning man who clings even to straws, that I will not consent to the annexation on that account. And now the gentleman may go to the organ here of I know not what party; and insert an article accusing me of having made "English argument." Let things as soon as he pleases, I know it will be said I have made a British speech.

Most joyfully indeed would I compound with the gentlemen from the southern portion of the union, if I may join them, and give my overall on Texas to abolish slavery again, of which indeed, there seems some faint gleam of hope in the published correspondence between Mr. General Hamilton, the Texas envoy, and Lord Palmerston. I would compound never to take Texas, or, if they will agree that slavery shall be abolished there, I will agree to take her. But no, my constituents, I know, in my body, will I consent to the annexation of any foreign state which is burdened with the curse of slavery.

What I am now to say, I say with great reluctance and with pain. I am not well acquainted, and it is touching upon a sore place, and I would gladly get over it if I could. It has been my effort, as far as was in my power, to avoid any allusion whatever to that question which the gentleman from Virginia tells us that the most lambike disposition in the south never can approach without anger and indignation. Sir, that is my sorrow. I admit that the fact is so. We cannot touch that subject without illuminating throughout the whole south a mass of violence and passion, with which one might as well reason as with a hurricane. I admit that is the fact in the south, and that is the fact in this house. And it is the reason why members coming from a free state are silenced as soon as they rise on this floor; why they are pronounced out of order, made to sit down; and, if they proceed, are censured and expelled. But, in behalf of the south and of southern institutions, a man may get up in this house and expectorate for weeks together. On this point I do sympathize, and I must say, I have been rather disappointed that I have not been put down already as speaking out of order. What I say is temperate, because the subject has never brought into the house from another quarter, as the gentleman himself admits. I would leave that institution to the exclusive consideration and management of the states where it is and has been established in it just as long as they can keep it within their bounds. So far I admit that congress has no power to meddle with it. But, sir, as they do not keep out of their own bounds, and do not put the question to the people of the United States, whose peace, welfare, and happiness are all at stake, so long I will agree to leave them to themselves. But when a member from a free state brings forward certain resolutions, for which, instead of reasoning to disprove his positions, you vote a censure upon him, and that without hearing, it is quite another affair. At the time this was done I said that, as far as I could understand the resolutions proposed by the gentleman from Ohio (Mr. Giddings), there were some of them for which I was ready to vote, and some which I must vote against; and I will tell this house, my constituents, and the world of mankind, that the resolution against which I would have voted was that in which he declares that what are called the slave states have the exclusive right of consultation on the subject of slavery. For that resolution I never would vote, because I believe that it is not just, and does not contain consti-

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tutional doctrine. I believe that so long as the slave states are able to sustain their institutions without going abroad or calling upon other parts of the union to aid them or act on the subject, so long I will consent never to interfere. I have said this, and I repeat; but if they come to the free states and say to them you must help us to keep down our slaves, you must aid us in an insurrection and a civil war, then I say that the call constitutes a full and adequate power to this house and to the senate over the whole subject. It is a war power. I say it is a war power, and when your country is actually at war, whether it be a war of invasion or a war of insurrection, congress has power to carry on the war, and must carry it on according to the laws of war; and by the laws of war an invaded country has all its laws and municipal institutions swept by the board, and martial law takes the place of them.

This power in congress has, perhaps, never been called into exercise under the present constitution of the United States. But when the laws of war are in force, what, I ask, is one of those laws? It is this: that when a country is invaded, and the two hostile armies are set in martial array, the commanders of both armies have power to emancipate all the slaves in the invaded territory. Nor is this a mere theoretical opinion. The history of South America shows that the doctrine has been carried into practical execution within the last thirty years. Slavery was abolished in Colombia, first, by the decree of General Morillo, and, secondly, by the American General Bolivar. It was abolished by virtue of a military command given at the head of the army, and its abolition continues to be law to this day. It was established by the law of war, and not by municipal enactments; the power was exercised by military commanders, under instructions, of course, from their respective governments. I did not hear a reason given to the example of General Jackson. What are you now about in congress? You are about passing a grant to refund to General Jackson the amount of a pecuniary fine imposed upon him by a judge under the laws of the state of Louisiana. You are going to refund him the money, with interest; and this you are going to do because the imposition of the fine was unjust. And why was it unjust? Because Gen. Jackson was acting under the laws of war, and because the moment you place a military commander in a district which is the theatre of war the laws of war apply to that district. I have a correspondence between General Jackson and the governor of Georgia during the Seminole campaign, in which General Jackson, addressing Governor Rabun, asserted the principle that he, as governor of a state within his (General J's) military division, had no right to give a sanctuary to the Indians (Gen. Jackson's word in the field. The then governor of Georgia (and I do not know but what it killed the poor man, for he died soon after) did contest the power of Gen. Jackson. He said all he could for state rights, [a laugh,] but Andrew Jackson had given an order, and that order was carried into effect, while the order of the governor was suppressed.

[Mr. Warren, of Georgia, here asked leave to make a statement in explanation, and the floor having been yielded to him for that purpose, Mr. Adams, he proceeded to give a history of the facts of the case to which Mr. A. had just alluded, but owing to his position at a distance from the reporter, he was imperfectly heard.*

Mr. Adams resumed. I am glad to hear the explanation, and I am entirely willing to concede whatever of merit is due to the governor of Georgia for resisting what he conceived to be military tyranny. But I am afraid, nevertheless, whatever may have been the success of governor Rabun in this contest, General Jackson had the right of the question. I might furnish a thousand proofs to show that the presumption of constitutional authority of their municipal institutions under a state of actual invasion and of actual war, whether servile, civil, or foreign, is illegitimate, inasmuch as that the laws of war do, in all such cases, take precedence. I lay this down as the law of nations. I say that the military authority takes for the time the place of all municipal institutions, and of slavery among the rest; and that, under that state of things, so far from its being true that the states where slavery exists have the exclusive management of the subject, not only the president of the United States but the commander of the army has power to order the universal emancipation of the slaves. I have given here more in detail a principle which I have asserted on this floor before now, and of which I have no more doubt than that you, sir, occupy that chair. I give it in its development, in order that any gentleman from any part of the union may fairly and sincerely step out of the question, and may maintain his denial; not by indignation, not by passion and fury, but by sound and sober reasoning from the laws of nature and the laws of war. And if my position can be answered and refuted, I shall receive the refutation with pleasure; I shall be glad to listen to reason, aside, as I say, from indignation and passion. And if, by the force of reasoning, my understanding can be convinced, I here pledge myself to recant what I have asserted.

Let me my position be answered; let me be told, let my constituents be told, the people of my state be told—a state whose soil tolerates not the foot of a slave—that this constitution is a compact with a long and toilsome march under burning summer suns and a deadly southern clime for the suppression of a servile war; that they are bound to leave their homes and their wives and their children; that their wives widows and their children orphans; that those who cannot march are bound to pour out their treasure while their sons and brothers are venturing out their blood to suppress a servile, combined with a civil or a foreign war, and yet that there exists no power beyond the limits of the slave state where such war is actually carried into effect. Let it be told, let this be proved—I am open to conviction, but till that conviction comes, I pot it forth not as a dictate of feeling, but as a settled maxim of the laws of nature, that in such a case the power is paramount the civil power; and on this account I should have been obliged to vote, as I have said, against one of the amendments of my excellent friend from Ohio, (Mr. Giddings), or should at least have required that it be amended in conformity with the constitution of the United States.

Major Davis called upon me, and in great confidence disclosed his business, and inquired for capt. Wright, to whom in a few minutes I introduced him, and who immediately left the house, arrest, and went with major Davis, in the execution of the order, until a writ of habeas corpus was issued by the inferior court of Baldwin county against major Davis, and captain Wright discharged from his custody. Gov. Rabun then ordered capt. Wright to be arrested for breach of orders, in not destroying the two towns ordered, and for destroying a town not ordered. Capt. Wright was allowed the liberty on parole of honor, and afterwards left the country.

No order given by General Jackson in relation to the matter was ever suspended, nor any order given by governor Rabun, but only one order was suppressed. Gov. Rabun, so far from yielding any right assumed, maintained and executed every order given, and died not of this controversy, but of disease incident to the climate in which he lived.

I have, gentlemen, prepared this statement, made by me as substance, for your paper, because I am unwilling that any impression should exist any where that any governor of Georgia, and especially gov. Rabun, had allowed an order given by him to be suppressed by the dictation of any military commander. I have to say that no instance can be found in the history of Georgia and the federal government where Georgia has allowed any officer of the federal government, either judicial, executive, or military either with or without force, to suppress an order made by her governor; and I trust I may not live to see such suppression effected.

No blame can attach to your reporters for not hearing my remarks, but I nevertheless desire they should appear in your paper. I am, yours, &c.

LOTT WARREN.

In the mean time, this is a reason with me for not desiring the annexation of Texas to the union, because, if we go to war for that annexation, I entertain serious apprehensions that this will become a practical question. If we shall go to war with Mexico, and, which necessarily follows, go to war with Great Britain, to annex Texas to this union, the day is not remote when, in one of the slave states, an invading army from abroad may be accompanied with an insurrection of the slaves and with a civil war, and the danger still further heightened by an irruption of that hordes of Indians whom you have accumulated and compressed together as if for the very purpose of organizing them for a hostile movement upon our frontier. I put this possibility to the representatives of the southern states as presenting a most serious and painful consideration to my mind. The gentleman from Virginia makes very light of this. He talks to us about the star of Texas, which he calls the "lone star of liberty." Liberty and Texas! The star of liberty illumined by the radiance of slavery restored! Yes, that is the star which is to lead us on to victory! Sir, suppose, if war shall come, we shall not only acquire this solitary brilliant star of Texas, but we shall have all Mexico added to the United States. Sir, the Isthmus of Panama will immediately step out victorious arms, and I really wonder the gentleman did not carry us on to Cape Horn. [A laugh.] The gentleman in his dreams, sir, I suppose, I shall hear that president Houston was to plant this same lone star of Texas on the walls of the city of Mexico, and that, if president Houston did not do it, the gentleman himself would. [Loud laughter.] And he means, in this heroic enterprise, to lead on the brave spirits of thousands from the great valley of the Mississippi, inspirited by the hope of robbing churches and priests! So it is to be a religious as well as civil expedition—a sort of crusade, in which the gentleman from Virginia is likely far to transcend the exploits of Tamerlane and Gengis Khan. The gentleman is soon to plant the lone star of Texas and slavery on the walls of Mexico; and then what is to become of the liberties of these United States? [A laugh.] I do confess, sir, that the history of the world that the leader of such an army after conquests not reaching to one-tenth the extent of those which the gentleman will achieve, should remain satisfied with the station of an humble private citizen? No. No. The experience of all mankind has given us warning that if that is to be the course of our public affairs, and we are to be the brilliant fortune of the gentleman from Virginia, our liberties will stand as little chance in after times as those of those millions of the people of Mexico after he shall have conquered them.

But I am inclined to consider all this rather as approaching to what is sometimes called rodomontade, than a thing in the serious contemplation of the gentleman from Virginia; and I look forward to the time when, in the records of history, the gentleman's name shall be placed side by side, not with the names of Gengis Khan or Tamerlane, but with that of a still more glorious conqueror by the name of Thomas Thumb. [Roars of laughter, long and loud.]

But it is growing late, and as the time has been fixed when this debate is to close, and as the time I have already occupied bears upon my conscience, I will close by repeating my request that the house will pardon the imperfect and desultory manner in which I have endeavored to furnish some reply to the war trumpets of the gentlemen from Virginia and Pennsylvania. I will now yield the floor to some other member who may desire to occupy it.

Mr. Campbell, of South Carolina, followed Mr. Adams, in a speech of nearly an hour's length.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

April 21. Mr. *Woodbridge* presented the memorial of Aaron Weeks praying damages for having been interrupted, while engaged in opening a ship canal connecting the Lakes Huron and Superior, by the United States garrison who turned out against him and his workmen, with fixed bayonets, as soon as he commenced his operations. As the memorial may involve the subject of state sovereignty and the rights of individuals, he moved its reference to the committee on claims. Agreed to. It appears the state of Michigan had undertaken this work, after in vain seeking the aid of congress.

Mr. *Kerr* presented three letters from a gentleman of Port Deposite, Maryland, in relation to *terra-culture*, which were referred to the agricultural committee.

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Mr. *Tallmadge* presented from the New York and Albany rail road company a plan for the transportation of the mails and manifestos of war.

The senate went into executive business, and after some time thereat, the doors were reopened and the general appropriation bill was taken up, read twice, and referred to the finance committee.

On motion the senate adjourned.

APRIL 22. At the request of the president, who was indisposed, Mr. *Smith*, of Indiana, occupied the chair.

The *chair* presented a memorial from the authorities of Philadelphia on the subject of a marine railway in that city.

Tariff memorials were presented.

Mr. *Mangum* of the naval committee, reported a bill authorising the secretary of the navy to contract for building certain steam vessels.

Mr. *Withers* reported a bill to increase the marine corps.

Mr. *Berrien* of the judiciary committee reported adversely to the bill to remit the fine imposed upon gen. Jackson by the United States district court of Louisiana in 1815. The grounds taken by the report, are that the request was not made by gen. Jackson, nor by any personal friend of his; nor has the committee any evidence of the causes and circumstances of the imposition of the fine.

Mr. *Allen* called up his resolution in relation to Rhode Island and executive correspondence.

Mr. *Preston* moved to lay the resolution on the table for the purpose of preventing discussion on what he considered a delicate and grave subject.

Mr. *Allen* demanded the yeas and nays on Mr. P's motion, and they stood as follows:

YEAS—Messrs. Archer, Bagby, Barrow, Bates, Berrien, Calhoun, Choate, Clayton, Conrad, Crittenden, Cuthbert, Evans, Graham, Huntington, King, Mangum, Miller, Phelps, Porter, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge—24.

NAYS—Messrs. Allen, Benton, Buchanan, Fulton, Henderson, Linn, McRoberts, Smith of Con. Sturgeon, Tappan, Wilcox, Wright, Young—13

Mr. *Berrien's* bill to extend remedial justice in the United States was then called up and passed over.

The senate proceeded to executive business, and after some time passed therein, adjourned over to Monday.

APRIL 25. Mr. *Smith*, of Indiana, presented a petition from Messrs. Shiner, Metter and Campbell, of Wheeling, Va. manufacturers of crown window glass who state that nine different companies who have at various periods undertaken its manufacture in the United States have sunk for want of protection under foreign competition and their home remains. Referred to committee on manufactures.

Petition from Schuylkill county, for protection for coal (asking a duty of 7 cents per bushel) others for iron; ready made clothing; numerous petitions for a tariff; for speedy protection, &c. were presented from various sections, chiefly Pennsylvania and Maryland.

Mr. *Linn* presented a petition from citizens of Missouri praying settlement and military occupation of Oregon territory.

Mr. *King* presented the resolutions of a meeting of citizens of Lowndes county, Alabama, demanding settlement of the questions in dispute with Great Britain.

Mr. *Woodbury* said that he had a resolution to offer, in relation to the *new books*, predicated upon a circular issued respecting the mode of keeping the public accounts. He would send the resolution and let it be read, and it could then lay over until to-morrow. Mr. W. then sent to the chair the following:

Resolved, That the secretary of the treasury report to the senate the extent to which new books have been opened in his department since the 4th of March, 1841, for keeping the public accounts separately from that date, and a copy of the orders given and circulars issued in relation thereto, or in respect to the returns by disbursing officers of their expenditures since said date, or on demands accruing since, and of keeping the accounts of those which accrued before date. And that he further report what has been the result of opening any such books, and giving directions concerning the above matters being kept separate, and what appears from the new books or otherwise to have been the amount of expenditures since 4th March, 1841, to the 4th March, 1842, and those in the year previous, set out separately, and in the aggregate, but under the general heads of civil, military and naval. Also, that he state the amount of demands accruing from the 4th of March, 1841, to the 4th March, 1842, if in his power to do so.

Mr. *Mangum* moved to take up the bill relating to the appointment of a board of commissioners to draught rules and regulations for the better organization of the navy of the United States. Mr. M. thought it would take very few moments to dispose of the bill.

Mr. *Linn* would suggest that, as the bill was a general one, that notice be now given to take it up at an early day.

Mr. *Mangum* said he would yield to the suggestion of his friend from Missouri, and gave notice that he would call up the bill on Thursday next, together with that to authorise the secretary of the navy to contract for the building of certain steam vessels.

Mr. *Morehead* moved to proceed to the special order, which motion passed. The senate proceeded to consider the bill to provide for the satisfaction of claims arising under the 14th and 19th articles of the treaty of Dancing Rabbit creek, concluded in September, 1830.

The bill was debated at some length by Messrs. *Sevier*, *Walker*, *Henderson*, *Morehead*, *Phelps*, *Linn* and *King*, the purport of the discussion being that under the 14th and 19th articles of the treaty of Dancing Rabbit creek concluded in September, 1830, great frauds had been committed. The bill under consideration provides for the satisfaction of claims under this treaty by the revisions of the commission, and it was finally on motion, recommitted to the committee on Indian affairs. At 4 o'clock,

The senate adjourned.

APRIL 26. The *president* of the senate took the chair again this morning at 12 o'clock. Continuing indisposed, however, and not remaining long in the chair, Mr. *Bayard* took the chair for the day.

Mr. *Choate*, of Massachusetts, presented a memorial for a fog bell at Boston to be rung by the action of the tides.

Mr. *Huntington*, of Connecticut, presented a memorial remonstrating against the annexation of Texas.

The resolution of Mr. *Woodbury*, presented yesterday, calling upon the secretary of the treasury for information in relation to the new books opened on the 4th of March, 1841, was read and adopted without opposition.

Reports from the standing committees were presented, but all were of a private nature.

Numerous memorials and petitions in favor of tariff and protection of American industry were presented. Petitions for protection of American iron wire, iron, &c.

Mr. *Berrien*, of Georgia, as chairman of the judiciary committee, said he considered passage of the bill for the extension of remedial justice, and explained and defended it at length. After the bill was read,

Mr. *Berrien* said the bill proposed to extend the writ of *habeas corpus* to cases where it did not now apply. The writ of habeas corpus now applied generally to those persons, where a party is imprisoned under authority of the United States, or imprisoned to be tried in a court of the United States. The bill made a third case, and authorised interference in two cases, those connected with the United States, and those arising from treaties between the U. States and foreign governments. Mr. B. argued first to show that this interference of the United States with state courts, was a constitutional and just measure. He stated the effect of the bill in its most extensive and obnoxious forms, for the purpose of meeting and obviating the objections which had been or which might be submitted in opposition to the bill. He contended that under the judicial enactments of 1789, the United States court had power to control civil cases to a certain extent in state courts. He quoted authority to show that this was done, and quoted laws to show to what extent. In reference to questions relating to the public lands, the inquiry was whether a subject in which all the states were interested should be left to one state, itself an interested party. Was one state to endanger the peace of all the states, or was the case at issue to be submitted to a tribunal where all were interested? Under the laws of '89 in the case of Conan versus the state of Georgia, and under the same law, Wooster versus the state of Georgia, it was decided that the federal courts had the power of correction over the state courts. Both of the cases were criminal cases, and not civil, in which it was considered federal jurisdiction should be confined. The opinions read argued the fact that cases were universal in favor of the interference of the federal courts. In all cases founded upon the law or constitution of the United States, by treaty or otherwise, interference was proper and necessary. It was no violation of state sovereignty, as had been stated, this to interfere with the jurisdiction which affected in the most important matter the peace of the country. Mr. B. quoted at length from authorities to show that the proceedings of state courts could be stayed. The opinion of chief justice Jay in the case of Chisholm, in which ten grants of power are enumerated, and where all cases are named under the constitution, under the laws of the United States, under treaties, at all affecting ambassadors, and subjects of foreign nations, to all cases of admiralty and jurisdiction, to all controversies between states and citizens of states and foreign states, &c. Reasons were found in the Federalist.

Mr. *Choate* continued the discussion, and offered an amendment which was adopted. Mr. C. then proposed another amendment. Mr. *Crittenden* opposed it.

Mr. *Buchanan*, desiring to reply to Mr. *Berrien*, moved to postpone the further consideration till Friday and his motion was agreed to; after which,

The senate adjourned.

APRIL 27. Mr. *Choate* withdrew the petition for a fog bell at Boston; in order to have it presented in the house.

Mr. *Allen*, of Ohio, asked the senate to take up the resolution first submitted by him to the senate on Monday of last week, and calling upon the president of the United States for information in relation to correspondence with Rhode Island. Mr. *Allen* was going on to give the reasons why the resolution should be taken up. He stated that it was apparent that there was danger of collision. It was known to be a fact that the president had interfered in some measure, and congress being in session, it was proper to know officially what had been done.

Mr. *Preston* raised a point of order, and insisted that the motion was not debatable.

Mr. *Allen* said that he had but a word or two more to say upon the subject.

Mr. *Preston* was resolute in insist on his point of order, but as the subject was of a peculiar character, he insisted that it should be enforced.

Mr. *Archer* expressed a wish that the resolution should be taken up and disposed of.

Mr. *Calhoun* was equally or more anxious to enter into a debate, but was overruled by the chair.

Mr. *Allen* called for the yeas and nays. The vote was then announced as follows:

YEAS—31 sers. Allen, Archer, Bagby, Buchanan, Calhoun, Crittenden, Fulton, Graham, Linn, McRoberts, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Wilcox, Wilkins, Woodbury, Wright, Young—18.

NAYS—Messrs. Barrow, Bates, Bayard, Clayton, Conrad, Cuthbert, Evans, Graham, Huntington, Jarnigan, King, Mangum, Phelps, Porter, Preston, Simmons, Smith, of Indiana, Southard, White, Woodbury—19.

Mr. *Allen* gave notice that to morrow morning he should ask the senate to bring up the resolution.

Mr. *Berrien* moving the general business of their calendar, and debating the bill for the legal representatives of Nathan Prior, deceased, being a claim growing out of the treaty of Dancing Rabbit Creek treaty, the senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, APRIL 21. Mr. *Kennedy*, of Maryland, rose and asked leave at this time to present a petition from the city of Baltimore, signed by nine thousand and ninety-four citizens of that place without respect to party, praying such an adjustment of the tariff as would secure to the domestic industry of the country the protection to which it was justly entitled, and also for a system of countervailing duties in relation to those nations that had excluded our products; and also praying for such discriminations on American tonnage as might be found necessary. This memorial, Mr. K. was understood to say, had been brought from the city of Baltimore by a committee of twenty-eight gentlemen. It was 56 yards in length. Mr. K. moved that so much of the memorial as related to domestic industry be referred to the committee of the whole on the state of the union, (to whom had been referred the bill reported by Mr. *Saltonstall* from the committee on manufactures.) Agreed to. And that so much as related to countervailing duties and to the tonnage on American shipping be referred to the committee on commerce. Agreed to.

And Mr. K. moved that the memorial be printed.

Mr. *John T. Mason* said that his colleague (Mr. *Kennedy*) had stated that this memorial was signed by citizens of Baltimore without distinction to party. He (Mr. M.) was authorised in saying that although there were the names of some members of the democratic party attached to the memorial, yet that the number of them was inconsiderable.

Mr. *Kennedy*. Very well, I am very happy to hear it.

The memorial is signed by upwards of nine thousand citizens of Baltimore. I am happy to hear that they are *all* good whigs or nearly so. [Laughter, and cries of "good."]

[*Note to the reporter.* In reply to this remark of Mr. *Kennedy*, Mr. *Mason* requests the reporter to state that he understands that a great number of the names attached to the memorial were the names of those who do not reside in Baltimore, but that they were gathered from travellers at the rail road and steamboat offices in the city.]

Mr. *Everett* was understood to say that, as the gentleman from Maryland (Mr. *Mason*) had thought proper to give a political character to this memorial, he (Mr. E.) would move that the names be printed.

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A motion was made to lay the motion to print on the table; which motion, by ayes 70, noes 65, was carried in.

So the motion to print was laid on the table.

Mr. *Nesbit*, presented the resolutions of citizens of Hocking valley, his constituents in Ohio, in relation to controversy with Great Britain, against her occupation of northeast territory in contravention of the plain and specific treaty of 1783, asserting the Oregon boundary as established with Spain at 42° and with Russia at 54° 40' north latitude, the rights of American citizens, resistance to the right of search against any power on earth, abhorrence of the African slave trade, satisfaction for the Caroline outrage, fulfilment of Mr. Webster's demands in his letters to Mr. Fox of date April 24, 1841, adherence to the general government in maintaining the rights and honor of the nation however differing from it on points of domestic policy and to place fortifications and navy in best state for defence. Objection being made, the resolutions were not received.

Mr. *Emerson* moved that the house resolve itself into committee of the whole upon the subject of the apportionment bill. No objection being made, Mr. *Allen*, of Maine, was called to the chair.

When the committee adjourned last evening the state of the question was as follows:

"On motion of Mr. *Stuart*, of Illinois, the amendment of Mr. *Everett*, from the table, to 50,000 had been stricken out, and 58,000 had been inserted.

Mr. *Cushing* having then moved an amendment to insert 50,391, by striking out 58,000, the chairman decided the amendment of Mr. *Cushing* to be out of order.

And stated the pending question to be on striking out 68,000, [the number in the original bill,] and inserting 58,000."

Mr. *J. T. Mason*, of Maryland, proposed to the committee that the ratio of representation should be reduced from 68,000, as contemplated, to 62,000.

Mr. *Tillinghast*, of Rhode Island, was opposed to the number named, for the reason that it would deprive his state of a representative. He thought 300 or 280 members were just as competent to do business as the present number.

Mr. *Thompson*, of Indiana, was in favor of a larger number and named 100,000. The effect would be to reduce the number of representatives to 140, and this would restore order in the house, and be economical also.

Mr. *Brown*, of Pennsylvania, was in favor of such a number as would give as many representatives as we now have, and no more. Mr. *Brown* said the principle of Mr. *Thompson* if carried out would reduce the control of the house to a few and if carried fully out would bring it down to one, and that one perhaps himself. He made no professions of being disinterested; and thought it the number were small it would likely consist of lawyers; and few farmers would ever be there. He proposed a measure originally proposed by Mr. *Briggs* that every member should propose the number he thought best and that the vote be taken on each number so proposed beginning at the highest.

Mr. *Thompson* contended that Mr. *Brown* was for a talking number, while he himself was for a business number. Mr. B. was incessantly talking while he seldom obtruded himself on the house.

Mr. *Botts* was in favor of the mode suggested by Mr. *Briggs* and Mr. *Brown*, for arriving at the number.

The house then struck out the number 68,000 in the original bill, and it was left blank.

Motions were then received by the chair for filling the blank, whereupon the following numbers were proposed:

By Mr. Underwood, 141,000; R. W. Thompson, 114,000; Watterson, 105,000; Turney, 102,000; Morgan, 100,000; Chapman, 97,000; Rogers, 92,000; C. Johnson, 90,000; Warren, 80,000; Jonas Russell, 78,365; Ridgway, 75,500; Saunders, 74,500; Jacob Thompson, 74,100; J. Irvin, 74,000; Gamble, McKay and Mallory, 72,000; E. D. White, 71,000; Gilmer, Wise and Stokely, 70,000; Lewis, 69,900; Rhett and W. Butler, 66,000; C. Brown, Daniel, and P. C. Caldwell, 65,500; Habersham, 65,500; Snyder, 63,000; Hunt, 62,500; W. Smith, 62,000; Bocock, 62,000; Powell, A. Marshall, Halsted and Hopkins, 62,000; Houston, 61,167; Dean, 60,778; Linn, J. Brown, and Read, 60,000; J. Cooper and John C. Clark, 60,500; J. C. Edwards, 60,000; Bedinger, 59,500; Graham, 59,241; Botts, A. H. H. Stuart, and Wm. W. Irwin, 59,000; Everett, 58,250; Caruthers and A. V. Brown, 58,152; Arnold, 58,000; Colquit and Gordon, 57,841; Boggs, 57,630; Howard, 57,500; Moore, 57,000; Eastman, 56,914; Atherton, 56,746; M. A. Cooper, 56,200; Green, 54,900; W. O. Butler, 54,378; Owsley, 54,265; Tillinghast and J. P. Kennedy, 54,000; Shields and Pearce, 53,999; Furniscue, 53,800; Stratton, 53,000; Sanford, 52,285; Howard 52,100; Holmes, 51,300; Boardman 51,000; Rices, 50,159; Roosevelt, Pendleton, Clinton, and Reding, 50,000; Van Buren and Hallman, 45,000; R. D. Davis and R. McClellan, 30,000.

All the number having been given, neither vice were by gentlemen in their seats, or by sending billets to the clerk's table)—

They were repeated by the clerk to the house.

Mr. *Underwood*, read a statement showing what would be the effect of the number of members proposed by himself. It would leave four states with one member each; seven states with two members; three states with three members; four states with four members; four states with five members, beside which Virginia would have eight, Pennsylvania twelve, and N. York seventeen. It would leave a smaller fraction, 50,000, than any other number proposed, save one. Mr. U. argued in favor of having a house of limited numbers, as more favorable to cool and intelligent legislation. He believed that less than half the present number of representatives would do more business, and do it better than the existing number. He deprecated any large increase of members, as tending toward a popular assembly, by confusion, crowing like cocks, braying like asses, shuffling with feet, coughing, and other similar expedients now pursued in the house of commons in England. If this was what gentlemen desired, then let them take the lowest average that had been proposed.

Mr. *Holmes* was in favor of a numerous house of representatives, and founded his arguments for it, as he said, on the constitution. If it had been the intention of the framers of that instrument to separate the powers of government into three distinct departments, independent of each other, then the experiment had, in practice, signally failed. The popular branch of the legislature was in fact the government, and all attempts of the executive, and of the other branch, to counteract it had proved signally unavailing. Such being the case, it was important to guard it against corruption; and nothing tended more to this result than enlarging its number. He referred to its institution, to the dark days of Philip, when the will of one man had wielded the power of the nations and cited the course pursued by the elder Adams in opposing the increase of representatives, when he had proposed a very numerous popular legislature as the best safeguard to liberty.

Mr. *Pope* said he had once been in favor of a diminished number of representatives, as a means of avoiding the confusion and delay which now too much prevailed; but, on further reflection, and after more experience, he had come to the belief that for the preservation of the rights of the people, a number of representatives of the people the better. He referred, in support of a numerous delegation, to the course of General Washington, who had proposed, in convention, that the number of people's representatives in the legislature, you increased the actual power of the people. Mr. P. advocated a comparatively small congressional district, as better enabling the representative to have a personal acquaintance with his constituents, and rendering him more independent of the misrepresentations of a party press. It would be harder to prostrate an honest man in a smaller than in a very large district. The power of wealth, too, would be less felt. He believed a house with five hundred members would preserve more order in its proceedings, would have a smaller number of debaters, than one of the present size.

Mr. *Davis*, of New York, very warmly opposed the number now under consideration, and contended for a small number and a limited house of the people. As to the objection from increased expense, he had a ready mode of meeting that which was, to reduce the *per diem* of members to $4, and abolish their franks; in proceeding, which he was earnest desirous to get more of the people into the house and fewer gentlemen. He recognised no such class in the community; he wanted to see the hard-handed mechanics and farmers on that floor. He, too, believed a house of five hundred members would be more orderly and would do business more expeditiously. The necessity of such a number for a speech to satisfy the expectations of his constituents would in such a house be superseded—the members would be acting voting men, not talking men. Mr. D. wanted to change the tone of manners and feelings in this metropolis. He felt himself a stranger here, and wanted an atmosphere round him more congenial to those he represented. The house ought to be a living, acting emanation from the people, and should be composed of materials of the same sort with them. He would gladly see its numbers doubled. As it was now, he never had seen more disorder and less decorum and efficiency in any legislative body.

Mr. *Underwood* further advocated the amendment he had proposed, and argued against the principle of the gentleman who had opposed it, and had contended for a numerous representation. For period 2-6 to the present time the members of the house had increased from 69 to 242. Our population was now seventeen millions. It was doubling itself every twenty-five years, and figures would show that, in twenty-five years more, we should at that rate have thirty-four millions, and then again sixty-eight millions; and in twenty-five years further, one hundred and thirty-six millions; all within the period of a single life time. Now, if gentlemen proceeded on the ground that, in order to the safety of liberty, we must have representatives for every fifty thousand people, in seventy-five years from this time our house of representatives would number two thousand six hundred and twenty members.

[A voice, "How long would it take to call the yeas and nays?"

Could this be necessary to the security of the people's rights? Mr. U. pointed a high eulogium on Mr. *Pope*, but put it to that gentleman's candor to say whether his own principle did not need some restriction?

Mr. U. reminded gentlemen that this was not a local municipal government, but one formed chiefly with an aspect to our foreign relations; in such a government the security of liberty with the people was the main thing to be preserved; and this could be secured whether the number of representatives was larger or smaller. One gentleman had urged that large numbers in a large district would be more acceptable to the influence of wealth; another had insisted that multiplying the members of the house was the way to prevent the influence brought up by the executive. The arguments of gentlemen cut each other's throats. To enlarge the congressional districts would raise the character of the representative; it would break the power of mere wealth and prop shaky influence, and would require more weight of character to secure a man's election. As to greatly enlightening the people by personal intercourse, but little could be done; it could be done, perhaps, more well by circulars. [A voice, "But how if they can't read?"]

Then it would be of little use for a member of congress to travel through the district as a schoolmaster teaching his people to read and write. [A laugh.]

Mr. U. concluded by dwelling on the influence of his plan in elevating the smaller states on the floor, and giving them also more weight in a presidential election.

Mr. *Wise* said he differed *toto cœlo* from the gentleman from Kentucky on his right, (Mr. *Pope*), and insisted that the history of the government will not show that a less numerous body was more easily corrupted than a larger. The senate, a less numerous body than the house, was the chief check upon the executive, both on the score of appointments and also in the treaty making power. If he attempted to buy any it would be them; yet the constitution had given but two senators even to a state containing two millions and a half of people. There had never but a single instance of attempted direct bribery been proved, and in that the attempt was not made upon the senate but in the house.

Mr. *Sprigg* interposed, and referred to an usurpation by the senate, in 1837, of the powers and prerogatives of the house in originating money bills.

Mr. *Wise* insisted that this made in favor of his side of the argument, for all originating of money bills by this house must cease if its numbers were materially augmented. Money bills had now to be corrected and patched by the senate, and if members were multiplied, they would become still more imperfect and defective. In a large house, the opportunity to bribe was easier than in a small; for it would act under leaders, and it was only to bribe the leaders and the executive could secure the control of the body. Mr. W. extended his argument to all popular meetings; spoke of his experience in such assemblies; and gave an edifying account of the machinery used on such occasions; the preparation of resolutions and of a dried beforehand, the designation and training of speakers; the supplying them with points of argument, &c. and the carrying of the resolutions by a huzza. It might be True, Dick and Harry who huzzaed, but it was the leaders who were to be bribed: the people could not be.

Gentlemen seemed to have had the British house of commons before their eyes; just as if they were a representation of the people of England. It was no such thing; it was a representation of the oligarchy in power, or soon to come into power. The members, a large majority of them, were absent most of the time, and were sent for when their votes were wanted. This was the natural result of a very numerous popular body. A house so constituted would necessarily throw the whole power of the government into the hands of the senate and the executive. In

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the last war the house had contained a little over a hundred members; and even then it had at one time sat three weeks, without a recess, before it could get a quorum. Had it consisted of three hundred men, what would have become of the country! The capital might have been battered down before the house of representatives could have voted a man or a dollar to defend it. As to the argument for increasing the pay of members, it was an argument to the aristocracy—its tendency was to fill the house only with them; poor men could not afford to come here. If the gentleman was so anxious to see butchers and bakers in the house, he took the wrong course to bring them into it. Why, a man could not, as it was, bear the expense of a foreign mission unless he had a fortune; and so it could be in this house; unless he was willing to break himself, break his friends, and ruin his wife and children. Besides, the constitution required one-half the total number of the house to constitute a quorum, (in the house of commons forty men were sufficient), and how much of the time had the present house contained over one hundred and sixty members? What would a house do with eligible its number? There would be an eternal call of the house; and each call would consume hours. Parliament was the local as well as the general legislature, the only legislature; but here we had twenty-four local legislatures; hence neighborhood representation was not called for. A local legislature ought to be large; a national one not so. The present number of the house just steered between the benefits of both plans; while it never was bad, it was always middle. Never, since Mr. Wise had been a member, had it been so inefficient a body as it was at this moment. The deterioration had been constant, as well in the despatch of business as in the manner and the matter of its debates. All owing, as he believed, to its overgrown size.

Mr. *Sprigg* was very animated and very indignant in his comments on the derogatory remarks in relation to the present chairman and standing of the house with which Mr. Wise had concluded. He considered it a part of a conspiracy by "base lickspittle fellows" to "slang whang the house," with a view to get rid of the present chairman. He preferred especially to a communication in the newspapers from a naval officer, who had afterwards come crawling on his knees to ask the pardon of congress. He was ashamed this low slang should be countenanced by members on the floor. The gentleman had said this house had been deteriorating ever since he had been in it, and signified something about leaving it. He hoped the gentleman would do so; then perhaps the house would grow better. God knew there was no one man in it whose absence would be high's improve it.

As to what had been said by a colleague of his, (Mr. *Underwood*), about stake-hands and dram-drinking influence, he thought a man who was sober and good fellow by the hand, and drink a glass of wine with him in friendship, much better than any member of the Executive Temperance Society, or the Congressional Temperance Society either. [Laughter.] It was an insult to the house to base an argument before it on the hypothesis that its members could be bought up, and signified simply by glass of good whisky with a man's constituents to do with cheating them and deceiving them! Yet this was his colleague's argument. If it had come from some fellow along on the northern road he should not so much have minded it; but to come from a colleague of his! The house of lords were greater gentlemen than the house of commons; and so members were decenter men than we! He denied that it was the senate that was a check upon the executive. No: it was this house that was his check; and never had a set of fellows shown themselves more subservient, to an executive than this congress had to John Tyler. [Laughter.] His colleague seemed to think that if he could but represent 141,000 people he would be a much greater man than he is now—perhaps almost, or quite, equal to a senator. Great God! (exclaimed Mr. S.) ain't you content? If Mr. S. did not think himself fully equal to any senator breathing he would straight walk out of that hall. He spoke in complimentary terms of the present and late senators from his state, and congratulated himself that he had heartily voted for them both, and against his ex-lleague.

Mr. *Underwood* here observed that he never had been a candidate his name had been run without his knowledge or consent.

The question was then taken and the amendment of Mr. *Underwood* proposing 141,000 was rejected without a count, and also every number was rejected successively down to 60,500, which last was adopted by a vote of 82 to 60.

The committee therefore agreed to fill the blank of the bill with the representative number of 60,500 and then rose, and the house adjourned.

FRIDAY APRIL 22. Mr. *Botts* arose to a point of order. He found the following in the journal of the house.

"Under the order of the house of the 29th ultimo, Mr. Patrick G. Goode laid on the clerk's table resolutions adopted at a meeting of citizens of the county of Ashtabula, in the state of Ohio, on the 11th of April last, against the bill, approving the Joshua R. Giddings, late a member of the house from the state of Ohio, in introducing certain resolutions into the house on the 21st of March last; also strongly disapproving the course pursued by the speaker in relation of the same month towards Mr. Giddings in consequence of the introduction of his said resolution; which resolutions were laid on the table."

Mr. B. stated that no such resolutions had been presented to the house; the gentleman from Ohio, (Mr. *Goode*) had yesterday laid those resolutions on the table; they were not presented to the house. He moved that that passage be stricken out from the journal.

The *speaker* stated that the journal in express terms states, not that they were presented, but that they were laid on the table under the order of the house of the 29th ult. After much warm discussion in which Mr. *Botts* and Mr. *Goode* partook the speaker explained that under the 29th rule, which provided that the speaker should "receive petitions from the members of each state," &c. although the single words "petitions" was used, yet the uniform practice of the house had been to receive not only petitions, but resolutions of legislatures and resolutions of primary assemblies of the people; and under the general authority given to the speaker under the rules adopted on the motion of the gentleman from Massachusetts, (Mr. *Adams*), the speaker had been governed by what had been the practice of the house heretofore, and had received resolutions of legislature and of primary assemblages of the people as well as on petitions. This, the speaker had thought, he was bound to do.

Mr. *Botts* considered the introduction of such resolutions censuring the house as a violation of the rule adopted on motion of Mr. *Adams*, which was confined expressly to petitions. Did the gentleman from Ohio state in his place that he had been board, and ask that these resolutions might be entered on the journal? No. He had presented them at the clerk's table without the knowledge of a single member. It was not a case where the northern members if not from the northern, to protect this body from defamatory proceedings, and he was about to move the expulsion of that man who holds a seat by courtesy in this house [pointing to Joshua R. Giddings, editor and Free American] and who employed himself in defaming one portion of the members as rough hoes and slaves. He received that paper regularly, he knew not how. He hoped members enough would be found to strike this passage from the journal, and then expel those who came here but to defame and slander. Both the reading of the presentation of these proceedings until after they were laid on the clerk's table. He did not think they had put them precisely as they ought, and having taken them to the gentleman from Ohio and enquired whether he intended to follow them up with any substantive proposition, he had told him he did not.

Mr. *Goode* said he had presented the resolutions under rule adopted by the house, not for the purpose of avoiding the knowledge of any member of this house, nor was it without the knowledge of members of the house he presented them of what the resolutions were. The gentleman from Virginia, (Mr. *Botts*) had misunderstood him, in supposing that he had said that he did not intend to pursue the subject further. His object was to present the resolutions. He had placed them on the table, where they would have all the privileges of resolutions presented by any member of this house. The resolutions had got upon the table fairly under the rule of the house, and in the only manner in which it could be done. He utterly repelled any thing like a charge imputing to him any intention of putting these resolutions on the table in a surreptitious manner. The member from Ohio did not intend to do so. Because he had his seat in an unobtrusive manner, he did not wish gentlemen to suppose it was because he did not mean to assert his rights and privileges. He wished to injure the feelings of no man, but there were principles and sentiments dear to this house which never could be trampled on without a proper reply and repulsion.

Mr. *Arnold* said he thought this debate strictly unnecessary. This attempt of gentlemen to make capital out of the proceedings of this house in the case of Joshua R. Giddings, in his opinion, was a despicable affair, to say the least of it. It showed that gentlemen were hard run to produce materials of excitement. Mr. Joshua R. Giddings expressed his opinions, and the house expressed theirs. And therefore, Mr. Giddings flew all into a flutter and went home. Had they not a right to express their opinion as well as Mr. Giddings? The attempt was made to make Mr. Giddings a martyr. It was one of the most barefaced attempts to defraud the people that he had seen in the whole country. He moved the previous question.

Mr. *Goode*, of Ohio, said that he would take the motion to strike out, if that should prevail, as a decisive negative, and would not offer the resolutions again for the present.

The motion of Mr. *Botts*, to strike it out, was then taken, and decided in the affirmative, yeas 98, nays 75. So the said portion of the journal was struck out.

On motion of Mr. *Cowen*, the house resolved itself into committee of the whole, Mr. *Mobell*, of Ohio, in the chair, for the consideration of private business, after the transaction of which, the committee rose.

The speaker then laid before the house the correspondence of the war department and governor of Georgia, since 4th March, 1841, in relation to Indian depredations. On motion of Mr. *Warren*, certain portions thereof were referred to the committee on military affairs with instructions to report on the propriety of making the appropriation therein asked for.

Mr. *Dodge*, of Iowa, submitted a resolution calling for information of American citizens murdered on the "neutral grounds," in Iowa, &c. and what military protection is offered to its western frontiers.

The house having determined their visit to the steam ships on to-morrow adjourned over on Monday next.

MONDAY, APRIL 25. The committee of claims, on motion of the chairman, were allowed to sit while the house of representatives were in session.

Mr. *Stanly*, of N. C. asked the house to take up the bill from the committee of the whole, reported April 7, by Mr. *Kennedy*, entitled "an act to prevent the transportation of passengers or letters coastwise by foreign steamers."

The bill having been read, Mr. *Morgan*, of New York, moved that the committee of the whole be discharged from the consideration of the bill.

The committee of the whole were disharged.

Mr. *Proffit* thought that the bill contained principles which were wrong. There were, he thought, too many restrictions in the bill. He had not had time to examine it.

Mr. *Fillmore* stated that when the bill was first reported he had doubted the propriety of passing it. He had, however, examined the subject, and believed that it should pass. The coastients of foreign nations prohibited the transportation of goods in foreign vessels and passengers also. In this country a law had been long in force which applied to goods, and none had been passed in reference to passengers, because until recently none was necessary.

Mr. *Cushing*, of Mass. made a brief explanation in regard to foreign practices and law, and favored the passage of the act.

Mr. *Cooper*, of Georgia, moved a re-commitment of the bill. He regretted that the committee had been discharged. There were provisions in the bill for which he would not vote.

Mr. *Proffit* spoke briefly in opposition to the bill.

Mr. *Briggs*, of Mass. moved that it be postponed.

Mr. *Rhett*, of S. C. named Thursday next, which motion, after brief consideration, prevailed.

Mr. *Underwood*, of Ky. moved to take up the District bank bill. He thought the house should vote upon the bill at one day or another.

Mr. *Everett*, of Vermont, moved that the house go into committee of the whole on the state of the union, for the further consideration of the bill fixing upon the ratio of representation under the last census. The motion was prevailed by a large vote.

The committee on Thursday last had agreed upon 60,500 as the ratio of representation.

Mr. *Underwood*, of Ky. moved an amendment so as to make the ratio of representation 50,000. Objections were made, that the motion was not in order. Mr. *Underwood* wished to explain the injustice done by the ratio adopted by the committee. In order to do this, he proposed to move the committee rise, and submitted that motion to the committee, upon which a speech was in order. Mr. *Underwood* appealed to the representatives of the large states not to adopt a ratio of representation which would be unjust to the weaker states of the union. Mr. U. having finished,

Mr. *Atherton*, of New Hampshire moved to amend by striking out all after the word "every" in sixth line and inserting 53,999. Mr. A. sustained his proposition in an argument of some length, urging its propriety and justice.

Mr. *Reyn ld* argued at some length in favor of such a ratio as would enable the state of Illinois to wage a fraction of fifty-two thousand for a member; and spoke strongly on the propriety of dividing the states throughout the union.

Mr. *Briggs* moved to amend the amendment by striking out 53,999, and inserting 50,179.

Mr. *Atherton* modified his amendment so as to read 53,875.

Mr. *Briggs* had submitted this amendment, he said, with a view to try the sense of the committee on one point, and he was so. The great principle in him was the largest ratio which would leave every state in possession of its present number of representatives. Mr. B. then glanced briefly at some general considerations which would influence his mind in voting for the ratio he had designated, though his own preference was for the number as it now stood in the bill, i. e. 60,500.

Mr. *Stokely* spoke mainly in opposition to the amendment of Mr. *Briggs*. Mr. S. was in favor of keeping the house down to the present number, and, in the meantime, of increasing the ratio of representation and the area represented.

Mr. *Wm. C. Johnson* deprecated the introduction of party considerations into this debate, and urged the settlement of the question purely on its own merits. He replied to the arguments of Mr. *Stokely*, and other gentlemen, in favor of a large ratio, and advocated an increase of representation as best adapted to diminish the executive power, to the correct expression of the popular will, and as in conformity to the settled policy heretofore pursued, as demanded by the augmentation of the population and extension of the territory of the United States. The present number of the house of representatives was less in proportion to the number of electors than that of any legislative body in the world. He should vote for the amendment of the gentleman from New Hampshire, (Mr. *Atherton*,) and if this failed, would vote for any number which would bring 50,000, as calculated to distribute equally the fractions among the different states.

Mr. *Thompson*, of Kentucky, advocated a large ratio, and replied to the arguments of the gentleman from Maryland (Mr. *Wm. C. Johnson*) and New Hampshire (Mr. *Atherton*.) If the members of the house were the representatives of the people and reflected the popular will, that will would be strongly represented by few as by many. He referred to the composition of the house of commons and the chamber of deputies, and to the scenes of confusion and disorder witnessed there among their large numbers, and argued that where the number was so increased the purposes of deliberation and reason were lost, as also the concentration of purpose necessary of action which were necessary to clear and sound legislation. He also contended that the fewer the members of the house the higher would be their character, the more liberal and enlarged their views, the greater their individual responsibility, and the less their liability to be swerved by executive influence.

If a large number were elected, they were withdrawn from the state service, and a greater number of political aspirants set in motion. He referred to the argument against a reduction of the members of the old states, contending that no inequality would in this manner be created, as they preserved their comparative strength and relative proportion. He also argued that the consideration of economy should not be overlooked, as an argument for the reduction of the representation.

Mr. *Tillinghast* said the subject resolved itself into two simple propositions; one, to reduce the number of the house on the principle, in consideration of the convenience and despatch of business and the ease and quietness of deliberation, that it would be safer to trust the legislation of the country to a smaller body more similar in its composition to the Senate; and the other, to observe the democratic principle of representation as styled by the gentleman from New Hampshire, Mr. *Atherton*) up to the point of retaining the present representation of each state. The house had decided, as to the first, that the number was not to be reduced, and by the number adopted it had been increased. He was for taking the amendment of the gentleman from Massachusetts (Mr. *Briggs*) for the purpose of offering the latter object, which only remained for their attention.

Mr. *Cooper*, of Georgia, laid down the following propositions as axioms, viz: that the unrepresented fractions in the whole Union should be small; that the fractions of each section of the Union should be small; that the average fractions from the different sections should be nearly the same; and that the number of states having very large fractions should be very few. He referred to and based his argument on a calculation made by professor McKay of Franklin college, Georgia, embracing the different ratios between 70,000 and 55,000, and thence advocated as possessing all the above mentioned requisites the ratio of 50,200, into an examination of the results of which to the different sections of the Union, and to the individual states he entered. Mr. C. gave way to a motion by

Mr. *Thompson*, of Indiana, moved that the committee rise. Which motion prevailing, the committee rose and reported progress.

Mr. *Fillmore*, on leave, submitted a resolution calling upon the secretary of state for a copy of the tariff lately proposed in Great Britain with reductions thereof on the specified denominations, &c., and on motion, the house adjourned.

Tuesday April 26. The house went into committee of the whole. Mr. *Allen* of Maine was called to the chair and the apportionment bill was taken up.

The debate was continued by Mr. *Cooper* of Georgia, Mr. *Hubbard* of Alabama, Mr. *Pollock* and *Cooper* of Pennsylvania, Mr. *Gordon*, Mr. *Everett*, Mr. *Carothers*, Mr. *Davis*, Mr. *Pope* and Mr. *Bowne*, and the question on the amendment inserting 50,179 offered yesterday by Mr. *Briggs* was taken and by yeas 70, nays 72, was decided in the affirmative.

The question recurring to Mr. *Atherton's* amendment, it was thus amended,

Mr. *Everett* moved an amendment, which was as follows:

"That from and after the third day of March, one thousand eight hundred and forty-three, the house of representatives shall consist of members elected according to the ratio that shall in the respective states nearest approximate to the ratio of one representative for every ——— inhabitants, the apportionment according to the rule prescribed by the constitution of the United States."

Mr. E. said he had left the number in the resolution blank, in order to present the principle simply to the house. If it approved the principle, the number could easily be arranged afterward. He considered it as the only principle which was, practically, constitutional; the only principle which carried out the spirit and meaning of the constitution on the subject of congressional representation. It represented the representation of fractions, in a way conformable to the constitution. A perfect proportion of representation to actual population was confessedly impracticable; if it could be attained, that would be constitutional, and no other; but as this was obviously impossible, then to comply with the requisition of the constitution we must approach as near it as practicable.

Mr. *Wise*, *Brown* and *Johnson* opposed it. They considered that fractions should not be represented. It had never been the custom. The opinion and veto of Washington were against it.

The question being then put, the amendment of Mr. *Everett* was negatived without a count.

Mr. *Atherton's* amendment was amended by Mr. *Briggs* (inserting 50,179) was then corrected by a vote of ayes 90, noes 59.

Mr. *Halsted* then said that he had been instructed by the committee on elections to report an amendment to the bill, which he sent to the chair, and which related to the manner of holding the elections in the several states for representatives in congress.

Mr. *Atherton* argued to show that the amendment was not in order.

Mr. *Underwood* took the ground that the amendment was out in order because it proposed to congress to do that which it had no constitutional power to do, viz. direct the state legislatures how to act in the matter of state elections to congress.

Mr. *Halsted* replied, and quoted the constitution, which declares that congress has power to appoint the time, place, and manner of holding state elections.

Mr. *Colquit* denied the constitutionality of such a law as the amendment proposed, and inquired if a state should refuse to obey, how it was going to be enforced? He hoped the gentleman would consent to withdraw the amendment.

Mr. *Halsted* said he could not do so, having been ordered to move it.

Mr. *Colquit* then said he should move as an amendment that the state of Georgia be excepted from the operation of the law. [A laugh.]

Mr. *Campbell*, of S. Carolina, supported the amendment, and contended that in this, the popular branch of the legislature, the true principle of the constitution was, that minorities as well as majorities should be represented; but where the general ticket system prevailed the voice of the minority was suppressed. Mr. C. desired to preserve the influence of the small states. Georgia, New Jersey, and Alabama now elected by general ticket; and the consequence was, that, they had a stronger voice than the largest states who went on the district plan: while New Jersey, in such a case, made her voice tell as six, the voice of New York, numerous as was her delegation, told but as two. In large states, dividing this, would soon resort to the plan of a general ticket, and thus what became of the influence of the small states? They would be lost and swallowed up. Should New York, for example, resort to that system, though her population might be so equally divided that one party exceeded the other but by a single man, the proportion of that one man was would give to the state forty votes on that floor in favor of his side of the question: a power equal to one-sixth of all the rest of the union. Had the questions peculiar to southern interests, the northern states, owing to the district system, were now divided, while the southern voted in solid phalanx; but let the general ticket prevail, and they would overwhelm the south. He had once doubted the constitutionality of the amendment, but, on fuller examination, his doubts had been removed; the constitutional objection was wholly technical.

Mr. *Tillinghast* thought the objection urged by Mr. *Underwood* strong, and the gentleman from South Carolina seemed to feel its force. The constitution preserved to the states the right to regulate the time, place, and manner of state elections just as they pleased, until congress should take up the subject and act upon it: congress had not yet done this; and till then, it had no right to direct the states how to act in the matter. The amendment did not legislate, but called on the states to legislate, which was quite another thing.

Mr. *Gamble* had no doubt that congress had power to district the states: but the language of the constitution was merely permissive, not obligatory. Congress could do it if it pleased, upon the whole subject: but it could not direct a state how to act. Should the amendment prevail, it would only be subversy in its effect: the states might comply or not, but when congress acted authoritatively, it superceded the state action. Mr. G. had always been in favor of the district plan, though in Georgia there had been nearly an equal division of opinion on that subject. The general ticket plan disabled the constituents from personally knowing their representatives: they were forced, from necessity, to resort to caucus arrangements. In one case, where a man had died just on the verge of an election, the dead man was very actively and beat his living competitors. [A laugh.]

Mr. *Campbell* here moved a modification of the amendment which Mr. H. expressed his willingness to accept.

Mr. *Fillmore* next addressed the committee.

Mr. *Stanly* moved the committee rise, and the committee rose and reported progress.

The house adjourned.

Wednesday, April 27. Mr. *Graham*, of North Carolina, introduced to the house the hon. *Anderson Mitchell*, (member elect from the state of North Carolina, vice *Lewis Williams*, deceased), who was qualified and took his seat.

The house resumed in committee the consideration of the apportionment bill.

Mr. *Halsted*, from the committee on elections had offered an amendment, that each state should be districted by its legislature and each district should elect its own representation and had accepted as an amendment to it a proposition from Mr. *Campbell*, of S. C.

Mr. *Underwood* offered an amendment proposing that sessions in congress should be elected by the several state legislatures, the two houses voting by joint ballot, in which each member, senator or representative, shall be entitled to one vote. Mr. U. said he believed this would remedy the difficulty now existing in Tennessee.

The subject of districts and general tickets in each state was then discussed by Messrs. *Stanly*, *Arnold*, *Colquit*, *Davis*, *Floyd* and *Kennedy*.

Mr. *Kennedy* contended that the 4th section of the constitution under which the power was claimed did not impose any new or exclusive power to district the states, and that had it been the intention of the framers of the constitution to give such a power, it would have been given in a few simple words such as would admit of no cavil. Mr. K. also argued against the inexpediency of the exercise of that power, even if the constitutional difficulty were out of the way, and gave way to a motion by

Mr. *Thompson*, of Mississippi, that the committee rise; which motion prevailing, the committee rose and reported.

Mr. *Triplett*, on leave given, offered the following resolution, which was adopted:

Resolved, That the secretary of state furnish to this house, in addition to the information required to be furnished by the resolution of the 25th instant, an abstract of the laws and regulations of the kingdom of France on the subject of the importation of tobacco into France, commonly called the regie.

And the house adjourned.

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CHRONICLE.

ABOLITION MOVEMENT. The annual abolition convention is to meet at New York on the 11th of May. The Boston *Liberator* avows that one of the purposes of the association now is, to adopt the measure for a *repeal of the union of the states* and that this project will be deliberated at the meeting.

APPOINTMENT BY THE PRESIDENT. *By and with the advice and consent of the senate.* Abraham True, naval officer for the district of Salem and Beverly, Massachusetts, vice John Swasey, whose commission has expired.

THE 44TH BRITISH REGIMENT. This regiment, which has been annihilated by the Afghans, formed part of Gen. Pockenham's army at the battle of N. Orleans; it was then under Col. Mullens, and was disgraced there for not bringing up the *fascines* in time; and to this circumstance, the disasters of that fatal day were attributed. The regiment then lost their colors, and were sent to India to regain them; there they formed a portion of the force under General Keane that, in 1839, invaded Afghanistan, deposed Dost Mohammed, took him prisoner and placed upon his throne the rally and his competitor Shah Soojah.

BANK ITEMS. The bank of the state of N. Carolina, and the bank of Cape Fearre to resume specie payments on the 20 May.

The governor of Georgia is said to have issued a *writ fascas* against the Hawkinsville bank—which goes into liquidation of course.

There has been an examination into the concerns of the *Girard* bank at Philadelphia, which developes gross mismanagement in its concerns. The entire capital which was increased from 1½ to 5 millions of dollars, is said to have been sunk!

CANNON BALLS. During last week forty-two pound balls, weighing 102,906 lbs. reached Fairmount docks from the anthracite furnace, Mount Carbon, part of a contract to be supplied to the U. States government.

CANAL NAVIGATION. The New York canals were opened on the 20th inst.

Rochester. Home trade—canal. Up to six o'clock last evening there had been 106 clearances on the canal from the office in this city. The amount of flour shipped for New York market, up to the same time was 9,817 barrels; being 3,794 for the first day, and 6,053 for the second, or for yesterday.

Business opens pretty fair. The packets are plying east and west—also south on the Genesee canal. Business by the lake is more brisk than usual at this season of the year. [*Rochester Daily Adv.*

CONNECTICUT. The official returns of the election for governor, in Connecticut, give the following results:

Cleveland, (V. Buren,) 25,564; Ellsworth, (whig) 23,700; Gillette, (abolitionist,) 1,319; Loomis, (conservative,) 612; scattering 58. Aggregate of all the votes except Cleveland's, 25,689. Cleveland's vote, 25,564. Want of electing, 125.

There being no choice by the people, the election of course goes to the legislature, who will, no doubt, decide in favor of Cleveland.

The vote for lieutenant governor stands as follows: for Holabird, (V. B.) 25,491; Booth, (whig), 23,690; Yale, (abolitionist,) 1,156; Gilson, (cons.) 567; scattering, 282. Holabird lacks 199 votes of an election.

COTTON. Liverpool, March 28. The market is quiet, sales amount to 17,970 bales, of which 1,890 of American on speculation and 750 Am. and 50 Surat for export. The quantity of the cotton by the consumers this year is estimated at 233,000 bales against 245,000 bales in 1841; but the greatest disparity is in the speculative operations, which, since the 1st of January, sum up to only 22,000 bales, whilst in the corresponding period of last year they were 113,000 bales. Fair American cotton ranges to-day at 5¼d. to ⅞ a year ago it was at 7d. to 7-d.

DEATHS. During the last week—in Philadelphia, 132, of which 61 were under two years of age, 20 by consumption. In Baltimore 50, of which 20 were under two years of age, 12 were free colored, and 3 slaves. At New Orleans in the week ending the 9th inst. 52 deaths, of which 25 were children, 39 were white, and 13 colored persons.

Doctor Conwell, premier Catholic bishop of the state of Pennsylvania, died at Philadelphia on the 22d inst. in the 94th year of his age, and 22d year of his preaching as bishop.

Col. Dawson Burfoot, for many years state treasurer of Virginia, died at his residence in Chesterfield county, on 12th, in the 60th year of his age.

The number of interments reported by the city inspector of New York, during the year 1841, including 384 still born, was 9,115, being 520 more than in 1840; 5,240 were males and 4,264 females. There were 1,470 of them occasioned by consumption, and 605 by inflamation of the lungs.

The duke of Norfolk, whose death in England is reported by the last arrival from that country, was a Catholic, premier, duke and earl, hereditary earl marshal, and the first Catholic peer who took his seat in the house of lords after the passage of the emancipation act.

ENCAMPMENTS. Governor Porter of Pennsylvania, and suite will visit the encampment near Baltimore in May next, by invitation of the governor of Maryland. He designs returning to Philadelphia on the 19th, and on the day following visits Camp Kosciusco near Reading.

FIRES. At Columbia, S. C. on the 12th inst. the most beautiful, valuable and business part of the town was laid in ashes, besides a number of out buildings and the Episcopal church. A. R. Johnson, Col. Pemberton, Mrs. Myers, A. Alexander, are amongst the severest sufferers. Total loss estimated at $200,000.

The theatre at Apalachicola was burnt down on the 15th inst. with several adjoining buildings,—loss estimated at $15,000.

FLOUR. 4,481 bbls. and 46 half bbls. were inspected the week ending 19th in Baltimore. Store price $5 62; wagon price $5 56. In city mills, 1,000 bls. sold for exportation at $5 75; Susquehanna $5 57.—The supply in this market is quite light and prices firm.

GLASS CHURCH BELLS, are among modern wonders. Glass has just been cast in Sweden, its diameter is six feet and its tune is said to be finer than any metal bell.

HOLMES, indicted for murder in the second degree, for having aided in throwing passengers overboard from the ship Francis Wilson, on the 9th year 1841, in order to save the survivors, has been found *guilty*, after a long trial before the U. S. district court for Pennsylvania.

MEXICO AND TEXAS. The New Orleans Bee of 19th states that a letter from a commercial house from Vera Cruz of April 7th, speaks of rumor prevailing there and generally credited that Santa Anna was negotiating a loan of $7,000,000, with the British government on a pledge of the peninsula of California. It is to be hoped for the preservation of the peace already threatened between Great Britain and the United States, that it is not true. The United States feel already enough of the encroachments of that power upon every border of her frontier.

MORMONS. Three hundred and fifty Mormons, including men women and children, on the 12th inst. reached St. Louis, Mo. in the Louisa from New Orleans. They were on their way from Nauvoo, Joe Smith's new city, in "the promised land."

NEW YORK AND ERIE RAIL ROAD COMPANY, have made an assignment of their property.

THE LAKE TRADE opens early this season. The Buffalo Commercial of the 19th of April, says—Our docks presented a lively scene this morning. The Cleveland and Constitution were up for Detroit, flagging—and many runners in abundance—and opposition of the strongest kind—fare to Cleveland $2, to Detroit $3. The little Red Jacket flaunting in all the glory of paint and varnish, started for Erie, and the Waterloo for the Falls. All was life and motion. We counted upwards of twenty canal boats nearly or quite loaded, and ready for departure.

The Oswego Palladium, of April 20, says—Sixty-one steam and sail vessels have cleared from this port during the past week, 39 of which were for the upper lake, via the Welland canal.

The canal opened thisday, and a large fleet of boats have cleared for the Hudson, laden with lumber, flour, &c. The packets have commenced their regular trips between this and Syracuse.

The Detroit Advertiser of the 19th states that 42,646 barrels of flour two-thirds of which was destined for Montreal. Most of the flour on the upper lakes is also taking that direction to England.

QUAKERS. The Iowa legislature has refused to exempt this religious denomination from performing military duty.

A SLAVER. *A fight.* The Philadelphia correspondent of the Baltimore Patriot, gives the following extract from a private letter.

Rio de Janeiro, Feb. 12, 1842.

"A few days since, a large ship (a slaver) sailed from this port under American colors, for the African coast. An English frigate which was laying in port, knew her destination, and determined to capture her. They met a few miles outside the harbour; the frigate sent her boat to board the American ship; the officer in command was told to keep off or they would fire into him; the boat kept on when the Yankee let loose a gun upon him. The commander of John Bull frigate then hailed that he would fire into him if he did not heave to. "Fire and be d—d," was the reply, accompanied by a broadside from the well trained guns of the Yankee, which carried away the fore and the main yards of the frigate. The fellow crowded all sail and was out of the range of the frigate's guns before he well knew what was the matter with him. I saw the frigate afterwards; her main was down, and they were in the act of sending down the fore, when I could see had been very much damaged. The Englishman declares that he will have the ship if he loses his own vessel in the undertaking.

STEAM CANAL BOAT. The steam canal boat Black Hawk started this morning for Lockport. This boat is propelled by a paddle wheel fixed at the stern and from all appearance will undoubtedly answer the purpose, there being scarcely any more swell occasioned, than the usual manner of towing by horses.

Buffalo Economist, April 22.

STOCKS. There has been an improvement in the stock market, indicating we hope, the approach of better times. Pennsylvania fives sold at Philadelphia on the 23d at 45, being an advance of ⅝ in less than ten days. New York fives of 1858 sold at New York on the 25th at 90; Illinois bank bonds at 40; Illinois bonds 19a20; Indiana bonds 22a23; Ohio sixes 71.

RHODE ISLAND. The General Assembly which convened on Monday last in called session, adjourned *sine die* on Tuesday. The laws are to be maintained at all hazards. An act authorising the raising of volunteer police companies was passed; and a proposition offered by the speaker for the call of a state convention rejected, by a vote of 45 to 12.

STEAMBOAT ITEMS. The steamboat *John Mills*, undergoing repairs at Fulton, Ohio, took fire and burnt up last week.

The steamboat *Dee*, the *Telegraph*, burst on the 21st ult. just after leaving Glasgow, Scotland, eighteen persons were killed, and many wounded.

The steam ship Dee, reached New York on the 23d, in thirteen days from Halifax.

The Great Western was to leave N. York on the 28th inst. and the Britannia, on the 1st May.

The Caledonia was to have left England on the 19th instant.

The Belgian steamer British Queen, is to leave Antwerp for New York, on the 4th May, July, and September, and touch at Southampton, Eng. on the 7th May and 10th July and September, and leave New York on return the 7th June, 10th August and 10th October. Passage out $70, exclusive of meals.

This year there will be thirty-five steamboats on the Rhine. The travel upon that beautiful river, flowing upon one of the loveliest and most picturesque sections of Europe, is increasing beyond all estimate. In 1827, the number of passengers by the Cologne steamers was less than 19,000. In 1839, the number had increased to 487,000; in 1840, to 636,000, and in 1841, to 750,000.]

TRAVELLING GOES AHEAD. Senator Woodbury made the trip from Boston to Washington a few days since, in *thirty-six hours.* New Orleans papers of the 18th inst. were received at Washington on the 25th by mail.

NOMINATIONS REJECTED, BY WHOLESALE. From the Albany Evening Journal we learn, that during the recent session of the legislature of New York, *four hundred and eighty* nominations made by the governor were rejected by the senate, and *two hundred and fifty-two* laid on the table, which is regarded as equivalent to rejection.

TEMPERANCE STATISTICS. From a circular recently published by the New York temperance society, it appears that within the last ten years, 168,897 persons have enrolled themselves as members, of which number about 107,000 have signed the total abstinence pledge. Licensed liquor shops have decreased in the ratio of 63 percent, the manufacture and importation of intoxicating drinks, 67 per cent. pauperism about 33 per cent. and indictment for crime has been reduced about 75 per cent.

QUEEN VICTORIA is again said to be in "*an interesting situation.*" There is likely to be an ample supply of successors to the throne.

WHEAT. Good Maryland and Pennsylvania commands $1 20 to $1 26 in the Baltimore market.

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NILES' NATIONAL REGISTER.

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FOREIGN ARTICLES.

MEXICO AND TEXAS.

The British mail steamer Medway touched off Savannah and Charleston on the 26th April, on her way to New York. She left Havana on the 21st ult.

The R. M. S. packet Solway arrived at Havana on the 19th inst. from Vera Cruz, bringing intelligence up to the 16th of April.

Santa Ana had given orders to reinforce the castle of San Juan d'Ullon, owing it was supposed, to the presence of the American ships of war. Gen. W. Thompson, our minister, had arrived at Vera Cruz. The general state of affairs there was very bad, and although no certain intelligence could be given, it was feared that some misunderstanding would arise with the U. S. government.

Mr. Symms, a passenger in the Medway, left Vera Cruz on the 4th April. He met at Jalapa, Mr. McLeod, who went out passenger in one of the above vessels. Mr. McLeod was on his way to Castle Perote, where his brother and fifty-one others belonging to the Santa Fe expedition were confined. One hundred of the unfortunate captives were confined in the Mexican capital, and some seventy of them in the city Puebla.

When the Texans first arrived in Mexico, their condition was most distressing, and they were almost in a state of nudity. They were at first compelled to labor about five days in irons; since which their sufferings have been lessened, the most serious inconvenience being that of sleeping in narrow and uncomfortable cells at night. Considerable sums had been subscribed for the aid of the captives. Some Mexican gentlemen had made up a contribution of about $500 for them, and two gentlemen from Boston, one of them, a Mr. Talbot, had given eight doubloons each. Mr. Symms had seen all the prisoners and conversed with many of them. Mr. Kendall was confined entirely apart from the others.

The object of raising the military force in Mexico is said to be in order to bring under subjection the local government of Yucatan, after which it was thought they would be directed against Texas. The appointment of General Thompson as minister to Mexico, had given great satisfaction.

Mr. Dorsey bearer of despatches from the U. S. government to Gen. Thompson, our minister at Mexico, arrived at New Orleans on the 23d April, and was to leave for Mexico on the 25th.

CAMPEACHY. The schooner Litchfield, at New Orleans from Campeachy, brings the intelligence that one of the Santa Fe prisoners had escaped from Mexico and reached Tobasco, where he was received on board the Texan war schooner San Antonio. The arrival of the commissioners from Santa Ana, empowered to settle the differences between Mexico and Yucatan, was daily expected. But as it was believed the mission would accomplish nothing, active preparations were making by the Yucatanos for war. A U. S. sloop of war belonging to the West India squadron touched at Campeachy on the 9th April, bound to Vera Cruz.

The Yucatan Bulletin of the 5th contains a decree of the governor relative to a co-operation of the navies of Yucatan and Texas, prohibiting, however, hostile operations against Matamoras.

The "Litchfield" brought eighteen cases of antiquities and specimens of natural history, from Yucatan.

The United States frigate Macedonian and sloop of war Levant had arrived at Vera Cruz.

ANCIENT AMERICAN CURIOSITIES. Eighteen boxes containing statues and blocks of stone, gathered among the ruins in the peninsula of Yucatan, were brought to New Orleans on board of the schooner Litchfield, from Campeachy, on the 21st ult. These are some of the fruits of Stevens' trials.

The steamer Neptune arrived in New Orleans the afternoon of the 23d of April, from Texas. Every thing there was pretty much in *statu quo*. From the frontiers, no alarms had come of late. One of the Galveston editors cautions the well wishers from the United States, that they will find in Texas little more than sympathy. The Texians are in want of money, nor have they more provisions than what they can eat themselves. Another editor ridicules the idea that England was the promoter or backer of the hostile demonstrations of Mexico towards Texas. President Houston has caused to be published a long address to the people of Texas. He talks of carrying on the war, but intimates that it will require time to organize and discipline the volunteers, and procure munitions, provisions, &c. He says that the orders issued by him to the Texan forces in the vicinity of Bexar were were not obeyed in consequence of the confusion and insubordination which were prevalent among the different bands.

A prize schooner called the Dos Amigos had arrived at Galveston.

The New York Courier says, letters received here from Mexico, state that it was understood there that the captain general of the island of Cuba has ordered a Spanish frigate and sloop of war to the Mexican coast, with instructions to protect the merchant vessels of Spain against the power blockade lately proclaimed by Texas; and it is added that the Spanish captains have orders to sink any Texan cruiser which may dare to capture a Spanish vessel.

Later advices have been received at New Orleans from the republic of Texas. The papers contain a long letter from President Houston, in which the necessity for an invasion of Mexico is urged, but suggesting a procrastination of that measure until the meeting of congress and the troops are thoroughly disciplined, and recommending an enrolment of the militia.

Some general rumors of movements upon the Mexican frontier are mentioned in the papers. The volunteers under General Burleson had refused to obey the orders of General Somervelle, who had been ordered by the president to take command of the forces, which had created some confusion and led to the failure of the expedition which it was expected would cross the Rio Grande.

There are many indications of a determination to invade Texas, but when, is uncertain. A letter from Matamoras, dated 17th April, says: "Santa Anna is much dissatisfied with Gen. Arista, and disapproves of the late demonstration against Bexar. He has sent orders to General Wall to go immediately to Monterey, and assume command of the bridge placed under Vasquez for the protection of the frontier.

"The garrison at Matamoras is daily reinforced. It is now 1,200 strong, and will in a few days muster 2,000 men. This force, aided by the artillery in the place, will be quite sufficient to beat back the meditated assault of the Texan army."

The schooner Water Witch arrived at New Orleans on the 21th ult. says the Picayune, from Matamoras, which place she left on the 19th. Capt. Renoux informs us that a rumor was, current there to the effect that a body of Texians were arranged 150 miles above the city—that 1,000 Lepan Indians, supposed to be acting in concert with the Texians, were in the neighborhood, and killed several Mexicans. The greatest alarm prevailed in Matamoras—the inhabitants being apprehensive that their troops could not maintain the town in opposition to so large a force.

Col. Kinney and two other Texian renegades had arrived at Matamoras. The colonel stated that he had a narrow escape from a party of Texians, who pursued him as far as Laguna. Col. K. had been sent for by Arista.

The Water Witch was chased on the 22d by a schooner, which proved to be the Wm. Penn, from Mobile, bound for Texas, with a large number of volunteers. The W. hoisted her flag, which had the effect of causing a cessation of the pursuit.

Texians. By the schooner Edwin, arrived from Campeachy yesterday, (says the Picayune of the 28th ult.) we received a letter from a correspondent there. He seems to think that Yucatan will be reunited to Mexico, and says the impression prevails there amongst the persons best acquainted with the plans and designs of Santa Anna, that he is prepared to risk a war with the country rather than comply with the demands of our minister. This latter conjecture we regard rather an improbable one. Two Texan men of war touched at Campeachy and left for Sisal to meet commodore Moore.

FOREIGN EVENTS.

GREAT BRITAIN—THE ARMY. The estimates of all (made previous to the late disasters in Cabul) exhibit a gross expenditure of £15,000,000, for 1842-43, being only £125,000 more than last year.

The number of officers, non-commissioned officers, and rank and file which it is proposed to maintain for the service of the united kingdoms of Great Britain and Ireland (exclusive of the troops employed in the East Indies,) for the ensuing year is 95,628. The number employed in the East Indies, and paid by the East India company, is 26,910; so that the total amount of force for the ensuing year will be 122,596 men. This number will be composed of 108,086 rank and file, 3,808 officers, and 8,674 non-commissioned officers. There is an addition to the force for this year, as compared with last year of 1,447 men. There are 50 battalions of infantry abroad, in addition to 28 in New South Wales, in India and in China. The total number is 103, leaving only 25 at home. When the revolution in Canada broke out in 1837, there were only nine battalions, 4,500 strong, in North America, and now 19 are there, exclusive of the battalions of guards, and the royal Canadian regiment, 1,000 strong. The total amount of the charge for 95,628 men is estimated at £3,531,575, being an increase, compared with last year, of upwards of £70,000.

Of that portion at home, there are three colonels who receive £1,609 each. The colonels of the regiments in service receive £900 each. The pay of a private horse guards is 1s. 11½d. in the foot guards 1s. 1d. Other regiments of cavalry receive 1s. 3d; and other regiments of infantry 1s.

The Madisonian says: "we hear that the British government upon the accession to the justice of peace preferred by the United States government on behalf of the owners of the brig Tigris, for the capture and detention of that vessel on the coast of Africa."

CHINA. The overland mail reached London on April 4. The latest intelligence from China is to the 17th of January. The British expedition there appears to be waiting for the reinforcements from England and India. Nevertheless, a sort of hybrid warfare was carried on. The British naval commander at Hong Kong was continuing the seizure of the Chinese junks. The Chinese at Canton were busy in making the defences of that river as effective as possible. They had three Dutch engineers, for which they sent a junk to Java some months ago. It is not stated if those engineers belong to the Dutch army, but thought it is presumed they do. Their names are Van Scholte, Van Braam, and Van Schrock.

The Chinese emperor is represented as incensed and alarmed with the proceedings of the foreigners. He has sent the governor from his limits in the provinces he had read "with fast falling tears." Great preparations are stated to be made in the province of Pekin, which is under his own imperial jurisdiction, to resist the invaders, who are expected there.

Large forces were collected in the neighborhood of Ningpo, and as sir Hugh Gough thought more troops necessary in order to maintain that position, the admiral appointed a ship to take about 800 Europeans from Hong Kong. Her majesty's ship Cornwallis had proceeded from Hong Kong to join the expedition. The Clio had arrived at Macao.

In Amoy on the 2d of January, and at Chusan on the 24th of December, the dates of the latest letters, all was quiet.

The steamer Madagascar has been destroyed by fire, the crew, having taken to the boats, landed on the Chinese coast and have been saved by the interposition of the Hong merchants.

There is not much chance of the shipments of tea falling off as long as the port remains open; we have

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sent home nineteen millions since July last, and before February we shall get off five or six more. This is a small supply compared with former years, but there is still a sufficient quantity in Canton to bring up the report to the average export. It only remains, therefore to see what the operations of the forces are likely to be in the neighborhood; but no one expects a renewal of the blockade with such men in the neighborhood of Canton as major general Burr, captain Nias, and Mr. Deputy Superintendant of Trade, Johnston.

There appeared to be no prospect of obtaining the ransom money demanded for Ningpo, and the execution of the place was talked of. A great number of Chinese guns and copper had been shipped thence to Calcutta.

The Chinese have managed to obtain the guns of the French frigate Magicienne, which was some time since wrecked in the Pallawan Passage, have eagerly purchased large quantities of fire-arms, imported at Macao for their use. An edict has been published by the Portuguese government, prohibiting the importation of guns or warlike stores, and declaring the trade in them to be contraband.

The crew of the Madagascar steamer, who were captured by the Chinese on the destruction of that vessel by fire, have been brought down to Macao and released. The Chinese appeared to be under the impression that they were Americans, which was the account they had given of themselves. They had not been badly treated.

The present war seems to be most fatal to all governors of the provinces that have yet been attacked. Tung chih, governor of Canton during our imprisonment there, after being permitted when unseated by Lian to hold the government of Foheen for a while, bewails the losses of his country and his own in exile at Eele, whither Lin, his successor in Canton, likewise accompanied him in disgrace. The active talents of that minister, and his influence have however enough his recall, and with them, the ruin of his way to Chekeang, again to try what negotiations may do, although we suppose he will find the present plenipotentiary not so easy to deceive as the last, and much of his diplomatic talent is therefore likely to be expended in vain.

Elepoo, governor of Shekeang, has, as will be seen from an edict published, been sentenced to banishment at Eele, for having permitted the barbarians to leave Chusan alive early this year. But the most tragical fate of all has befallen his successor in office, Yukeen, already known to our readers from translations of several of his reports and proclamations, to have been a most uncompromising enemy to the English. The unlucky man, finding all his efforts to repel the English at Chinhai of no avail, and no doubt vexed and humiliated at finding his performance fall so far short of his promises, attempted to drown himself, but was saved by some of his soldiers, who fled with him first to Ningpo, and then continued the flight on foot to beyond the town of Yu-yaou, where he seemed expired. His body was conveyed to Hang-chow-foo, where it received all the honor and ceremonial due to the rank he held.

Already, therefore, have five viceroys either been sent to banishment or lost their lives.

[*Canton Press of December 4th.*

A strenuous attempt was made, on behalf of the opium merchants in Chiha, to obtain an expression of the house of commons in favor of their claim to the Canton ransom money, by way of compensation; but the chancellor of the exchequer gave them to understand that the money would be appropriated to the prosecution of the war, and that they must wait for their compensation until it could be got from the Chinese themselves.

NEPAUL, THIBET, SEIKHS, AND BURMAH. The Seikh expedition into Thibet has been routed, and its leader, Zorawur Singh, slain. A treaty reserving that of the Cabul generals, was made with the Chinese, who took the place from the Seikhs, and then showed them to die of cold and starvation. A number of men, under a leader named Bustea Ram, effected their escape through the Bayanee Pass, on to reach Almorah. The leader and 130 men succeeded in obtaining the protection of the British authorities there, and have been since sent on to Loodiana. Forty of them remained in the hospital. Numbers have perished.

The expedition of Tharawaddie to Rangoon has failed, and he and his court have left that place. His troops have lost 3,000 men by their works there, and they are disappointed, for all their great hopes have failed. The king of Siam is described as much alarmed lest Tharawaddie should obtain arms and ammunition from the English in order to attack his dominions.

The Nepaulese seem occupied with their own affairs of Jhawinee rajah, relative to a further treatment there. The old king of Oude had made arrangements for resigning the throne, but he has been dissuaded by his chief minister from offering his purpose. Some outbreak is expected in that country.

INDIA. Some serious disturbances had broken out among the Madras regiments at Secunderabad, in consequence of the discontinuance of certain allowances, but the mutiny was put down, and many of the soldiers arrested. India generally continued tranquil.

Lord Auckland has made preparations for his voyage to Europe on board the Hungerford, a trader from Calcutta.

WEST COAST OF SUMATRA. The Batavia authorities have passed a regulation, to take effect from the 1st of January, 1842, relative to the right of trade to some of the recently acquired Dutch possessions on the west coast of Sumatra, by which the ports of Sinkol and Baroos are to be opened to general commerce and transit trade, and the same regulation applies to the port of Tappanooly. Tapoos, and all ports between Sinkol and Tappanooly, to be closed against general commerce and transit trade, and to be accessible only to native vessels belonging to that coast sailing under annual passes.

FRANCE. IRENS. Gen. Burlen, minister of war at Brussels blew out his brains 15th Feb.

Count Pozzo di Borgo, died lately in the 73th year of his age.

Major gen. sir George Leith died on Feb. 1st at London aged 76.

Mr. Walsh in one of his late letters announces that the French public are to be favored with much new book matter, relative to the emperor Napoleon. A diplomatic history of him is about to appear from the pen of the author, who has access to all the archives in the department of war. M. de Cormenin has placed the emperor among his book of *orators*; and he is again to be brought out as a *theological orator*, in an octavo entitled *Napoleon on the Divinity of Christ*. This purports to be "ideas collected from his lips at St. Helena, by Count de Montholon." Another work, by Count de Beauterne, who promises several more of the same origin and subject matter. Mr. Walsh regards the authenticity of the "ideas" very doubtful, says the author offers no positive warrant for the use of Montholon's name, and thinks that the book looks like a speculation of modest assurance.

The Cesar at St. Helena undertakes to prove with apparent fervor the existence of a God, the Divinity of Christ and the superiority of the Catholic over the Protestant creed, system and discipline. He says "I am an orator and a Christian, and I believe in *more* man." General Bertrand professed a hesitating atheism, Napoleon rebuked him, adding that he would not have promoted him in the army if he had known his atheism; and that the appendix to the book is a religious biography of the emperor, seeming to prove that all his family were *pious*. As Mr. Walsh says, he hardly earned that epithet for himself while in prosperity; but it is quite natural in exile, after his sweeping reverses, he should have thought and talked seriously of religion. Among the words put into the mouth of Napoleon are these: "The Emperor Alexander and myself conceived the idea of uniting all christian sects." This idea, if it ever existed, was more probably lost in the ambitious aspirations for universal empire while his star was in the ascendant; it may however have appeared very brightly to his imagination at St. Helena.

[*Richmond Compiler.*

SPAIN. The political circles of the capital continued until the 26th ultimo, to be mutes engaged with the declaration of sir Robert Peel, that a commercial treaty was negociating between Great Britain and Spain. The Catalonian deputies were determined, it appears, to insert clauses in the cortes, should the least common reciprocal concession be made to England. They insist, in the name of their constituents, on the protecting duty not being reduced below 40 per cent.

PORTUGAL. *Lisbon, March 28th.* The queen has issued a decree for the re embodying of the national guard, according to the altered plan of organization established for it in the early part of 1841.

TURKEY. Letters from Constantinople of the 20th ultimo state that a reconciliation was on the point of taking place between Turkey and Greece, and that both powers had consented to withdraw the troops stationed on their respective frontiers. Ali Effendi, the new ambassador of the porte to England, was to leave *in* a few days for London.

BELGIUM. *Steam packet.* The steam ship British Queen is to leave Antwerp for New York May 7th, and to call at Southampton for passengers. The Belgian government has given notice that their object in purchasing this vessel is to facilitate the intercourse between the two countries, and they have therefore established low rates of fare. The correspondent of the Sun gives the following particulars:

The price of a cabin passage is to be twenty guineas from Southampton, but this only includes beds, bedding and linen. All provisions will be served on board, on the principle of a first rate continental hotel, at fixed prices. The charge for breakfast or tea will be eighteen pence sterling—and for dinner three shillings—wines and spirits will be supplied by the steward at the usual rates. It will be seen that many prefer paying gain by this arrangement, for those who are unaccustomed to sea voyages, being sea sick for several days, will not require breakfasts and dinners, and those who can enjoy every meal, the whole cost of passage and living, will find their bills quite moderate. I think the proprietors of the steamer will lose by this arrangement, and the passengers will gain. The British Queen is commanded and officered by Englishmen, and her engineers and firemen have served in all her former voyages. Lieut. M. M. Keane is commander. The steamer will make only three voyages to New York during the season.

The price of a passage in the steerage is five guineas, for which water and fuel only are found, and at this price there is no doubt the vessel make more money, when they have a large number of passengers, than by freight at present prices.

We believe that some of our American merchants are interested in the following notice, which we find in the London Sun of March 28.

The Belgian chamber of deputies has voted a sum of 6,000,000 of francs, payable in Belgian three per cent. stock at par, as an indemnification to the owners of merchandise destroyed in the entrepot of Antwerp by the bombardment of 1831.

PALESTINE AND SYRIA. The new Protestant bishop of Jerusalem, and had his life much endangered by the throwing of stones, in the fierce broils that the Christian sects were carrying on against each other, to the great edification of Mahometans and Jews.

The Emir Bechir had been sent under guard to Constantinople, which caused a good deal of excitement at Beyrout. Omar pasha had been formally invested with the pelisse of the government of Mount Lebanon. Bishop Basilius, who made such a gallant defence of Zahle against the Druses, and Abou Sumrah, another courageous Christian, had been appointed governors of petty districts, while the Druse chieftains had been continued in authority. Omar pasha was thereby doing all he could to heal existing feuds, and apparently with good success.

The Druses, in Syria, believing that the British agent was conducting himself towards them with great treachery, stormed the English and American missions, plundered their contents, destroyed the establishments, burnt all the books and manuscripts, and finally ejected the reverend gentlemen from the country.

CANADA. The governor general of Canada has made the following appointments:

The honorable sir James Stuart, Bart to be deputy speaker within that part of the province heretofore Lower Canada, and to be president of the provincial court of appeals for the aforesaid part of Canada.

The honorable Edward Bowen, to be president of the said court in all cases of appeal from the court of king's bench, for the districts of Montreal, Three Rivers or St. Francis, wherein the honorable sir James Stuart, Bart, may be disqualified from sitting.

The honorable Jean Roch Rolland to be president of the said court, in all cases of appeal from the court of king's bench, for the district of Quebec, wherein the hon. sir James Stuart, Bart, may be disqualified from sitting.

The hon. Edward Bowen, Jean Roch Rolland, John Stewart, Andrew William Cochran, Hugues Heney, George Pemberton and Louis Panet, to be members of her majesty's executive council for the province of Canada.

There was a snow storm at Quebec on the 14th ult. which lasted nearly all day.

The last accounts from Bermuda state that the English are fortifying the islands strongly. A company of sappers and miners have arrived lately for the purpose of prosecuting the work of fortifying, extensive and tunnelling, the advantages of doing which are surprisingly great in the soft free stone, of which the islands are composed.

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In a short time government will order the Halifax and Boston line of royal mail steamers to run weekly. The expense of the additional boats has already been included in the post office financial account, and the company will be ready to place two new and superior boats on the route between Liverpool and Boston, whenever they are required so to do. This arrangement will be of great advantage both to this country and our own. In case of a war between England and the United States, (and it is to be hoped that no such sad event will ever happen), it is supposed that these steamers would continue to carry the mails between the two countries as at present.

At this season of the year the lines from Liverpool and Londonderry to New York a very large number of passengers in the steerage.

THE DISPUTED TERRITORY. The lieutenant governor of New Brunswick, sir W. M. G. Colebrooke, has issued his proclamation, stating that it has been announced to him that large quantities of timber have been cut upon the disputed territory within the last year, in violation of the prohibition announced in former proclamations, and publicly announcing to all persons concerned, that if any of the said timber shall be brought into the river St. John it will be liable to seizure. [*Boston Adv.*

NATIONAL AFFAIRS

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Consuls. John H. Peebles, of Pennsylvania, for Campeachy, in Mexico, in the place of F. A Carnes, resigned.

O. S. Morse, of Virginia, for St. John's Porto Rico, in the place of John O. Bradford, resigned.

Joseph W. Hale, of Massachusetts, for the Island of St. Thomas.

Edward S. Sayres has been recognised as consul of Brazil for the port of Philadelphia.

The president has recognised Antonio Jose Gouveа, as Portuguese vice consul at New Orleans, for the state of Louisiana.

District judge of the state of Indiana. Elisha Huntington, vice Jesse Q. Holman, deceased.

William H. H. Scott, register of the land office at Dubuque, Iowa, vice, Henry Harrison, resigned.

Rudolph Riddle Butler, military storekeeper at the Allegany arsenal, near Pittsburg, Pa. vice his father James M. Butler, deceased.

Naval officer. D. S. Carr, re-appointed at Baltimore, Md.

THE ARMY.

The following letter announces the death of a gallant and meritorious officer, who has done his country service upon its battle fields, and borne to his grave the wounds he received on the Niagara frontier:

"*Legation of the U. States, Paris, 26th March*, 1842.

"SIR: It is with regret I announce to you that I have just received a letter from the consul of the United States at Marseilles, informing me that Gen. Fenwick died at that place on the 19th instant.

The general left here a short time since in tolerable good health, desirous of seeking a milder climate. I understand he took cold on the journey, and after his arrival at Marseilles was struck with apoplexy, which left him some days in a lingering condition, but which eventually was fatal to him. He retained his faculties to the last, although he lost the power of speech. I am, sir, very respectfully, your obedient servant, LEWIS CASS.

"*Hon. J. C. Spencer, secretary of war, Washington.*"

We learn from the Madisonian that the following named gentlemen have been invited by the secretary of war to attend the annual examination of the cadets of the military academy, to commence on the first Monday in June next:

Thomas A. Dehlois esq. of Maine.
James J. Austin, esq. of Massachusetts.
General E. P. Walton, esq. of Vermont.
Rev. Alonzo Potter, D. D. of New York.
Prof. Alexander Dallas Bache, of Pennsylvania.
George P. McCullock, esq. of New Jersey.
General George H. Steuart, of Maryland.
Colonel Josiah W. Ware, of Virginia.
General Alexander Mackrae, of North Carolina.
Richard W. Habersham, esq. of Georgia.
Dr. Churchill J. Blackburn, of Kentucky.
General Robert B. McAffee, do.
W. S. T. Dennison, esq. of Ohio.
John G. Floyd, esq. of Indiana.
Hon. A. S. Brown, of Mississippi.
Dr. Benjamin W. Maclin, of Alabama.
Frederick W. Curtenius, esq. Michigan.
Dr. Frederick Hall, District of Columbia.
Captain Beverly Kennon, United States navy.
Col. J. J. Abert, United States army.

Captain P. A. Salt, do. do.

The cadet appointments for this year have been made. The next selections will be made in February or March, 1843.

Two companies of artillery, consisting of 170 men, have been ordered from Fort Columbus, in N. York harbor, to occupy Fort Walcott, which had not been garrisoned, and with a view to the protection of the public property there and at Fort Adams near Newport. To replace them two companies of 170 men have been ordered to Fort Columbus from Fort Monroe, Old Point Comfort. [*Madisonian.*

THE NAVY.

LIEUT. T. P. BORDEN. The remains of this ill-fated officer were recovered, and on Sunday morning the 24th inst. were taken from on board the Missouri frigate accompanied by eleven barges from that steamer and the steamer Mississippi, with colors half mast and the white clad oarsmen pulling minute strokes till they reached the Magazine stairs on the Anacosta, where, having disembarked, a procession was formed, joined by Capt. Keyman and other officers of the navy yard, and proceeded to the Congressional burying ground, where they were finally deposited with military honors.

The naval general court martial, of which commodore Nicholson is President, reassembled at Baltimore on May 4th. Captain U. P. Levy, who had previously been tried and sentenced to be dismissed the service by said court, appeared before the court for a re-hearing in his case, agreeably to instructions from the navy department, and his case is now in course of investigation.

RIGHT OF SEARCH.

Mr. Cushing of the committee of foreign affairs had addressed a letter in French to the editor of the Courrier des Etats Unis, at New York, which has been published, in which he refers to the British act of parliament of 24th Aug. 1839, and to her municipal regulations, as being the sole authority by which she pretends to arrogate to herself the power of seizing, detaining, diverting from their destination, and putting upon trial, every merchantman, their petty officers may think proper to suspect of being engaged in the slave trade. He indicates the stand of his own country, and expresses the preference a "thousand times for war, rather than submit to the pretensions of England," to extend her municipal regulations over American vessels.

STATES OF THE UNION.

MAINE.

BY THE GOVERNOR—A PROCLAMATION

Deeming the present posture of the question relating to the northeastern boundary of this state and the matters connected therewith, to form one of those "extraordinary occasions" contemplated in the constitution for convening the legislature, I do, by these presents, appoint Wednesday, the eighteenth day of May next, for their meeting, at the state house in Augusta, hereby requiring the respective senators and representatives then and there to assemble in legislature, in order to receive such communications as may then be made to them, and to consult and determine on such measures as they may consider will best promote the welfare of this state and nation.

In testimony whereof, I have caused the seal of state to be hereunto affixed, and signed the same with my hand.

Done at Augusta, this twenty-ninth day of April in the year of our Lord, eighteen hundred and forty-two, and in the sixty-sixth year of the independence of the United States.

JOHN FAIRFIELD.

By the governor:
PHILIP C. JOHNSON, secretary of state.

RHODE ISLAND.

The legislature of Rhode Island met in special session in Providence on the 25th ult. The governor communicated the following message:

TO THE TWO HOUSES OF THE GENERAL ASSEMBLY.

Gentlemen of the senate and house of representatives:

At the close of the last session of the general assembly, and after the measures then adopted for the purpose of declaring the laws of this state, and making known to the people their duties to the government, I hoped that no further action on your part would be necessary. Under the resolution then passed, authorising me to adopt such measures as in my opinion were necessary, in the recess of the legislature, to execute the laws and preserve the state against domestic violence; and desirous, if possible, to avoid all hostile collision between our citizens, I sent the hon. John B. Francis, John Whipple and Elisha R. Potter, esqrs. to Washington, with a view of laying the whole matter before the president of the United States; believing that his opinion, expressed as it would be, with the concurrence of his cabinet, would be sufficient to undeceive those who had been falsely taught, that the so called people's constitution, when, by its own terms, it went into operation, became the paramount law of the state. Through them I communicated to the president the condition of affairs in Rhode Island, and received from him the accompanying letter, already made known to you and the people of the state generally by my proclamation. Employing as this communication does, the mildest language, and yet upon the matter in question expressing the most decided opinion, it was necessary to the supporters of government in Rhode Island, as calculated to disarm all opposition to our laws and existing authorities in the manner least offensive to the feelings of those who have been most actively hostile to them: And I am happy to add, that in some portions of the state its effect has been all that could have been expected from it. In other portions of the state, and especially in the city of Providence, I regret to say, that a different spirit has prevailed; and the leaders of the revolutionary movement have industriously circulated among their followers, the most perverted construction of its contents, as if favorable to their cause; while, at the same time, with strange inconsistency, they have represented abroad that the president is hostile to the rights of the people; and that in order to excite that bad sympathy against the government of this state and the United States, which is intended to array with them, against the supporters of both, the lawless of the inhabitants of the adjoining territories of the union. In pursuance of their long settled intention to usurp the government of Rhode Island, a number of unauthorized people have met in unlawful assemblages for the purpose of holding their pretended election of town, county and state officers, and persist in their resolution to organise their pretended government in defiance of the laws, in the city of Providence. Relying, as their leaders now almost openly profess, upon the physical force of the revolutionists, and of their sympathizers abroad, rather than upon constitutional authority, they are daily and nightly assembling in various parts of the city of Providence, and in some parts of the country bands of armed men, and are rapidly acquiring military discipline, with the avowed purpose of overthrowing the government of this state. I especially ask your attention to the notice lately published by their state convention, in the organ of this new party in our state and country, calling upon the chartered companies of this state, some of which are known to be in their interest, and the volunteer companies which have been formed, to assist in the escort of their pretended state officers on the aforementioned day of the organization of the usurping government.

This is but another step in the unprincipled plan marked out for them by their leaders in the spirit of all revolution—"that, without looking forward to the ultimate result of their doings, they should do the thing next in order well, and let the occasion provide what is next to be done." The danger to the peace and prosperity of the state from the new feature in the plan of their now desperate leaders is too obvious to be longer overlooked. At the time of your last adjournment it was well hoped that, although they had despised all authority, executive, legislative and judicial, known and heretofore recognized in this state, yet, the laws, as some of their resolutions imported, if the opinion of the president was against them, no longer persist in a course destructive of government here, and of all *republican* government in this country. His letter, coming with the full concurrence of the present cabinet, known to embrace the highest talent and constitutional knowledge in the country, so far from producing the desired and expected effect, has been quoted to the ignorant as sanctioning all their measures, and with some of those who could not be so deceived, has tended to raise a new issue between them and the authorities of the United States, which I should seem, that some are hardy enough to wish to decide by force. In this new aspect of our affairs, I have thought it to be my duty to convene you in special session, under the power vested in me by law, that you might decide for yourselves what measures are proper to be taken for the safety of the state. The constitution of the United States, which guarantees to every state in this Union a republican form of government, makes imperative upon the general government the protection of each, on application of the legislature, or of the executive when the legislature cannot be convened, against *domestic violence*—I am fully aware of the extreme delicacy which you must feel in intervening, against even the most violent and unprincipled of your fellow citizens, the aid of the national executive, and have endeavored, as far

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as was deemed expedient, though the committee hereto dare not, to carry so hard a necessity. Yields, however, many are of opinion that the case contemplated by the constitution for such interference has arrived, and believe that a traitorous combination already exists to an alarming extent here, and is extending itself abroad through sympathies always ready to raise against law in favor of general license, I can no longer take upon myself the responsibility of delaying such action upon this subject as you may deem advisable, and have felt compelled to give you the opportunity to consider and decide a question of so much importance to the state.

I would also suggest to you the expediency of appointing and providing for a board of counsellors to advise with me to the executive measures proper to be taken in this emergency, consisting of gentlemen from different parts of the state.

Other measures with regard to the protection and preservation of the public property, and the organization of such an armed force as may be necessary for these and other purposes, will naturally suggest themselves to you. And to these subjects I most earnestly invite your attention.

In conclusion, I pray God that he may strengthen and enlighten you in the performance of your duties, and enable you to pursue such a course in the present crisis of our affairs as may preserve for us and our posterity the great boon of American constitutional liberty, gained for us by our fathers, and now threatened to be wrested from us by lawless violence.

SAMUEL W. KING.

To-morrow an attempt will be made to overthrow government of this state. A minority of the people have adopted a constitution against law, and a minority of this minority, headed by a few demagogues, have set themselves up in opposition to the government of the state and of the United States. If there are any whom the voice of sober remonstrance can reach, we would again warn them to pause. If they cannot be reached by the "people's constitution," as it is called, they must come prepared to take the fearful consequences of so rash a step. If such of them as are elected to the spurious general assembly take their seats and attempt to exercise any functions of government, they will be guilty of treason; and we speak advisedly when we say, that the government is determined to enforce the law, and that it will be backed up, if necessary, by the whole power of the general government.

"Of the mode and the precise time which will be selected by the government to vindicate the laws, we of course are not informed. It is enough for us, and for all good citizens to know, that the laws will be vindicated. We trust implicitly in the men who have been chosen to execute them, and to whose counsels the safety and the honor of the state are entrusted. We look to them with confidence for a degree of firmness and resolution which will justify the expectation every where entertained of them. We look to them for such action as shall effectually put down this attempt of mob law, and give security and stability to the government."

[*Providence Journal of May 2.*

The governor having transmitted his message on Monday, April 25, the general assembly continued in session from that day to Wednesday. A series of resolutions proposed on Tuesday morning were adopted in the evening, with the exception of the 2nd which contemplated the organization of a military force, which was laid on the table in consequence of its being so much on the heels of a standing law, said to be considered incompatible with the constitution of the United States. Mr. Jackson, speaker of the house offered a series of resolutions authorising the calling of another convention to be chosen in June and to meet in August, to form a new constitution to meet the wishes of all; the voters to be residents of the state one year and taxable on property to $150. It was opposed on the ground that the newly elected general assembly were to meet the next week, and also that it would be as if acting from menace and compulsion. They were indefinitely postponed by a vote of 45 to 12.

After passing an act for the more efficient organization of several volunteer militia companies—and doubling the number of one of the divisions—the companies from one to two hundred,—the assembly adjourned *sine die* on Wednesday.

On Tuesday, May 3d, at 12 o'clock, the individuals elected by the revolutionary, or suffrage, or people's constitution party as governor, lieutenant governor, secretary of state and members of general assembly formed in procession, escorted by a large mass numbering it is said near 2,000 people, of whom 467 had guns and 127 swords, and 54 on horseback unarmed, and entered a building intended for a foundry, but unfinished as yet, and that had been prepared as a place for their organization at Providence. Mr. Dorr J. Francis, of Newport, on motion of Mr. Perez Simmons, of Providence, took the chair. The credentials of the members elect were then presented to Mr. John S. Harris, who had at a preparatory meeting been elected clerk pro tem. Sixty-five members answered to the roll call. The representatives occupied the body of the building, the senate and executive a platform at the westend. Welcome B. Sabin, of Smithfield, was appointed speaker, and addressed the house in reference to the honor conferred on him and the great duty they had to perform; the rest of his address was of a personal, and he, we hope, upon them. Both houses having been organized, a committee was appointed and waited upon their governor, Thomas W. Dorr, who in a short time presented himself and delivered his inaugural address. In it, he recounts the history of the Rhode Island government and refers to the opinions of eminent jurists to show that the right exists in the people to change, alter, or repeal its constitution, at whatever time, and in whatever manner it thinks proper. He then shows them, under the charter there is no mode prescribed for amending the form of the government.

In the afternoon, they passed an act repealing what they call the Algerine act, and directed the sheriff to have the court house at Providence ready for their reception next day.

On May 4th, Wednesday, the old and regular constitutional legislature assembled at the state house at Newport.

PENNSYLVANIA.

THE HANDY CASE. At Philadelphia, on Tuesday last, Judge Barton delivered a written opinion refusing to compel George Sharswood, esq. to produce the papers in his possession as chairman of the legislative committee.

The attorney general protested against the right of the committee to shelter the parties charged, by refusing to produce the evidence to implicate them, and said he had no other evidence to offer. He asked that the defendants might be held to answer on their own recognizances at a future day, when the letters could be produced.

The defendants, through their counsel, decidedly objected to giving any bail or recognizances whatever.

Finally, Judge Barton gave as his ultimate opinion that the prosecution must be dismissed for want of evidence.

FLORIDA.

One hundred and sixty settlers ascended the St. John's on 12th April for the hammock lands, near fort Mellon. The second party, who had returned on 9th inst. had destroyed a field of corn 16 miles south west. Scout left again on 14th under capts. Wright and Worth. Col. Harney, absent from all health returned to Augustine from Indian Key on 12th. The Savannah Georgian, says, "Halleck Tustenugge, as we expected, has been overhauled by the troops in the vicinity of the Okee-hum-kee. Three successive brushes were had with the warrior on the 29th inst. Our accounts differ some as to the particulars. One letter says, 'one Indian killed, one taken prisoner, and much bloodletting,' thereby indicating others wounded. Another letter says, 'Col. Worth was with the troops in person. Sergeant Cooper of the 2d dragoons, (capt. Kerr's company) and one soldier were killed, and several others wounded. Halleck has retired over the Oeklawaha, and will doubtless secrete himself, if possible, about the St. John's. The whole force is in pursuit of him as fast as it can move, through hammock and tangled vine."

MISCELLANEOUS.

CAPT. ROSS' DISCOVERIES. Extracts from Capt. Ross' despatches have been published in a parliamentary paper. From the map which accompanies the paper, we have a correct idea of his track than previous articles afforded. South Victoria land, which he discovered, extends in latitude from 70, south to 75, north (further is unknown) and in longitude its eastern coast lies between 163 and 171.

Its position is directly south from New Zealand, and at the distance of 1,500 geographical miles. The length of the part seen was fully 500 miles. It was girt with a border of ice many miles in breadth, which rendered it inaccessible. The passage southward was closed at latitude 78 by a barrier of ice 150 feet high, which was traced for 300 miles east from Victoria Land. Icebergs were encountered in numbers after they passed the parallel of 63, and pack ice at 66.

The land "rose in lofty peaks from 9,000 to 12,000 feet in height, perfectly covered with eternal snow; the chain that descended from near the mountain summits projected many miles into the ocean, and presented a perpendicular face of lofty cliffs."—They could not reach the main land, but landed on an island, which they found to consist of volcanic rocks. On the 29th January, in latitude 77½, longitude 163 E. they discovered "a magnificent volcano, emitting smoke and flame in splendid profusion" and named it Mount Erebus.

An extinct one was named after the other vessel, Mount Terror. At the distance of less than half a mile from the sea, the ice cliffs which barred their progress southward, they had soundings with three hundred and eighteen fathoms. These cliffs no doubt reached the bottom, and including the 150 feet above water, must have had a elevation of 2,950 feet or thereabout. The observations on the dip and declination induced them to place the South Magnetic Pole in latitude 76 and east longitude 153; and they considered its position as well ascertained as if they had reached it, though their nearest approach to it, was a point 160 miles from it, on the east coast of Victoria Land. The pole is probably within that region, though this cannot be positively affirmed, as its western boundary is unknown. The highest latitude they reached was 78·4. They were therefore only 12 degrees from the pole, and about 4 degrees nearer to it than Captain Weddel, the most successful of their predecessors. [*Sectsman.*

GENERAL INDIAN COUNCIL. The Little Rock Gazette says that there is to be a general council of the most important of the civilized tribes of Indians held at the Creek council ground, some time in May next.—[the 5th instant was the time named.] This council has been called by general Rolly McIntosh, principal chief of the Creek nation. General McIntosh has sent written invitations to general Arbuckle, Armstrong and gov. Butler, and other Indian agents, and also to some distinguished gentlemen of Arkansas, soliciting their attendance as a mark of respect to one of the best men of the several tribes within their respective agencies.

Andrew M. Vann, acting principal chief of the Cherokees, has dispatched a delegation of sixteen men, selected from all parties, to attend the council.

The agents have entire confidence in the pacific character of the proposed assemblage. Several good objects, it is thought, may be produced by a friendly union. One of them, it is said, is to make some permanent arrangement for the recovery of stolen property, and another for the impressment of fugitives from justice which would be very beneficial to all the tribes.

MR. ESPY. PREDICTION AND INVENTION. From the Richmond Enquirer May 3.

DEAR SIR: Since I left you, I have learned that the firemen in our two steam ships suffer intolerably from heat, and I no sooner knew of their sufferings, than a method of relieving them occurred to me; and I am now having a machine made, which, with the power of a single man, will throw down not less than 3 three hundred barrels of fresh air into the very place where the firemen stand.

The same machine will throw down into a mine, 1,500 feet deep, a similar quantity of fresh air, and keep the workmen from suffering and disease in our deepest mines—so that the foulair may either be expelled by forcing down fresh air to take its place, or it may be drawn out by inverting the operation of the same instrument. The chief expense will be a canvass bag, reaching from the surface of the earth to the bottom of the mine—bag of about four or twelve inches in diameter, or even less. It is probable, the instrument will be put on the hall of the house of representatives of the United States, where its efficiency will be known to persons from every part of our country.

It is entirely clear here; but there is a great storm of rain raging, four or five hundred miles to the north, which will raise the rivers hundreds feet high. It is now 9 o'clock, A. M. while I write this.

I am in haste with this to communicate with me on the subject, and to direct to the navy department, care of J. P. Espy, Washington city. I remain, very respectfully, yours, J. P. ESPY.

Mr. John Tyler has ordered that my Conical Ventilator shall be put on every chimney on the president's house, not only to cure smokey chimnes in winter, but to ventilate the rooms in summer.

FORTIFICATIONS IN NEW YORK HARBOR. One hundred and forty guns have been mounted on Governor's Island, and 26 more will be added in a few days; and in the course of a month 400 24's 32's and 42's will be mounted at the different forts in the harbor. [*Courier.*

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DAUGHTER OF AARON BURR. Another extraordinary death-bed confession was lately made concerning the fate of Mrs. Alston, Col. Burr's daughter. She left Charleston for New York some 30 years ago in a brig, which was never heard from. A dying sailor in Maine years after confessed that he was one of the crew, who murdered the passengers for their money. Another sailor subsequently died in Mobile and made a similar confession. The New Orleans papers of the 2d now report a third confession of a similar nature, that of a sailor who recently died in Texas. This man died in great distress of mind. He said Mrs. Alston was the last one put overboard. Her image, he said, was always before him, and he could not die without confessing the horrid deed. The closing scene of his life was terrible in the extreme. He raved with madness, exclaiming "There!—there she is now!—I see her standing before me!—away away!"

THE COMANCHE PEAK. This curious eminence is situated near the Brazos, on the west side; and is about one hundred and fifty miles N. N. W. from the Great Falls, and near four hundred from the mouth of that stream. Its summit, as near as could be judged from secular observation, is about two thousand feet above the surface of the river. Its sides are very precipitous, and in many places project into space being only one or two places at which it can be accended. On almost every side it presents a front of rugged crags, and frightful precipices. Little or no vegetation is to be found in its inaccessible fastnesses, excepting dwarf cedars and brambles, which grow upon its brow and sides; and a coarse rank species of grass, upon its summit. It is of an oblong form, and at a distance presents the appearance of the roof of an extensive barn. Its entire length is about one mile, and its width varies from a thousand to twelve hundred yards. Notwithstanding its brow and sides present so sterile and rugged an appearance, its summit is but little broken, and is susceptible of being cultivated to advantage. In order to render this romantic spot a fit abiding place for that wild and adventurous race of people (the Comanche) who once resided in its vicinity, and made its bleak summit a kind of observatory, nature has provided a large and beautiful spring of the clearest and purest water, immediately at its base. This spring is about sixty feet in circumference; and is the only fresh water in the summer season, within 12 miles of the Brazos, the water of the Brazos being salt, and consequently totally unfit to drink.

One of the most wild, grand and varied views in Texas, and perhaps in America, can be obtained from this prodigious observatory. As far as the power of vision can extend, the eye rests upon some object of admiration. Mountains, and lesser mounds of earth, of various heights, shapes, dimensions, and colors, form the most prominent, though not the most beautiful feature in the landscape. The grandeur and sternness of the mountain scenery, is most enchantingly blended, with extensive valleys, whose tranquil bosoms are variegated and perfumed with flowers of every hue and color.

From the appearance of the Indian trails that lead to the Peak, (which are worn to a great depth in the earth) this mountain must have been used as an observatory by the red man for hundreds of years. Many a tall worn warrior has watched with sleepless eye the distant warfare of his subtile foe, from the high uplifted and tempest-beaten summit of the Comanche Peak. [*The Texan.*

ASCENT OF MONT BLANC. We are indebted to a correspondent for the following interesting information as to those who have ascended this celebrated Peak.

"Having read the admirable narrative of Jacques Balmat's ascent of Mont Blanc, recently published in your paper, I thought some of your readers might be curious to learn who have followed his footsteps, and exalted themselves, as cockum, with few exceptions, for all the sufficient satisfaction of saying, 'I have stood upon the summit of the highest mountain in Europe.'"

1786, Aug. 8, Jaques Balmat and Dr. Paccard, Savoyards.
1787, Aug. 3, Mons. De Saupure and son, Swiss.
1787, Aug. 9, Col. Beaufoy, England.
1788, Aug. 5, Mr. Woodley, England.
1802, Aug. 10, Baron Dorotheus, Mons. Forneret, Courland and Lausanne.
1812, Sept. 10, Mons. Rodatz, Hamburg.
1813, Aug. 5, Count Matezeschi, Poland.
1819, " 13, Capt. Cadrel, R. N. England.
1819, " 19, Reinslaer, N. Y. & Howard, Balt. U. S.
1822, " 18, Mr. F. Chisholl, R. N. England.
1823, Sept. 4, Mr. Jackson, "
1825, Aug. 26, Dr. E. Clark and W. Hawes, "
1827, July 5, C. Fellows and capt. Sherwill, "
1827, Aug. 9, John Auldjo, Scotland.
1830, " 3, capt. Bodie Wilkenham, England.
1834, Sept. 17, Dr. Martin Barry, "
1834, Oct. 9, Count de Tilly, France.
1836, Aug. 15, Alfred Waddington, England.
1837, " 20, Mons Hedrenger, Swedeo, Mr. Piedwell and H. M. Atkins, England.
1838, Aug. 20, a French countess reached the summit.

"Curiosity, the almost universal assertion of travellers having made the ascent, and surprise at the small number of successful attempts, compared with the failures, induced us to copy the above from the Register kept by the Sydnie of Chamouny, with whom each person intending to ascend the mountain is required to leave his name, and from whom, if successful, on the testimony of the guides given under oath, he receives a certificate, and his name is recorded in the annals of the village. Sept. 1839, we were accompanied by the Sydnie, that no other persons than those whose names are included had reached the summit, the guides of course excepted; many and repeated are the attempts each summer, and latter the disappointed American loafers and London cockties have been known to wait months, for a favorable opportunity till hope deferred made the heart sick and the spirit weary and abortive. The guides then receive the extreme unction, bid adieu to their friends, and the painful march is commenced only to be ended by broken arms, legs, loss of sight or life. About once in a hundred successes. For our own part we felt little inclination for an undertaking, which involved so much difficulty and danger, though neither corporosity, oldage, or laziness, precluded our success. To walk the precipice's edge, the steep, misty, slippery path of the chamois had no more charms for us than the ice or snow for a bed, and a bit of granite for a pillow, in regions of eternal frost. To go alone was impossible, and we conceived we had no right to hire men to expose their lives to gratify our curiosity; we contented ourselves to go and try to feel the terrific environment of this valley, to mark the desolate path, to listen to the thunder roar of the avalanche, and to visit the "garden floating on a sea of ice whose flowers are warmed into life and bloom, by the diamond glatier that surrounds them."

[*Cincinnati Chronicle.*

ROBERT FULTON. [For proceedings in honor of representatives in congress, see pamphlet written by James Rumsey and his trial of a steamboat on the Potomac in 1787 with references to his invention as early as 1785, immediately after the conclusion of the revolutionary war, and before the organization of our present government, see page 127.]

From the U. S. Gazette,

We observe by the proceedings of the house of representatives, that a bill has been reported for the relief of the children of Robert Fulton.

As natives of Pennsylvania, we feel proud of his name and his fame. Lancaster county in this state was his birth place, and without friends and without funds, by the aid of his own splendid genius, he became a benefactor of mankind, and left an imperishable renown. The late emperor Alexander was well satisfied of his great merits, that in the midst of his wars in Germany, with Napoleon, he found time to issue a decree, granting to Fulton, the exclusive navigation of the waters of Russia, for 15 years. But alas, he died before this munificent grant could be carried into effect.

We annex a copy of the Imperial decree, as well as Mr. Adams' letter communicating it:

Letter of the minister John Quincy Adams, minister plenipotentiary at St. Petersburgh, transmitting a copy of the decree of the emperor of Russia, granting to Fulton, as the original inventor, the exclusive steam navigation of the waters of Russia for fifteen years.

St. Petersburg, Feb. 18, 1814.

Sir: With the enclosed duplicates of my letters to you, of 31st December and 12th January, and of the translation of the imperial rescript sent me by count Romanzoff, I now transmit to you a copy of a note which I have, since the date of those letters, received from the minister of the interior, Kosodawlew, with a copy of the emperor's rescript in the original Russian. The note from the minister of the interior is also in Russian, but with an English translation annexed, of which that which I now send you is a copy. Though it contains nothing more than what the minister had verbally said to me, as I informed you in my last letter, it may be gratifying to you to have it from him in writing; for which reason it is enclosed. As the term of the privilege has already commenced, it is secured to you as effectually as it will be once by the delivery of the patent.

I am, with much respect, sir, your humble and obedient servant, JOHN QUINCY ADAMS.

Robert Fulton, esq. New York.

Copy of a decree of his imperial majesty, the emperor of Russia.

Fryborgh, Dec. 10, 1813.

Mr. the Minister of the Interior:

Mr. Robert Fulton, a citizen of the state of New York, in the United States of America, having invented a species of boat, of a particular kind, that is moved by steam, has solicited the privilege of constructing boats of this description here, not only for the navigation between St. Petersburgh and Cronstadt, but also upon the whole navigable waters of Russia. Considering the advantages that may result from such an invention, upon the condition and extension of the national industry,

I order that there may be delivered to him or his agent, a like privilege, conformable to the principles of our manifesto of the 17th June, 1812, and according to the form that we have presented to the council of state. The terms of the privilege must be fixed at fifteen years, to count from the day of this date, in order that the term of the decree, in consequence of the distance he resides from here, it may be more convenient for him to take measures for the execution of his project. In consequence of this decree, it is declared, that in no case shall he be allowed to charge a greater price, whether for goods or passengers either in the crown or individuals, than that established either by the Ukase or the laws for common transportation. In case Mr. Fulton himself, or those having charge of the execution of this enterprise, should not succeed in the course of the three first years, in putting to use in Russia one or more steamboats, the privilege hereby granted to him shall be null and void. But for this privilege he will be required to pay 1,500 rubles, fixed by the imperial decree.

ALEXANDER.

Copy conformably to the original.

(Signed) KOSODAWLEW.

Mini ter of the Interior.

RETRIBUTIVE JUSTICE OF THE INDIAN. An event took place at Prairie du Chien, last week, which shows the Indian in the savage character. Two Indians of the Winnebago nation quarrelled, upon which one stabbed the other to the heart; he attempted to escape, but was overtaken, brought back, and placed in the body of the dead Indian, by the relatives of the latter. Several gentlemen interfered in behalf of the captive, and requested that he might be allowed to go, because he had so much the fault on the other. They were answered that, if "white-men" would pay fifteen dollars to the mother of the deceased, he might go, otherwise he must die. This requisition being complied with, he was discharged. During this negotiation the savage sat upon the body of his foe, smoking his pipe, perfectly indifferent as to the issue, and when told he must die, he deliberately removed his pipe, giving the usual "ugh!" His executioner then stepped behind him, and with a single blow of the hatchet severed the right arm at the shoulder; upon that the Indian resumed his pipe and began to smoke as if nothing had happened: in a short time the executioner, with a blow, severed the left arm. The Indian still retained his upright position, and continued to smoke; at last, he laid a blow across the small of his back brought him to the ground. Even then his countenance wore the same cold, serene and stoic expression. He was however, soon cut in pieces by the relatives of the dead man. The savage made almost superhuman efforts to escape, but the moment his pursuers touched him, he surrendered and walked back, and seated himself upon the dead body, without once attempting to escape. This was an instance of Indian retribution and savage fortitude. [*Dubuque (Iowa) Express.*

ENCKE'S COMET. This interesting body, which visited our sphere in 1838, has again become visible. I had a fine view of it through Clark's telescope. It could be distinctly seen even in the *Finder*, (or small tatached telescope), and therefore may have been previously observed by others, although aided by instruments less powerful than mine. Its figure is nearly round, and its brightness exceeds that of 1838, the light being more dense towards the central parts, and the margin better defined. Indeed, immersed as it is in the evening twilight, it is far more conspicuous than I anticipated. Through the kindness of my friend, S. C. Walker, esq. of Philadelphia, I received a newspaper containing an ephemeris, (giving a few of the computed places of the comet for the present period), copied from the London Philosophical Journal. The evenings of the 26th and 27th proved unfavorable for observation; but last evening, an hour

after sunset, the comet was readily found, being in the place of the place assigned to it in the ephemeris, that it was only necessary to point the telescope to that part of the heavens and the beautiful object once presented itself. Its position is a little south of the head of Aries. At 7h. 45m. it was about a degree and a half south of *Gamma Arietis*, near the star *Iota*, marked 265 on the Astronomical Society's Catalogue.

Next to Halley's comet this body is regarded by astronomers as the most interesting member of the solar system; and from the frequency of its returns, it has already led to very important results, and it will, it is believed, lead to many more, as its future motions are studied and observed.

DENISON OLMSTED.

Yale College, March 29th.

RUSSIAN CURRENCY. The following is an extract from a letter recently delivered to New York by Mr. Cambreling, on Russia.

"Russia had her funding system and paper currency. Her debt, funded and unfunded, amounts to three hundred millions of dollars, varying with the amount of her paper or imperial bank note currency, which is constantly fluctuating in value as well as amount. Her revenue and expenditure each amount to about a hundred millions of dollars. But the financial reports of that government present only a very limited view of its vast receipts and expenditures, as the emperor is a great manufacturer in every branch—miner of every description—an extensive banker—a large agriculturist and eminent merchant. It is from these sources, besides provincial exactions of labor or contributions—none of which are embraced in their financial reports—that Russia draws her supplies from her armies, fleets and governments. He referred to its ancient origin and the only apology for it, and describing the most obtrusive tendency of such an unwarrantable interference of government with the trade and industry of Britain.

"Catharine II. established her bank of Assignat in 1768. The first issue was forty millions of paper roubles, redeemable in current money,' by which the amount specified in the value of the rouble was about equal to the silver rouble, and continued so for about twenty years. In 1797 another issue of sixty millions was made, and the paper rouble began to depreciate. The first of these issues was pledged that the aggregate amount of one hundred millions should never be exceeded; but in three years, (1790), the faith of the crown was violated, and continued to be violated in each succeeding year for twenty years, till 1810, when this bank note currency amounted to five hundred and twenty-seven millions of roubles. The faith and wealth of the crown were then pledged for their redemption. With these successive issues they had declined in value, and in 1811 one silver rouble was equal to four in paper. The present amount of the outstanding paper is three hundred five value by ukase. The last was issued on the 1st of July, 1839; since then, one silver rouble is exchanged for three and a half in paper; but as the prices of every thing have been fixed in the paper rouble, at the rate of four for one in silver, for thirty years past, the practical effect of these imperial decrees is to levy an indirect tax upon the consumer.

"Catharine's Loan Bank was established in 1786.

"The Imperial bank of Commerce was established in 1818, by the Emperor Alexander. That bank has branches in the different cities in the empire—discount bills of exchange—makes advances on merchandise—allows four per cent. on deposites, and charges six—and since the 1st January, 1840, receives deposites in exchange for a new description of bank notes of various denominations, small and large, equivalent to the silver rouble. In the first quarter after that authority was given, about ten millions were issued.

EXPLORING EXPEDITION. The Washington correspondent of the New York Commercial Advertiser gives the following information: "For farther news, I have to tell you that despatches were received over land, a fortnight since, from the exploring expedition. The constant exposure they have suffered to the surge, but there are persons now in Washington who have conversed with the officers of the expedition since they left Columbia River. It has dropped from them that the researches and surveys made on the northwest coast are of such value as will more than compensate the nation for the whole cost of the expedition. It is guessed that this refers to the fight which will be thus thrown upon our title to the whole northwest coast, from the northern limits of Mexico to the southern bounds of the Russian claim. Great immediate value will therefore be added to the more barren glory of taking from the *Terra Australis* its epithet of *incognita*. By the way, it has been said that great injustice has been done to our officers in the recent accounts of Ross' discoveries, by the concealment of the fact that he was guided to the point where those discoveries commenced, by the charts of Commodore Wilkes. Ross, therefore, bears to him about the relation that Vespucci bore to Columbus."

The same writer suggests that Captain Wilkes ought to be promoted, and remarks that for discoveries of far less importance than he has made, Russia elevated Krusenstiern, from the rank of lieutenant to that of admiral.

OTIS' STEAM EXCAVATOR. We paid a flying visit on Saturday last to Otis' steam excavator, in Brooklyn, where it is at work digging down the hill forming up and Hamilton Fort Greene, which is the shallow inlet and quagmire entitled "the Wallabout," or so much of it as lies above the old road to Flushing. "Old Geologist" is surely a great curiosity. He walks right into a mountain as though it were a place of hot cakes, and dips it up a cart load at a shovelfull, as fast as you please. He cuts right and left a path some six rods wide through the hill, and then takes a new swath. He is locomotive, and advances by his own steam-power, whenever the earth has receded before him, grades and stakes down behind him. The steam shovel spared no pains to dig and another to look after the fire and engine, though one or two others are generally employed to smooth down and level before. Six horses, with carts, like which approach to be filled on one rail-track and go off loaded by another.

If he comes to a stone weighing only a ton or such matter, the gentleman "makes no bones" of it, but pitches it into the cart like a peck of gravel. If he comes to a stone weighing some four or five tons, he takes him up more carefully, and lays him out the side of his cart. All this is effected by the immense shovel with a sliding bottom, at the end of an immense and complicated arm, worked by much ingenious and novel machinery.

In the invention now dead; the company spent thirty thousand dollars upon the invention before the first machine was made, and much more afterward. The patent which he now exhibits throughout Europe), is probably worth a million of dollars. An "excavator" complete costs about $6,000, and will dig and load a 1,000 cubic yards of earth per day—equal to the labor of 1,000 men, independent of cold or heat, rain or fair weather, but goes ahead and minds its own business through all.

The excavation is about a mile from the Fulton Ferry (where carriages are abundant), and we recommend those who have leisure and rational curiosity to look over, and see this modern Hercules at his labors. Such a chance for interested in geology has rarely been afforded. Fort Green was entirely a marine deposite, and nearly every variety of rock has been disclosed by the excavation—including pebbles, sea shells, &c. Almost, and probably all regions far more distant. Under fifty feet of solid earth are found boulders and pebbles which must have been subjected to the action of waves and current for long periods of not thousands of years, and thus have been worn round and smooth as lap-stones. Pretty extensive geological cabinets may be made up here with hardly a touch of the hammer. Who will neglect the opportunity to see a machine which is to work a revolution in rail road, canal and all extensive excavation whatever? [*N. Y. Tribune.*

REVOLUTIONARY HISTORY. We have been allowed to publish the following letter from the late Thomas McKean to C. A. Rodney.

Wilmington (Del.) Journal.

Philadelphia, Jug. 22d, 1813.

DEAR SIR: Your favor of the 22d last month, with a copy of the journal of the congress at New York in October, 1765, printed in the Baltimore Register, came safe to hand. Not having heard of this publication, I had the proceedings of that body (not the whole reprinted here about 2 months ago, from a copy I found in the 1st volume of "American Tracts" (contained in four volumes octavo) edited by J. Almon of London, in 1767. Such an important transaction should not be unknown to the future historian.

I recollect what passed in congress in the beginning of July 1776 respecting independence; it was not so you have conceived. On Monday the 1st of the July the question was taken in the committee of the whole, when the state of Pennsylvania (represented by seven gentlemen then present) voted against it; Delaware, (having then only two representatives present) was divided: all the other states voted in favor of it. Whereupon, without delay, I sent an express (at my private expence) for your honored uncle, Cæsar Rodney, require, the remaining member for Deleware, whom I met at the state house door, in his boots and spurs, as the members were assembling; after a friendly salutation (without a word on the business) we went into the hall of congress together, and found we were among the latest proceedings immediately commenced, and after a few minutes the great question was put; when the vote for Delaware was called, your uncle arose and said: "As I believe the voice of my constituents and of all sensible and honest men is in favor of independence, and my own judgment concurs with them, I vote for independence;" or in words to the same effect. The state of Pennsylvania on the 4th of July (there being only five members present, Messrs. Dickinson and Morris, who had in the committee of the whole voted against independence were absent) voted for it; three to two, Messrs. Willing and Humphreys in the negative. Unanimity in the thirteen states, an all important point on so great an occasion, was thus obtained; the dissention of a single state might have produced very dangerous consequences.

Now, that I am on this subject, I will tell you some truths, not generally known. In the printed public journal of congress for 1776, vol. 2, it would appear, that the Declaration of Independence was signed on the 4th of July by the members, whose names are there inserted; but the fact is not so, for no person signed it on that day nor for many days after; and among the names subscribed, one was against it, Mr. Read, and seven were not in congress on that day, namely, Messrs. Morris, Rush, Clymer, Smith, Taylor and Ross of Pennsylvania, and Mr. Thornton of New Hampshire; nor were the six gentleman last named at that time members; the five for Pennsylvania were appointed delegates by the convention of that state on the 20th July, and Mr. Thornton entered congress for the first time on the 4th of November following: when the names of Henry Wisner of New York, and Thomas Thomas McKean of Delaware are not printed as subscribers, tho' both were present and voted for independence.

Here false colors are certainly hung out; there is culpability somewhere. What I can offer as an apology or explanation is, that on the 4th of July 1776, the Declaration of Independence was ordered to be engrossed on parchment and then to be signed, and I have been told, that a resolve had passed a few days after and was entered on the *secret* journal, that no person should have a seat in congress, during that year, until he should have signed the Declaration, (in order, (as I have been given to understand) to prevent traitors or spies from warning themselves amongst us. I was not in congress after the 4th, for some months, and consequently my regiment of associators of this city, as colonel, to support General Washington until a flying camp of ten thousand men was completed. When the associators were discharged I returned to Philadelphia, took my seat in congress, and then signed the declaration on parchment. Two days after I went to New Castle, joined the committee appointed for forming a constitution for the future government of the state of Delaware (having been elected a member for New Castle county) which I wrote in a tavern, without a book or any assistance.

You may rely on the accuracy of the foregoing relation. It is full time to print and publish the *secret* journal of the continental congress.

I have thus answered your request, and trust it may reform errors. Accept, dear sir, my best wishes for your happiness. THOS. McKEAN.

Cæsar Augustus Rodney, esq.

GEOLOGIC SURVEY OF NEW YORK. During the recent session, an account of the progress of the survey was laid before the legislature. The law authorising the survey was passed in 1836, and appropriated $26,000 annually, for four years, within which time it was thought the survey might be completed. The different departments were allotted to the following persons, with the annual allowances annexed:

Botany, John Torrey, N. Y. $2,300; mineralogy, Lewis C. Beck, N. Y. $2,550; zoology, James G. De Kay, $3,600; palæontology, Tim. C. Conrad, Pa. $1,800; geology, 1st div. Wm. M. Mather, Ohio, $2,600; geology, 2d div. Ebenezer Emmons, Albany, $2,600; geology, 3d div. Lardner Vanuxem, $2,600; geology, 4th div. James Hall, Albany, $2,600.

The survey was closed on the 1st of January last. Eight suites have been collected, one of which, containing 20,000 specimens, is to be retained by the state, and the others are to be distributed among the various literary institutions. Drawings of 2,000 animals, native in the state, have been prepared by Dr. De Kay; as many of indigenous plants, by Dr. Torrey; more than 1,000 of organic remains, by Dr. Conrad; and of the fire other persons has prepared maps, views, and sections, necessary to exhibit very fully the formation of the territory he has

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examined. The expense of the field survey continued for five years and a half, amounted to 101,650 dollars. The final reports will consist of eight volumes of 400 pages each, exclusive of illustrations.

MR. STEVENS' WAR STEAMER. Mr. Stevens has invented a new species of shell for the use of his vessel. These shells are hermetically sealed, and are effectually secured from accidental explosion, either from fire or from violent concussion; they are perfectly safe also, from injury by submersion in water. They are so constructed as to explode after having penetrated the object against which they are discharged; and being oblongated, contain three times as much powder as the common shell of the same calibre; they do not require the use of mortars, but may be fired from guns of the ordinary kind. Mr. Stevens states that out of twenty of these shells which were discharged into lumbers, or into banks of sand, nineteen exploded in the manner anticipated, rendering their action sufficiently certain, whenever the possession of properties not possessed by any other shell, and producing effects which were actually tremendous. The following is an account of an experiment made by Mr. Stevens, under the directions of the government, to test the qualities of these shells.

A target of white oak was constructed in the strongest manner, by one of the best ship builders; it measured five feet in thickness, and the timbers were secured together by iron screw bolts passing entirely through the whole. This target was performed by the explosion of a single shell, a hole being made in it through which a horse might have passed. Seven timbers of white oak, each measuring 12 by 16 inches, were torn into shreds, and shattered to a great distance.

The plan which we have thus sketched from the statements of the inventor for constructing and arming this new species of vessel, has been matured, with much nice details, for many years. The present was thought to be a favorable period for its practical adoption; and in this belief congress has concurred. The necessary appropriation for constructing the vessel with prompitness has been made, and we may expect soon to hear that she is afloat.

[*Baltimore American.*

BATTLE OF LEXINGTON. We learn from the Bunker Hill Aurora, that the 67th anniversary of the Battle of Lexington was celebrated by a public ball in that town on Friday evening, the 19th of April, 1775, was a day of fearful interest—appearing at that time, to many, to be almost a day of doom! But it was the breaking of day-light! the dawning of liberty, whose glorious sunshine we have since enjoyed. The Aurora states, that there was one elderly lady—a much interested spectator of the passing scenes—in the company, who deserves a special notice. It is not for her agility in dancing, however, or any other fashionable qualities or qualifications, that she deserves this notice. She is one of those interesting mementos of a by-gone age—one of the reverenced remnants of our revolutionary *living* history—it was Miss CLARKE—the daughter of rev. Dr. Clarke, who rebel sons gave protection and shelter to the proscribed rebels, HANCOCK and ADAMS. Miss Clarke is now *seventy-eight* years of age, and her recollection of the events of the opening of the revolution, is as perfect as ever. She was sixteen years of age at the time of the battle of Lexington, and her relations with the patriots, of the Revolutionary members the intense anxiety and excitement of that occasion perfectly well. Hancock and Adams, who had been denounced in the royal proclamation, had been secreted for a fortnight in her father's house, coming there from Concord, where they were attending to the public business, every night. The mother of Miss Clarke has been dead over fifty years, and her father about thirty years. She has a sister living at West Cambridge, and a younger sister at home.

THE HOLMES CASE.

Reported for the United States Gazette.

United States, } In the United States cir-
vs. } cuit court, before Judges
Alexander W. Holmes. } Baldwin and Kendall.

This case which has excited so much interest on but sides of the ocean, was brought to a close upon last Friday, and the jury, on Saturday morning, not having been able to agree on it then, returned with a verdict of "guilty." A verdict, which was different from the expectations of many, except those who heard the charge to the able judge who presides in this tribunal, and who considered the question as purely one of law, and thought the defendant had not made out the case of inevitable necessity which could, in law, establish his only excuse.

The evidence, although in some points contradictory, was in the main to this effect. That on the 12th day of March, 1841, the ship William Brown left the port of Liverpool for Philadelphia, and under the most favorable auspices, and so they continued until the 11 latter 19th of April, at night, within about two hundred and fifty miles from Newfoundland, when the ship struck, as was supposed, an island of ice, which stove in her bows, and in an hour or so she sunk. The captain, and at first aware of the full extent of the catastrophe, ordered, as soon as he became apprised of it, the boats to be prepared with all alacrity; the passengers, as many as can, crowd into the long boat, no protection is placed; the boats push off from the ship, and in the course of an hour she sinks, head foremost, with thirty one unfortunate, men, women and children, who remained on board, who were left to perish in the power of the vortex, that not even a floating cask, or timber, exists to the surface at a token of the sad disaster. Forty two, including the sailors, are in the long boat; the captain, with eight of his crew and passengers, having entered the jolly boat, they remain all that night together, and on the next morning separate, to seek for the safety of their lives. The crew in the long boat are compelled to use every vigilance during this Tuesday in bailing; they are constantly bailing, while the sailors are constantly bailing and steering. A melancholy silence prevails; nothing is said, every one seeming to anticipate that awful time when the mate, who commands the long boat, felt it his duty to inform the captain, in pantings, that the (the mate) saw no alternative but to cast lots who should go over. The sea is calm, and the rain is violent; the boat leaks from below, and the rain falls from above. The night comes, and with it, fatigue; now commences the scene of horror; one or two waves dash into the boat. The extremity, according to the witnesses for the defence was great—was inevitable, though those for the prosecution did not believe it so imminent. But the facts sworn to by those for the defence, were unequivocal—that the boat was so full such was the sinking, that when the gunwale was within two inches of the water; none of the witnesses for the prosecution swear to this—but they never supposed the fact. The boat is lighted, and water is bailed out, but the lightened boat is not thrown over, but it does not appear by whom, nor is the testimony at all clear or satisfactory on this point—some swearing it was one individual, some another.

How far the witnesses on either side permitted any feelings of favor or dislike to operate, lies concealed within the breast of each, and will be observed and until the last day; certain it is there is no feeling heart but will make all proper allowance for those who testified against the defendant, when it is remembered that the dearest ties of blood were sundered on that fearful night, though, as the defendant maintained, on the score of sad necessity, and in defence of all those who were so nobly saved.

The case was warmly argued on both sides—the prosecution contending that no case of inevitable necessity had been made out—that the law applied to those cases was unsurpassed in its strictness. The defence alleged that they had fully established a case of inevitable necessity, and there was every presumption to believe that if they had not resorted to the melancholy alternative, they would all have inevitably perished.

Here the case rested, when the judge charged the jury that the ship-owner, the captain and crew to carry the passengers safe, extended even to a casual imminent peril, and they were bound to sacrifice their own lives, if necessary, for the preservation of the rest.

Counsel for the United States—William M. Meredith, George M. Dallas, and Oliver Hopkinson, Esquires.

For Holmes—David Paul Brown, Isaac Hazlehurst, and Edward Armstrong, Esquires.

AFFGHANISTAN.

From Blackwood's Magazine.

The affairs of Afghanistan have elicited so much interest, that a slight narrative of the rise of its late sovereign may serve to clear up some of the narratives on the subject. A portion of the troops of Nadir Shah, in his invasion of India, about a century since, were Afghans—a race of barbarians, inhabiting a country whose Alpine temperature in winter, and whose fertility in summer, rendered them one of the most vigorous and athletic races of northern India. Nadir, though a brilliant soldier, was a tyrant, and therefore hated; but, on his return to Persia he became a sot, and was easily circumvented by a court eunuch. Poison and the dagger are the eastern bill of rights. A conspiracy was formed against him, and he was stabbed while lying in his tent, probably drunk. A period of general confusion followed, in which his auxiliary troops fought each other, or dispersed to their own homes. In the general disruption, the principal officer of the Afghans, Ahmed Shah, seized a convoy of treasure belonging to Nadir, returned with his barbarians to his mountains, drove all opposition before him, and giving himself the title of the "Pearl of the Age" (Doorre Doorraneeh) became monarch of Afghanistan.

Ahmed had begun life as a robber on a large scale, and he continued his trade on an increasing one, as long as he lived. He must have been a formidable neighbor, for he made four invasions of India; fell heavily on the descendant house of Aurungzebe, and robbed and massacred without mercy whenever he conquered. At length a quarter of a century of profligacy, plunder and toil in the pursuit of both, brought the robber of the Afghan throne to his grave. He died in 1773, about twenty years after Clive had laid the foundations of the British Indian empire, by the battle of Plassey.

In the east the conqueror is always succeeded by a coward—and the founder of a kingdom by a fool; but the kingdom sometimes escapes the natural fall of the dynasty. Timour Shah, the son of Ahmed, was an indolent voluptuary; but the kingdom survived him, though he reigned about as long as his active and clever father.

On his death four of his crowd of rival sons were rivals for the throne. Humaioon, the eldest, attempted to proclaim himself king at Candahar, but was attacked by the army of Shah Zemaun, his brother, who had seized on Cabul, and assumed the throne, and by that brother had his eyes put out, and was thus rendered, in the Indian style, incapable of succession. The third, Mahmoud, had prepared for an excursion of robbery to Hindostan, now stopped on his march, and hastens back to crush the rebellion of his brother, either tired of him, or corrupted by his brother, no sooner saw Mahmoud's lines, than one half of them marched over to him.—The vizier and the monarch had only to turn their horses' heads and fly. They retreated to one of the mountain tribes, but Mahmoud's gold followed them there. They were both delivered up; Zemaun, by a retributary fate, was blinded, and his vizier, more fortunate, was put to death. But in this fucinal family, there was a fourth brother, Shoojah, who had been left in charge of Zemaun's principal jewels at Candahar. A insurrection—he raised a among the secrets of Cabul diplomacy—suddenly burst round Mahmoud in the midst of a life of revelry; he was dethroned, and the jewel keeper placed in his room.—Shoojah was king.

But the Afghan throne was again to be beset by insurrection. Mahmoud escaped from his prison, and Shoojah was forced to leave his harem, raise an army, and pursue him. He had, at the same time, an army fighting in Cashmere. The horizon now began to grow cloudy on all sides. His Afghanesian army was attacked and ruined in a single battle; the next intelligence was that Mahmoud, the general, Futeh Khan, a chieftain of great bravery and remarkable talent, had taken Candahar; this was about 1810. Shah Shoojah then advanced to meet the rebels, with a powerful army; he was defeated in two pitched battles, and forced to fly to the Punjaub, the territory of Runjeet Sing.

Mahmoud was a monarch once more, and, like a savage, forgetting what he owed to the talents and bravery of his vizier, Futeh Khan, or, probably jealous of his popularity, he blinded him, and shortly after put him to death. This act of atrocity produced the consequences which it deserved; the brothers of the vizier flew to arms.

Dost Mohammed Khan, one of them, who has since figured so largely in the history of this distracted country, made himself master of Cabul.—Two others seized Candahar, Cashmere and the rest of the dominions.

Shah Shoojah, under the protection of Runjeet Sing, was still unlucky; he was plundered of his jewels. The "Lion of the Punjaub" starved the fugitive prince, until he gave up especially the famous diamond named "the Mountain of the Light," and, at length, Runjeet having no more to get from him, Shah Shoojah, and his family, were suffered to make their way to the British territory in 1814.

The origin of the war with Dost Mohammed is still involved in some obscurity. The Persian attack on Herat, openly directed by a Russian general, naturally excited suspicion of the loose fidelity of the Afghan king. It was unquestionable that he had commenced a correspondence with Russia, under pretence of protecting himself against the aggressions

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of Runjeet Sing. The British governor general, unaccountably forgetting the absolute fickleness of the barbarian character, and the notorious facility with which it is swayed by money, is said to have refused advancing a subsidy of £300,000, which the "Dost" (prince) declared to be really necessary to his throne, and a march across India and a war were preferred, which have already cost, on a general calculation, about twenty times the subsidy, or seven millions sterling, and may cost an unlimited sum before quiet is restored. But the gallantry of the British troops shone conspicuously in this brief, but dangerous campaign.

From the N. Y. Express.

As early as 1836 Persia, under the supposed influence of Russia, commenced the design of extending her monarchy southward by the annexation of Affghanistan, which she followed up by marching against Herat. Mr. Ellis, the English resident at Teheran, wrote to Lord Palmerston that this step brought the influence of the Russians "to the threshold" of the East India possessions, and as the influence of the British minister at the court of Shah rapidly declined, and the siege of Herat was commenced, much alarm was felt by the ministry. Russian emissaries in the meantime were travelling about the country, exploring the passes, and actually assisting in the Persian armies. It is said that Colonel Harlan, an American, who has been much at Washington during the past winter, was sought out by the Russians while residing at the court of Runjeet Sing, and received liberal pecuniary aid. At the critical moment, Dost Mohammed, who governed at Cabul addressed a letter to the emperor of Russia asking him to interfere in the affairs of the Affghan country and to extend his favorable notice to himself. He received a prompt and friendly answer, with assurances, as the English assert, of aid and assistance against Runjeet Sing, himself the ally of the English. It is also asserted as a matter of history, that a treaty was signed between the Shah of Persia and the Sidars or head of the Affghan tribes, guaranteed by Count Simonich, resident at the Persian court, by which the Russian influence over the conflicting interests of Central Asia was secured. The British government forthwith remonstrated against the procedure, when Count Nesselrode disavowed the intentions which were attributed to the court of St. Petersburg. Lord Palmerston accepted these disavowals as satisfactory in 1838. The siege of Herat was discontinued, the Persians retreated and all seemed quiet. These circumstances preceded the English invasion of Affghanistan and the advance of the Russian army under General Perowsky upon Khiva in 1839-40.

The army under sir John Keane marched on Feb. 24, 1839, for the Bolan pass, was soon joined by Shah Soujah, entered the pass, found the weather bitterly cold in the middle of March, but afterwards milder on reaching the valley of Shawl about the end of that month. In the month of April pressing onward to the valley, the thermometer stood greatly at 100; they first occupied Candahar, stormed Ghuzni on the 23d June, and in a few days after marched from that city to put the Shah in possession of Cabul, which he accordingly entered with them in all the pomp of a conqueror. Dost Mahomed was now beaten, taken prisoner and sent to Calcutta, where he subsequently became a lion of attraction. His second son, Akkbar Khan had to fly to Bochara. Tranquility appeared then to prevail under the sway of the new monarch, and sir J. Keane returned to Bombay; and affairs continued for the succeeding two years quiet and peaceable by the British agents until in October 1842, the signs of discontent and revolt manifested themselves. The British force was completely deceived. Far from their resources their condition became precarious, and a retreat was in part commenced. Sir Robert Sale with his brigade, set out, reached the Jelaboad Cabul pass, there repelled on the 9th October, the first open attack, and reached Jellalabad in safety. Here he found all communication with Cabul cut off, and himself beset by 15,000 insurgents. At Cabul, the troops where remained soon found themselves engaged. On the night of November 1st, the revolt there broke out: sir Alexander Burnes (brother of the celebrated traveller now at Khiva, and political resident,) and his brother capt. Broadfoot were killed. Shah Soujah who occupied the citadel was immediately besieged, and also the encampment of sir Wm. H. McNaghten, the next British envoy and political chief, and gen. Elphinstone, commander of the army. The latter in consequence of the want of provisions and munitions, was in favor of securing a retreat by negotiation. Sir W. H. McNaghten was opposed to it. Movements of succor from general Nott commanding the British at Candahar induced the insurgents to listen to terms, and McNaghten hearing that no aid was to be expected from Sale at Jellalabad, or from Peshawar, and that gen. Nott had been compelled eventually to return to Candahar, at last gave in his reluctant consent and several fruitless negotiations commenced. On Dec. 22d, the envoy was assassinated with several of his suite, and yet their situation compelled gen. Elphinstone to renew negotiation with Akbar. Major Pottinger became the successor of McNaghten. A convention was then concluded by which six hostages, besides Pottinger, were left in the hands of the insurgents, the British stipulated to evacuate every military post in the country. On January 5th, they left the encampment for Jellalabad, but the route especially through the Khoord Cabul became a succession of disastrous massacres. Some of the officers and ladies were made prisoners; more were killed. At Jugdulluk or Feezen, gen. Elphinstone and brigadier Skelton, also became prisoners. The former immediately wrote to and succeeded in informing his successor, brigadier Anquetil, that treachery was meditated, and advised him to march that night. The latter marched and was killed. The army became disorganized. The Sepoys were unaccustomed to so cold a climate. Of a total force 4,500 soldiers, and 6,000 camp followers became victims to the sword, cold, hunger, and fatigue. Some few stragglers only, staggered into Jellalabad on the 12th and a few days after, reached the Kurrum pass and Peshawar. Among the insurgents was Sufter Jung, youngest and favorite son of Shah Soujah. On 11th January in pursuance of the convention the Affghans summoned gen. Sale at Jellalabad. The latter disregarded the stipulation and resolved to hold out.

(From the Bombay Times, March 1.)

The Cabul tragedy is over, the struggle has been a fearful one, the sacrifice of life, and of reputation has been filled to the brim, and the waters of bitterness continued in it, have been drained to the dregs. The soldiers, who for two months so gallantly endured the unusual and overwhelming toils, and, amidst cold, hunger and fatigue, have now no more sufferings or humiliations to endure. Of the army which on the 1st of November mustered from 12 to 16,000, camp followers included, some or at most a few hundred only survive in captivity. Not ten men in all have as yet escaped from the hands of the enemy.

(From the London Morning Post, March 4.)

The only offset that we have to the unfortunate events above recounted is, that Atta Mahomed and Sufter Jung, with a force of about six thousand men were defeated on the 13th January, in the vicinity of Candahar, by the troops under the command of maj. gen. Nott. Official accounts have not yet been received. The result of this engagement has produced a favorable effect in Affghanistan. The latest accounts from Ghuznee we learn that the insurgents were in possession of the town, but that the garrison (under capt. Palmer) was safe in the citadel, having a plentiful supply of ammunition and provisions.

The following extract from a private letter contains the names of a list of those who are in the hands of the Affghans, and is, however, the only observed that capt. Souter, of the 34th, is reported to have been killed when attempting to make his escape from a fort near Jellalabad.

The officers and ladies who are believed to have escaped massacre, but are prisoners in Mahomed Shah Khan's Fort at Logman, are first (the cause of all our disgrace,) Elphinstone, Shelton, 44th, Lawrence, 11th Cavalry; Troup, 48th; Mackenzie, Madras army; Anderson, 59th, Boyd, 65, Waller artillery; Pottinger, envoy; Mein, Eyre, artillery; ladies Sale and Sturt, Mrs. Anderson, Mrs. Trevor, and six children, Mrs. Waller, Mrs. Mainwaring and one infant, Mrs. Boyd and 1 child, Mrs. Eyre, co. and Mrs. Troup, 1 hostages at Cabul, are Conolly 39th, Walsh and Webb, Madras army, Airey, Bolh, Drummond 3d cavalry, Warburton, artillery; remained at Cabul with the sick, Drs. Berwick and Campbell. In consequence of the loss of Sale's brigade, 13th, Souter 44th, and Steer, 37th; with eight Europeans 44th foot.

It is feared, and too truly, that not another officer is saved. Palmer with 50 men, Sale's annihilated are the 44th foot, 5th light cavalry (two squadrons,) 5th, 37th, 54th infantry, with a troop of horse artillery, and all the sick, in the hands of the enemy.

The Sepoys chiefly killed by intense cold. Hands and feet swelled to an intense size, and rendered them incapable of moving. God help the poor fellows, and send us another commander more useful so. The following may be considered a correct memorandum of the number of officers who have fallen:

Artillery, 4; H. M. 44th foot, 24; 5th light cavalry, 11; 5th infantry, 13; 37th, 11; 54th, 12; different departments, 20.

Col. Wild made an unsuccessful attempt to force the Khybur pass with four native regiments. The affair appears to have been badly planned. It was attended with the loss of about one hundred and fifty men. Sickness is also very prevalent in the colonel's camp. By the last accounts there were 600 men in the hospital. Major Gen. Pollock's brigade must long ere this have formed a junction with that under col. Wild. The former consists, besides regiments of her majesty's 9th foot, and a detachment of European artillery. It is, however, very much doubted whether the major general will attempt an advance on Jellalabad until he is joined by her majesty's 3d dragoon guns and 31st foot, with the native corps, and a detachment of horse artillery are now moving to the frontier.

The last letters received from Jellalabad state that the troops are in high spirits and have collected sufficient provisions to enable them to hold out until the 1st of April.

The massacre of the Cabool force has aroused the energies of the supreme government. A manifesto has been issued by the governor general, calculated to allay the fears of well disposed natives and to check insubordination on the part of the dissaffected. With reference to the loss of Cabool, his lordship declares that, he "*regards this partial reverse only as a mere occasion for displaying the stability and vigor of the British power, and the admirable spirit and valor of the British Indian army.*" Orders have been issued for augmenting the army by adding a tenth company to every regiment of infantry and one troop of horse at the establishment of the three presidencies. Other measures have also been taken which will make the entire augmentation amount to about 30,000 men.

The Affghan newspapers, who are generally well informed, speak plainly and openly as to the ulterior intentions of their countrymen. They are perfectly aware of our ability, and have little doubt as to our intention of throwing a strong reinforcement into their country. They say that they are aware that they have no chance with our artillery. But they have a sure card to play. The Kurd, from Cabool to Herat, that the Halad Kaffir shall not hold a footing in the country. They are determined to close their passes every where against us. They know, and so do we, that it would be easier to carry artillery to the top of Mount Blanc than to move baggage through the 70 or 80 miles of Bolan, or of Khyber pass, if properly obstructed. They have resolved, if we shall penetrate the country, to destroy all the flocks and herds before them. They say that they are aware our artillery will mow them down in thousands, but that they have a sure resource, and know how to take the places of the fallen. Our reserve and our supplies are 500 miles from the places where we require them; with the Affghans, both are at hand.

(From the New York Herald.)

We understand that a native born yankee who had taught the Affghans to resist the British power in India so long, and who left the seeds of diplomacy and discipline with them, that recently burst forth so successfully at Cabool. His name is Dr. Harlan, a native of Philadelphia. Harlan was found occupying a high rank in the Affghan army when Cabool was taken by the English. He was a general officer and aid-de-camp, &c. &c. of Dost Mahommed, (Emir,) Ameer of Cabul, remained several months in Cabul subsequent to the flight of the Ameer, in continued intercourse with the officers of the British army, and had several interviews with sir W. H. McNaghten and sir Alexander Burnes. A stipulation in the treaty between the British government, and Shah Soujah Ul Mooluk, prohibited the latter from entertaining foreigners, and mentioned expressly "Americans." Towards the close of 1841, his arrival in Cabul was said to have created some sensation, and he is reported to have been introduced to M Thiers, then prime minister, Louis Philippe, and count Pahlen, the Russian ambassador. He has been absent from his native country some twenty years, having gone to India in the capacity of surgeon, and is represented to be now engaged in writing a book on the subject of his tour.

BRITISH INCOME TAX.

MR. PEEL'S SPEECH.

The late chancellor of the exchequer, he said, had calculated the probable revenue for the year ending April 1842 at £8,310,000, and the probable expenditure at £50,735,000; and that calculation had proved to be very nearly accurate; the actual result being only £40,000 more than the estimate for expenditure, and a little, he knew not precisely, how much, below that estimate of expenditure. For the year ending April 1843, the estimated revenue would be £8,350,000, the estimated expenditure £50,819,000, and the consequent deficiency of £2,469,000. A farther probable outlay must be provided for in respect of the war in China. Something must be made good for Australia, and something in Canada; and a considerable addition must be made to the army estimates on account of

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the war in Affghanistan. The finances of India, too, required attention. If Indian credit were shaken, the credit of England would be affected; and the present state of Indian finance was not a consolatory one. He feared that the deficit thereupon in the two years ending next May would not be less than £700,000. How, then, were these deficiencies to be met and in India to be met? Should we persevere in the system of the last five years, the system of loans and exchequer bills, the system of permanent addition to our debt? Was there a prospect of any considerable reduction in expenditure or was the present deficiency an occasional one? No; it had been proceeding for the last six years.

In such circumstances, he could not resort to the miserable expedient of continued loans. When the post office revenue was abandoned, a surrender which he had dissuaded, the parliament will have it up engaged to grant some other supply in its stead.—Should he, then, impose a tax on articles of consumption, on the necessaries of life? He could not consent to place burdens upon the laboring classes, and if the house attempted that, recent experience proved that they would be defeated. The late government had proposed an additional per centage of 5 per cent. on the customs and excise, and of 10 per cent. on the assessed taxes. In last year, the additional per centage on the customs and excise, instead of producing £2 on each £100, had produced but £1 10s. 10d. the per centage on the assessed taxes had produced considerable more than the estimated result of £10 for each £100; a new survey, however, having been made for the purpose of the increased assessment.—These facts proved that the country had arrived at the limit of taxation on articles of consumption. All these, however, then, being set aside, should he revive old taxes? Should he go back to the post offices? At present, the new packet expenses being added, the post office produced no revenue at all, but rather occasioned a charge; but he did not think that a reduction had yet had a sufficient trial to justify as yet an increase upon postage. Should he revive the taxes upon salt, upon leather, or upon wool? Upon the first he was abolitionist rather because it had been entered into, and salt particularly had been applied to a variety of new purposes.

Should he resort to locomotion for the purpose of taxation? He was reluctant to do so, because of transferring from place to place the labor of those whose labor was their only capital. Gas light would fall within the same analogy and ought to retain the present exemption. After calculating the suggestions of people who were constantly sending him projects for taxes on piano fortes or umbrellas, accompanied with claims of very large per centages on the proceeds he came to the question raised by the late government, how far it might be possible to obtain increased revenue from diminished taxation; resources which the fullest consideration had satisfied him was wholly inadequate to the immediate emergency. That a nation's revenue was eventually increased by diminished taxation, might be quite true; but the first effect was always a fall of that revenue, and a long interval was found necessary to restore that amount. This principle was illustrated by what had happened with respect to wine, tobacco, sodas, tamp, rum, sugar and other articles. A mere reduction of duties, therefore, would not suffice to meet the present exigencies; and he would now state what was the measure which, under a deep sense of duty to its necessity, he was prepared to propose; and which he was persuaded would benefit the country, not only in her pecuniary interests, but in her security and her character.

He would propose, for a period to be limited, an income tax, of not more than 7d. in the pound, or about 2 per cent. from those persons whose annual income under £150, and in which he would include not only landed but funded property, whether in the hands of British subjects or foreigners. He estimated the annual yearly rent of the land at £20,000,000, of houses at £25,000,000, of titles, shares in fast roads and mines, and other similar property, at £8,400,000, total £52,800,000. This tax he would exclude from the exemption which he proposed to give to all incomes under £150, and then the tax thus far would give him £1,600,000. The occupiers of land (assessed at half the rent) would yield £120,000. Next came funded property. The dividend paid in 1841 was £29,100,000, from which he would deduct £1,000,000, in respect of the savings banks; but he must add, upon bank, foreign and other stocks, £1,500,000, making a total of almost £30,000,000, from which he would deduct one-fourth for the incomes under £150 a year; and then the proceeds of his tax would be £646,000. He now arrived at the income of trades and professions, a part of the subject attended with great difficulty; the produce he expected from this source was £1,250,000. From the income of public offices he calculated upon £150,000. The total view would be £3,771,000.—With respect to the duration of this impost, the view of government was that it might probably require to be continued for five years, unless there should be such a revival of commercial prosperity, from the other measures which he was about to propose, as might induce parliament to take the opportunity of revising the subject; but he would, in the first instance, propose a continuance for three years only.

In some of the years, he should deem it reasonable that Ireland should be put proportion of this tax; but during peace, and for a limited period, and in the absence of all machinery in Ireland for collection, he should prefer to place the tax on Ireland by other means. He thought he could do so, consistently with the act of union, by two modes; the first of which would be a duty of 1s. per gallon upon spirits. This approach to the equalization of the spirit duty in the three kingdoms would, on certain fiscal grounds which he explained, be of great advantage to the nation at large, and to Ireland in particular. For long while the temperance pledge in the country had been very effectual, but the consumption of spirits had been again upon the increase. He calculated, from this source to receive £250,000. The other source to which he looked in Ireland was the equalization of the stamp duty with that of England; from which he expected to obtain £160,000. In Great Britain, he would propose the extra duty, in order to reduce the stamps upon the chartered parties and bills of lading. With respect to regular absentees from Ireland, he was not of opinion that they to fix them in England, he proposed to require from them the payment of the same property tax which would be required from other residents in this island.

Another resource would be a tax of 4s. upon coal exported in British vessels, and 2s. upon coal, the impost when it was considered that the article thus carried abroad was a most important material of our own industry, and was consumed by all of rival nations. The tax is already imposed on coal exported in foreign vessels, but the vessels of many countries claim exemption on the ground of reciprocity treaties, in which we are bound to them. Such a tax would probably yield an income of 200,000l. and would operate, unlike most other taxes, as an encouragement to native industry.

The aggregate of these sums, from all these sources, would be £4,380,000; constituting a considerable surplus, after excluding the deficiency on the votes of annual expenditure. He would be prepared to apply it relaxing the commercial tariff. He had considered on each of the numerous articles included, the proportion between the price and the duty. His main principle had been to make the simplification, and reduction in the duties upon raw materials, which should not in scarcely any case exceed 5 per cent. He would also considerably diminish the duties upon articles partially manufactured being 12 per cent. 20 per centum; and even upon complete manufactures, he contemplated that the maximum should not in general exceed 20 per cent. He now laid upon the table this amended scale of duties, which had been distributed into twenty different heads; for it was all prepared. It would be found that in about 750 articles there had been a reduction of duty recommended; and that on about 450 the duty had been entirely repealed. Treaties were now pending with various nations, in which several of these articles were the subjects of discussion, and consequently of course would not be included in the present reductions.

The total diminution of revenue occasioned by all the reductions we proposed, would be more than about £270,000. On sugar he regretted to say, the present ministers could not offer any reduction, they could not consent to let in the sugars of Brazil and Cuba without some securities upon the subject of slavery in those countries; and they thought that to reduce the duty on British sugar without a corresponding reduction upon foreign sugars, would be merely to give to the British sugar planters a monopoly, pure, without advantage to the British consumers. The present prospects as to the supply of British sugar, were of a nature most encouraging. Whilst they were to refer, of which the consumption had latterly decreased, he would recommend a great reduction of duty, bringing down the rate per pound to 4d. upon British, and 5d. upon foreign coffee. The loss of revenue, after some allowance for increase of consumption, would probably be £171,000. On the subject of timber, his measure would be the reverse of that which was brought forward by the late ministry: he would advise a great reduction of duty, which would benefit all classes, from the agriculturist to the shipbuilder; but he would uphold some protection to the interests of the Canadas, which he would treat as an integral part of this island, by adjusting their timber at a duty little more than nominal.

Accordingly, whereas he would lower the duty on foreign timber to 25s. a load, he would let in the timber of Canada at a duty of 1s. The loss on these reductions in the timber duty he estimated at £600,000. There were yet two other reductions which he had to propose—one upon the export of certain British manufactures, on which he proposed altogether to remit the duty; the other upon stage coaches, the duty upon which, in point of justice as between them and railway carriages, he proposed considerably to diminish. The two heads of reduction would produce a loss of £70,000. On the whole, taking into account in addition to the excess of expenditure, would increase the deficit to somewhat more than £3,700,000; but the estimated produce of the new taxes and sources of income would not only cover this, but leave more than half a million sterling applicable to the contingencies of our distant wars.

Sir Robert concluded his speech by the following appeal.

"I have proposed with the full weight and authority of the government, that which I believe to be conducive to the public welfare, and I now appeal to you the duty which properly devolves upon you, that of maturely considering and finally deciding upon the adoption, or the rejection of that which I have proposed. (Cheers.) We live in an important period in the annals of human events. There may be a natural tendency to overrate the magnitude of the events which we witness, or to increase the importance of these occurrences with which we are encompassed; but it is impossible to deny that the period in which our lot and the lot of our fathers have been cast—that period which has elapsed since the first outbreak of the French revolution—is one of the most memorable periods in the history of the world; and the course which we pursued during that period will attract for ages to come, the contemplation, and I trust the admiration of posterity. (Loud cheering.) It may be divided into two periods of almost equal importance. First, we have the era of continued conflict, the most momentous that ever engaged the energies of a nation; and next, twenty-five years of profound European peace, purchased at the sacrifices which we made for years in maintaining the contest that preceded it. (Cheers.)

There will yet be a time when those countless millions who will spring from our loins, and who will inherit our possessions, will be delighted with the institutions analogous to ours—speaking the same language in which we convey our thoughts and feelings—that time, I say, will come when those countless millions will view with pride and admiration the example of constancy and fortitude which this country will have shown, in addition to our glorious achievements, in the cause of our land, of our public interests, and which enabled us by the example we set to other countries, ultimately to insure the deliverance of Europe. (Tremendous cheering.) Our posterity will be in continual with that or those who preceded us. (Hear, hear.) I am now addressing you after twenty-five years of peace—I am now exhibiting to you the financial difficulties and embarrassments under which we labor, in the confident hope and belief that you will, in following the example of those who preceded you, look your difficulties in the face, and not refuse to make any sacrifice that may be necessary for the purpose of averting the evils of those financial embarrassments, and to sustain the honor and interests, and maintain the rank of this country. (Loud applause.) You will remember that this is no casual or no adventitious occasion—you will bear in mind that there are indications amongst all the upper classes of society of increased prosperity and wealth; and that, unerringly with these indications, there exists a mighty evil that has been growing for years, and which you have been unable to remedy. (Hear, hear.) If you are possessed of that fortitude and constancy of which you have been set the example, you will not consent with folded arms to allow the annual growth of this mighty evil; you will not hesitate in your conscientious to hope for relief from a diminution of taxation; and you will not allow this evil to attain such an overpowering strength that it will be in your power to arrest its progress. (Cheers.) If, however, you do not adopt a proper course—if you permit the evil to continue—you must expect a severe but a just judgment from the reflecting retrospect of posterity. Your conduct will be placed in contrast with the conduct of your fathers under difficulties less pressing. They will tell of the mutiny of the Nore, and of the rebellion in Ireland, and of foreign disasters against which this country had to contend; and they will tell of the buoyant spirit and vigorous energy with which your fathers persisted with readiness and applause a property tax of ten per cent. to be borne by the people of this country. (Immense cheering.) But I believe that you will not subject yourselves to such a contrast. My firm conviction is, that you will feel the absolute necessity of pre-

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serving inviolate the public credit—that you will not throw away the means of reducing by legislation the burden of the public debt. (Cheers.) My confident hope and belief is, that when I devolve upon you that responsibility, you will prove yourselves worthy of your mission—of the mission and functions of the representatives of a mighty people—and that you will not tarnish the name which it is your duty to cherish as your glorious inheritance—that you will not impair the character for fortitude and good faith, which, in proportion as the empire of opinion supercedes and predominates over the empire of physical force, constitutes for every people, but above all for the people of England, (I speak of reputation and character,) the main instrument, by which a powerful people can repel hostile aggression, and maintain extended empire. (Great cheering.)

Lord John Russel welcomed the liberal principles of the measure; but hinted that the duties on sugar would be better than on timber. A few other exceptions were taken; but the discussion of the important a measure was deferred for further consideration. The motion was then agreed to, and the house resumed, the committee to sit again on the 18th, on which day its discussion was resumed, and continued at great length from night to night until the 23d March, when its opponents succeeded in throwing it over until after the recess of the easter holidays, in spite of the premier's most strenuous efforts to have the sense of the house taken upon it before the adjournment.

The house again met on the 4th April, on which day, Mr. R. Currie wished to put a question to the right hon. baronet (sir R. Peel,) in reference to his proposed financial and commercial alterations. He begged to say, that he asked the question from no party motives; but simply because the reply might regulate the course he should feel it his duty to pursue, in the house giving this examination into them. When the right hon. baronet brought forward his financial proposition, he stated in the most explicit manner that it was his intention to stand or fall by its rejection or adoption. The question he wished to ask was, whether the right hon. baronet's declaration applied to the main principles of the tariff, in the same force as it applied to the imposition of an income-tax? Of course he did not refer to all the right hon. baronet to pledge himself to all the details of the tariff, for it was quite evident that subsequent information and consideration might induce the government to make alteration in the details; but what he wanted to know was whether the right hon. baronet meant to uphold the main principles of the tariff—namely, the reduction of ALL duties on articles of general consumption, and especially on food and cattle, with the same firmness and determination as the right hon. baronet intended to uphold the principles of his proposed tax on income?

Sir R. Peel stated in reply, that he certainly had said, as the hon. gentleman represented, that the government in bringing forward so important a measure as the proposed income tax, for the purpose of relieving the country from its financial embarrassments, brought it forward as a government measure, and on the whole responsibility of the government. When it was considered that the proceeds of the income-tax was to become the foundation of the financial and commercial policy of the government, he felt it to be evident that the measure was of such importance that its failure must decide the fate of the government. He was sure hon. gentlemen would not take advantage of this declaration, and apply it rigidly to every detail. He spoke of the income tax as the foundation of the financial and commercial policy of the country; and he said that with respect to the details, in the mode of collection, for instance, there were modifications which he intended to propose. With respect to the tariff, there were of necessity many persons whose interests were affected by it; and he must reserve to himself the power of communicating with them, and making such modifications in the details as might appear desirable. He had brought forward these measures, financial and commercial, as a whole, and with the sincere desire and intention to do justice as far as possible between the producing and commercial classes of the community. Subsequent reflection had confirmed him in the opinion, that though the tariff affected many interests, yet that, on the whole, the arrangements he had proposed were just, and it was his intention, with reference to the general principle of the measure, to uphold them.

Lord J. Russell said, that an amended edition of the tariff, having errors of the press corrected, and containing many alterations, which on consideration might be deemed advisable, had been promised to be ready on the meeting of the house. He wished to know whether this amended edition was now ready, or whether it would be soon prepared?

Sir R. Peel said he had stated generally he could not lead the house to expect any important alteration in the tariff. Various trades were, however, anxious to state their views to the government, and those communications were still going on. It was desirable that the government should have an opportunity of hearing an explanation of the views of the different parties before reprinting the tariff, which would be done at as early a period as possible. He would undertake to say, that all the parties, or the greater portion of them, who asked interview with the government, would be heard by Monday next, and on that day he would lay the amended tariff on the table of the house. Though he proposed to make alterations in details, the general principle would be adhered to.

The house then on sir Robert's motion proceeded to the resolutions on finance and commerce, introduced by him previous to the recess, and immediately adopted the first, second, and third.

In the house of peers, previously to their adjournment to meet on Monday the 7th April, lord Brougham introduced a sort of manifesto against the income tax, in a series of resolutions, but the lords could not be moved even to speak upon them. Only the earl of Ripon replied, very briefly, to the speech with which lord Brougham supported them, and all he said was that it would be inexpedient to adopt a course of assertion which might place the house in the predicament of being obliged to reject sir Robert's bill should it pass the commons. He moved the previous question, and it was carried almost unanimously. The resolutions of lord Brougham were as follows:

"1. That a direct tax upon income ought never to be resorted to unless in some great emergency of public affairs, when an extraordinary expenditure may become unavoidable for a time, or in some pressure upon the finances of the country which can be sustained by no other means.

2. That such a tax ought on no account to form part of the ordinary revenue of the state, but to cease with the necessity which alone could justify its imposition—inasmuch as, besides all the other objections to which it is liable, its inquisitorial operation being equally vexatious, whatever sums are levied, the facility of increasing its amount, according to the real or apparent exigencies of the public service, offers a constant temptation to extravagance on the part of the government—removing the most effectual check upon improvident expenditure, and dispensing with the necessity of seeking a revenue in retrenchment.

3. That although the actual deficiency in the revenue to meet the expenditure, amounting to about seven millions and a half in five years, of the estimated deficiency for the next year, amounting to above two millions and a half, besides probable demands arising from the state of affairs in the east, may render the temporary recourse to an income tax necessary, after an attempt to increase by one-twentieth the duties of excise and customs had ended in obtaining a two-hundredth part only—thereby proving the impossibility of drawing any further revenue from increased taxes on consumption, while the relief which may justly be expected to compensate for the additional burdens on taxes can not be made immediately available,—yet it behooves the parliament, as faithful guardians of the people's rights and interests, to take care that during the temporary existence of this tax, its proceeds shall be distributed in such a manner as shall make it most easily, most patiently be borne.

4. That, with this view, it is first of all necessary to satisfy the people that there shall be no invidious exemptions, but that the highest personages in the state shall be permitted to have their due share of a burden which absolute necessity alone could warrant the parliament to impose.

5. That with the same view, it is expedient to make a distinction between income arising from capital of every description and income arising from the labor of every kind; levying a smaller proportion of the latter income than the former.

6. That with the same view, it is expedient to make a distinction between income possessed by persons who have only an interest in the same for their lives, or for some lesser terms, and income possessed by persons who have an interest in the capital from whence the income arises, levying a larger proportion of the latter income than of the former.

7. That with the same view, it is expedient to make no distinction in favor of persons in the civil service of the state or of persons receiving pensions from the state.

8. That it is neither consistent with justice nor with sound policy, to levy a greater proportion of tax upon larger incomes than upon smaller; and that an exemption of even the smallest incomes from the operation of the tax can only be justified upon the supposition that their owners are wholly unable to pay it.

9. That while it is the duty of the people to bear those burdens which are necessary for supporting the credit of the country and maintaining the security of its widely extended dominions, it is equal by the duty of parliament to afford them every procurable relief, by enforcing the most rigorous economy in all the departments of public service by discouraging all proceedings which may endanger the continuance of peace, and by adopting whatever measures may best conduce to the improvement of our commercial resources; and that it it is in an especial manner incumbent without any delay to remove any income tax, whatever be imposed, as soon as it shall appear that the ordinary branches of the revenue have recovered from their temporary depression."

There remains, therefore, no doubt, that Great Britain will respond to the voice of her premier with the alacrity for further submission to taxation that belongs to her character.

COMMERCE.

THE COAL TRADE. The following will show the amount of British coal imported into Boston from 1821 to 1830, inclusive, in tons of 2,240 pounds, obtained from the official documents at Washington, and the amount of Pennsylvania anthracite sent from the same to the cities on tide water.

Years.	Pennsylvania coal.	British coal.
1821	1,073	22,122
1822	2,240	34,523
1823	5,852	30,433
1824	9,541	27,228
1825	34,893	25,645
1826	48,041	35,615
1827	63,434	40,257
1828	77,516	32,302
1829	112,053	45,893
1830	174,737	58,186
1831	176,820	36,509
1832	363,871	72,973
1833	487,748	92,432
1834	517,628	71,686
1835	560,558	49,969
1836	682,428	108,432
1837	848,646	103,459
1838	739,293	129,083
1839	817,659	181,551
1840	865,414	162,867
1841	1,011,214	200,000

Thus it will be seen that under the present duty a large amount of money is annually sent out of the country to purchase British coal. [*Protector.*

AMERICAN AND BRITISH COLONIAL TRADE

The resolution which was offered in the house of representatives on April 14th, by Mr. Cushing from the committee of foreign affairs on the subject of the commercial intercourse between the U. States and the British colonies, was accompanied by a report of some length setting forth the inequalities of the present arrangement, their injustice to our shipping interest, and the rapid increase of the British compared with American tonnage since 1826, and also an appendix containing documents of commercial arrangements and negotiations between the two governments from the period of the establishment of our own. The following paragraphs form the conclusion of the report:

"In fine, upon a deliberate examination of the whole matter, the committee lay down these propositions as the conclusions to which they have arrived.

1st. That it is the policy and the desire of the U. States to observe, in the regulation of the commercial intercourse between the United States and other countries, principles of equity, reciprocity, fair competition, and mutual advantage to both parties.

2d. That the existing arrangements regulating the commerce between the United States and the British colonies in the West Indies and on the continent of America, are unequal, unjust, and injurious to the interests of the United States.

3d. That so long as Great Britain persists to apply to the vessels and productions of the U. States peculiar regulations of commerce, other than such as regulate the commerce between the U. States and the British territories in Europe, it is the right of the United States, and the necessary consequence, to apply peculiar regulations of commerce to British vessels and their cargoes in the ports of the U. States, entered from or proceeding to the British colonies in America.

4th. That the continued imposition by Great Britain of discriminating duties upon the productions of the United States imported into the British colonies

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in America in vessels of the United States, will justify the imposition by the United States of discriminating duties upon the productions of the British colonies in America imported into the United States in vessels of Great Britain or her colonies.

5th. That the continued prohibition to the vessels of the United States by Great Britain of the indirect voyage between the United States, the British colonies in America, and the British territories in Europe, or between the United States and any another British colony in America, will justify the prohibition by the United States of such voyage to the vessels of Great Britain or her colonies in America.

6th. That if Great Britain see fit to adopt and pursue a system of prohibition and restrictions against the United States, it becomes the United States to protect our citizens, their commerce and navigation, by counter prohibitions, duties, and regulations, and to decline to give free commerce and navigation in exchange for restrictions and vexations.

7th. But that before having recourse to measures of legislative restriction as the certain means of effectually guarding and securing the rights of the U. States in our commerce with the British colonies, it is due to national comity to recur, for that purpose, to friendly negotiation with Great Britain. And in conformity with these conclusions, they submit the following resolution, the adoption of which they recommend to the house:

Resolved, That the president of the U. States, be, and he hereby is, requested to enter into negotiations with the British government for the purpose of effecting a permanent, equitable, and just conventional arrangement of the commerce between the United States and the British colonies in America.

WHIGS OF NEW YORK AND MR. CLAY.

From the Albany Evening Journal.

LETTER OF THE WHIG MEMBERS OF THE NEW YORK LEGISLATURE TO THE HON. HENRY CLAY.

To the hon. Henry Clay, senator in congress from the state of Kentucky.

SIR: The undersigned, members of the senate and assembly of the state of New York, have heard with deep concern that you have resolved to retire on this day from the concerns of the nation.

From the year 1806, when you first entered the senate of the United States, until this time, more than half the period allotted to human life, you have, with one or two short intervals, been constantly engaged in the service of your country.

During that long period of our eventful history, no important measure which has contributed to the prosperity or to the honor of the nation is recollected which, if not originated by you, has not, at least, received your cordial and eloquent support.

The course of your policy has in all things been eminently American. In peace and war, as a senator, an ambassador, the head of the department of state, you have secured for your country abroad the respect of her sister nations, while at home you have protected our seamen and our ships, and extended our commerce, fostered our home industry, and sustained domestic manufactures, and completed our emancipation from colonial dependence.

True to your principles, true to your friends, and, above all, true to your country, it has been your rare felicity to be a cherished leader among your political friends, and the foremost champion of your principles, and at the same time to enjoy the respect and possess the generous confidence of all your fellow-citizens of every political denomination.

It is not within the compass of our design to dwell upon the numerous monuments of your wisdom and your patriotism—they live in the history of the republic. The evidences, too, of your expanded philanthropy and devotion to human liberty, are a part of the records of grateful nations. But there is one great measure which some than any other has occupied your care, and to which we may be permitted particularly to allude, as demanding in an especial manner the thanks of your fellow-citizens—we mean THE PROTECTION OF HOME INDUSTRY.

This vital policy was adopted by you at the commencement of your political life in the legislative halls of Kentucky. It was the subject of your first effort, and constituted your first duty in your entrance upon the senate of the United States in 1809; you re-established it after the return of peace in 1816, and was its successful defender in the great debates of 1820, 1824 and 1832.

At no period of your life have you wavered or faltered in the support of this policy, and your solemn farewell counsels have now sanctioned, with the weight of thirty-five years' experience, the great measure which your ardent patriotism embraced at the commencement of your career. If the protection thus given has not been always adequate to the object, it is because it has not been such as you proposed and advocated.

We owe it to you, sir, to bear our testimony that while on the one hand the deficiency in the existing laws on the subject are attributable to no fault or remissness on your part, on the other, the imperfect degree of protection we have received, and which is in a great measure the cause of our present distress, and constant efforts, has added many millions to the wealth and many hundred thousands to the population of our country—has stripped war of its greatest dangers and sorest calamities, by rendering us independent of foreign supplies, either of food or raiment, or the weapons of our defence, and has given new charms to peace by bringing the comforts and conveniences of life within the enjoyment of all.

It is for these great national services that we desire to tender you our thanks. We speak in our own names, but we believe we speak the sentiments of those whom in other things we have the honor to represent, when we acknowledge the vast debt of gratitude which we owe you, and we declare our solemn conviction that through your whole political life, you have been governed by the loftiest patriotism and the most unsullied integrity; and when, finally, we assure you that we will, in our sphere, concur with our prayers to Him who has hitherto been the guardian of our republic that health and strength may be prolonged to you for many years, to witness the success of the great measures you have labored to establish, and to enjoy the proud consciousness of having been *the benefactor of your beloved country.*

L. Bradish, Lansing Hoyt, Samuel Works, A. B. Dickinson, Alvah Hunt, E. Rhoades, Bethuel Peck, Geo. A. Simmons, Joseph Tucker, Elbridge G. Baldwin, Francis O. Pratt, William Jones, Austin Peirce, John W. Brownson, Benjamin Dailey, E. P. Warren, James McKie, jr. H. K. Higgins, Horace Hunt, Lorenzo Dana. Eleazer Baldwin, George S. Stone, Gardner Arnold, Joseph C. Shelton, Robert C. Nicholas, Gideon Hard, Nehemiah Platt, Abram Dixon, G. Furman, J. G. Hopkins, Morris Franklin, Stasts Green, Chester Bradley, Frederick Starr, Squire S. Case, John J. Colgrove, Ira Smith, W. A. Bird, Thos. T. Flagler, R. P. Johnson, Oren Stimson, D. S. Wright, Jesse Jones, James Diffendorf, Thomas R. Powell, P. M. Box, Robert Harpur.

Albany, March 31, 1842.

MR. CLAY'S ANSWER.

Washington, April 15, 1842.

GENTLEMEN: I have received by the hands of the hon. N. P. TALLMADGE the communication which you did the honor to transmit to him for me on the 31st ultimo, and I have perused it with lively and grateful sensibility. Such a testimony, proceeding from a source highly distinguished and respected, presented at the close of my public life, will be cherished by me in my retirement with the highest satisfaction, and will add great strength to the consciousness I feel that, in all the public stations to which I have been called, I have honestly labored faithfully to perform my whole duty to the country.

In the brief but flattering review which you have taken of my public career you have justly conceived the motives of my conduct. With respect to the measures themselves, to the adoption of which I may have contributed, I will not undertake to pronounce any decisive judgment. Of their influence upon the interests, the honor, and the prosperity of our nation, the present generation, and posterity, if a recollection of my agency in maturing them shall survive me, are and will be the most competent and impartial judges of their merit and of the degree of merit contributed to me a genuine American spirit in whatever concern I have had in public affairs, and especially in reference to a great system of national policy.

Divided as mankind are, ever have been, and will continued to be, into distinct nations, it is the solemn duty of each, whilst it deals justly and liberally towards others, constantly and seriously to advance, protect, and maintain its own separate interests. To attempt to legislate for them, or to expect or permit them to legislate for us, would be alike vain and improper.

It was a view of this condition of the world, and instructed by lessons of experience drawn from its history, and the practice of other nations, that early led me to the conclusion in favor of the protection of the domestic industry of our own country. My convictions have acquired additional strength from every reflection I could give the subject, and from both past and present experience in the United States. Free trade is a beautiful vision, existing only in the imagination of philosophers and theorists, and practically repudiated by all nations. An indispensable condition to the adoption of it by any one nation is its adoption by all. But, instead of regulating their trade according to that theory, we everywhere behold restrictions, burdens, and prohibitions; and those nations which make the nearest approximation to it are in the least prosperous state. During the last nine years, about one-half of our imports have been admitted free of duty; and, as to the other moiety, a descending scale of duties has been in progress, which is now rapidly bringing them down. If there were any reality in the boastful promises of the partisans of free trade, our country ought at this moment to be in the enjoyment of an enviable prosperity. But directly the reverse is its melancholy condition. Never were the products of agriculture selling at more discouraging prices; and the great southern staple of cotton, which was to have been so highly benefitted by a reduction of duties, is now sold at a price less than it has been generally at any time since the last war with Great Britain.

Nothing can be more erroneous than to suppose the existence of any real incompatibility between the interests of agriculture, commerce, and manufactures. A conflict between them would be just as unnatural and absurd as between the members of the human body. Each prospers most when all of them flourish. Agriculture requires but little protection, because its position secures it against much foreign competition; or, rather, protection to commerce and manufactures is the best form of affording protection to agriculture.

Without a diversity in the occupations of society, if all are engaged in one common pursuit, there can be no surplus produced for mutual domestic exchanges, and consequently no home market, by far the best, most steady, in war and peace, and most valuable of all markets.

We shall not, I fear, rise from our embarrassed condition until we produce, within our own country, more of the supplies necessary to consumption, and depend less upon foreign countries. Until that object is accomplished, we shall be constantly exposed to an exhausting drain of the precious metals, and to sudden alternations of delusive prosperity and real adversity. One of the obvious modes of accomplishing that object is the regulation of our foreign trade by means of a properly adjusted tariff, stimulating production at home and discouraging importations from abroad. And all experience has shown that, on whatever object our manufacturing industry has been successfully employed, its price to the consumer has been almost invariably reduced. This is the necessary effect of the law of competition.

The question is sometimes asked, how the manufacturer can be benefitted by an increase of duties if the effect be to reduce prices? The answer is, that he is benefitted by obtaining possession of a greater extent of home market, and by the greater steadiness which prevails in it; whilst the foreign producer, in order to share any part of that market, is obliged first to submit to a reduction in the price of his commodity equivalent to the duty, and his commodity is finally excluded from the market by the operation of the principle of domestic competition.

Fortunately for the harmony of the different parts of the Union, and without the danger of reviving topics which formerly agitated and exasperated parties, the actual wants of the treasury now require a tariff which, while it supplies a necessary revenue, may be so arranged as to afford incidental protection to manufactures without any material departure from the principles of the compromise act. The opponents of the protective policy have never controverted the right of government to give such incidental protection; and the friends of that policy, looking to the substance rather than the name of things, I should think, ought to be content if their object be secured, whether it be made in the form of a revenue tariff or a protective tariff.

I request your acceptance, gentlemen, of my respectful and cordial acknowledgements for the friendly sentiments towards me contained in your communication, and for your kind wishes for my health and prosperity in retirement. And I unite my prayers with yours to the Great Author of our being for his blessings upon you, upon our country, and upon all.

I am, with the highest respect, faithfully your friend and obedient servant, H. CLAY.

To Messrs. *L. Bradish, Erastus Root, &c.*

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE

APRIL 29. Mr. *Allen* moved to take up his resolution in relation to affairs of Rhode Island. His motion was rejected. Yeas 8, nays 26.

The senate then proceed to the appropriation bill and after further progress therein and adopting several amendments proposed by the committee on finance proceeded to executive business, after the transaction of which, they adjourned.

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April 29. Mr. *Walker* presented resolutions of the state of Mississippi, urging an adjustment of the land titles under the treaty of Dancing Rabbit creek, others in relation to controversies with Great Britain, others in favor of the admission of Texas, for repeal of land distribution law, against a protective tariff, indemnity for loss of school section in the Chickasaw Cession, for eight house at St. Joseph, and amendments of the bankrupt law.

Mr. *Mangum* from the committee on printing reported against publishing the proceedings of the court martial on the case of Col. De Russy. Mr. *Rives* hoped the senate would not concur. The transaction had been complained of as an *ex parte* proceeding. Mr. *Allen* remarked that those who complained had desired copies of the proceedings had not been consulted and had given no evidence before the committee. Mr. *Mangum* said it had been the uniform practice not to print proceedings where the parties had been acquitted. The report was then concurred in.

The senate then proceeded to the consideration of the bill making appropriations for the support of government. An amendment was adopted increasing the appropriation for the Boston custom house to 100,000 dollars, by a vote of 29 to 12, and after further progress with the bill, at 5 o'clock the senate adjourned.

April 30. Mr. *Phelps* presented the credentials of the honorable Samuel C. Crafts, senator appointed in the place of the honorable Samuel Prentiss resigned.

Mr. *Buchanan* presented a petition from citizens of Northampton county, praying protection by the prompt adjustment of the tariff; also a petition, from Washington, Pennsylvania, against post travelling and post offices being opened on the Sabbath.

Mr. *Linn* presented a petition from citizens of Michigan praying a military occupation of the Oregon territory and its formation into a territorial government.

Mr. *Allen* made another ineffectual effort to get at the executive and Rhode Island correspondence.

The senate then proceeded (as in committee) to the consideration of the bill for civil and diplomatic expenses, and after further progress therein, went into executive session, and after short time passed thereat, adjourned.

May 2. Mr. *Tallmadge* presented a memorial in favor of home industry.

Mr. *Benton* read a letter from Mr. Wickliffe, the postmaster general, in reference to a post master at St. Louis. The origin of this matter was the appointment of a new post master at St. Louis. It seems that Mr. *Benton*, had copied papers before the senate in executive session, and transmitted them to St. Louis for publication. They appeared in a public paper, when Mr. Wickliffe called upon Mr. *Benton* for information as to the manner in which these letters were transmitted. Mr. Wickliffe was answered in public. Mr. B. stated boldly that he copied the letters himself, sent them to St. Louis, and procured their publication.

Mr. *Allen*, of Ohio, called up the resolution offered by him three weeks since calling upon the president of the United States for information in relation to the Rhode Island difficulties. Mr. *Allen* moved for the yeas and nays, which were ordered upon the motion to take it from the table. The *yea ideal* of the senate ordered the yeas and nays upon the motion.

Mr. *Allen* rose to speak after the secretary of the senate called his name. He was about to give his reasons for taking up the resolution, and said that he had learned important facts within thirty-six hours past. They would, in his opinion, affect most seriously the interests of the country.

Mr. *Allen* was going on, when he was called to order by his senator from South Carolina (Mr. *Preston*).

A point of order was raised, which occupied a long time and prevented the consideration of all public business for the remainder of the day. It was participated in by Messrs. *Benton*, *Calhoun*, *Woodbury*, *Wright*, *Bagby*, *Bagby*, of Alabama, *Allen*, of Ohio, and others. The chair was sustained in its decision by a full vote. The question recurred upon taking up the resolution, and the yeas and nays were ordered. The result was as follows:

YEAS—Messrs. Allen, Bentzel, Buchanan, Fulton, King, Lumpkin, Roberts, Sturgeon, Tappan, Woods, Williams, Woodbury, Wright, Young—15

NAYS—Messrs. Archer, Bagby, Barrow, Bates, Bayard, Calhoun, Clemens, Clayton, Conrad, Cuthbert, Dixon, Evans, Fairfield, Fulton, Graham, Huntington, Merrick, Miller, Morehead, Porter, Preston, Rives, Simmons, Smith of Ind. Southard, Sprague, Tallmadge, White, Woodbridge—23.

And so the senate refused to take up the resolution.

The order of business was next a matter of brief controversy.

The chair was about to propose the third reading of bills upon the speaker's table.

Mr. *White* said as it was too late to-day to set upon the civil and diplomatic bill, he would move an executive session. The motion prevailed by a large majority—the galleries were cleared—and the remainder of the day given to the consideration of nominations.

And the senate adjourned.

May 3. Mr. *Merrick* addressed the senate on the subject of Mr. *Benton's* remarks yesterday, in reply to the letters of the postmaster general, inquiring by whom the letters of the executive department to the committee on post offices, had been copied and sent to the St. Louis Reporter for publication. As chairman of the committee, he felt called upon to make some explanation of the case for the benefit of the senate. As he was, he had some reports on proceedings of a similar nature, during former sessions of congress.

Mr. *Benton* next addressed the senate. He did not look upon the communications as either private or confidential; and went into an argument in vindication of his rights.

Mr. *Evans* hoped this matter would not interfere with the special order.

The president pro. tem. observed that there was nothing before the senate; but that by general consent, the senate could proceed to business, if no objection being made Mr. *Benton* resumed his remarks. At one o'clock he was cut off by the special order.

The senate then took up the appropriation bill which was discussed until a late hour, chiefly on the amendment of Mr. *Benton* to strike out from the clause to provide for the deficiency in the appropriation for the public printing, "for printing, lithographing, binding and books, &c. the word "books."

Mr. *Benton* addressed the senate at considerable length in favor of the amendment, and was followed by Mr. *Bayard* (in reply) and the debate was further continued by Messrs. *Allen*, *Huntington*, *Young*, *Woodbury*, *Archer*, *King* and *Wright*.

When the question was taken on its adoption, and decided in the negative by a vote of 21 to 15.

Mr. *Woodbury* then moved to so amend the clause that no part of the appropriation be applied for the purchase of any books, to be distributed among members of congress without the previous sanction of express law, nor any books so purchased hereto fore be paid for except from a specific appropriation enumerating the books to be purchased.

This amendment was also debated at some length; the question on which was taken by yeas and nays and decided in the negative—yeas 18, nays 18.

Mr. *Archer* then moved an amendment, which prevailed, stating the cost of the books, and that they were ordered for the use of the house of representatives of the 26th congress.

Mr. *Woodbury* moved another amendment to the effect that no part of the appropriation for the department of state shall, after the 1st day of July next, be applied to the payment of special agents abroad appointed without the consent of the senate or an act of congress, nor for compensation to the agents entrusted with the transmission of despatches.

This amendment was debated by Messrs. *Woodbury*, *Huntington*, *King*, and others.

When the question was taken, there was no quorum voting and the senate adjourned.

May 4. The apportionment bill was received from the house of representatives, read a first and second time by its title, and, on motion of Mr. *Walker*, referred to the committee on the judiciary.

The appropriation bill was discussed until a late hour, and amendments were ordered to be engrossed and the bill read a third time.

The amendments having been reported correctly engrossed, the bill was passed. And the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, April 28. Mr. *Stanly*, submitted the following report:

The committee on public expenditures respectfully submit to the house a report made by the hon. George Poindexter to the secretary of the treasury. Mr. Poindexter was one of the commissioners appointed by the president on the 10th of May, 1841 to examine into the affairs of the custom house in the city of New York.

The committee being apprized that the expenditures at the custom house, in the city of N. York, had increased very greatly for several years past, felt bound to become acquainted with the nature and character of these expenditures, that the guilty might be exposed and punished, and like abuses corrected for the future. As, however, the time allowed to the commission for such an investigation was not sufficient to enable them to attempt the investigation with any probability of success, unless they had abandoned the sittings of the house, and as they had been informed of the nature of the duties of the commissioners, they concluded it would be more satisfactory to the house to wait the report of the commissioners. On the 9th day of February last the house of representatives adopted a resolution reported from the committee on public expenditures, requesting the secretary of the treasury to send a copy of the report of the commissioners. No such report has, however, yet been received. Some days since the committee called on the secretary of the treasury to know when they would receive an answer to the resolution referred to, and whether the report had made since the date of that resolution would be sent. Some days elapsed and no answer came. Another letter was addressed to the secretary of the treasury, and to this, after waiting another week, the communication referred to was received.

The committee knowing the general desire to be made acquainted with the proceedings of the commissioners, and believing that it was due not only to the house of representatives but to the American people that abuses should be exposed, and feeling anxious that measures might be taken during the present session to prevent the recurrence of the degrading enormities practiced at the custom house, determined to call on Mr. Poindexter, one of the commissioners, and to submit the result of his labors to the consideration of the house.

This report herewith submitted. The committee earnestly and respectfully invite the attention of the house to its details. It is believed that the wickedness of public officers here exposed is unparalleled in the history of any civilized government, and public interest—the interest of the injured and unjustly oppressed citizens—and, above all, public honor, imperatively demand a remedy at the hands of the representatives of the people.

The report was laid on the table and ordered to be printed.

Mr. *Stanly* said he intended to move the printing of the number of extra copies as had been printed of the Swartwout report—five thousand with the accompanying documents, he believed, and twenty thousand more.

Mr. *Weller* objected, and the motion was entered on the journal.

Mr. *T. F. Mason* presented a memorial from the grand jury and citizens of Allegheny county, Md. praying congress to surrender the stock held by the general government in the Chesapeake and Ohio canal to the state of Maryland. On his motion it was referred to the committee on the judiciary.

The resolution heretofore submitted by Mr. *Adams* providing that 10,000 extra copies of Mr. *Cushing's* report from the committee on foreign affairs on the subject of American and British colonial trade was then taken up and adopted by 91 yeas to 63 nays.

Mr. *Roosevelt* arose and said that he (with other members) had voted this morning for the printing of the report of the committee on public expenditures under the impression that it was a report from themselves. He had since discovered that it was simply the report of Mr. Poindexter, one of the commissioners. He therefore moved a reconsideration of the vote ordering its printing.

Mr. *Mallory*, from the committee on elections, had moved to amend the bill by adding the following as section 2:

And be it further enacted, That each state shall be divided, by the legislature thereof, into as many districts, composed of contiguous territory, as shall be equal to the number of representatives to which said state may be entitled in the house of representatives of the congress of the United States, and that each of the said districts shall elect one representative.

To which amendment Mr. *Campbell*, of South Carolina, had moved the following amendment:

That in every case where a state is entitled to more than one representative, the number to which such state shall be entitled in the house of representatives shall be elected by districts composed of contiguous territory equal in number to the number of representatives to which said state may be entitled, no one district electing more than one representative.

Which said amendment Mr. *Halsted* had, on behalf of the committee of elections, (as the reporter understood), accepted as a modification of the amendment reported from that committee.

Mr. *Colquit* had then moved to amend the amendment by excepting from the operation thereof the state of Georgia.

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And the question pending was on the amendment to the amendment of Mr. Saunders, of Tennessee, and Mr. Johnson, of Maryland, to strike out the clause of the debate; and Mr. H. C. Johnson having obtained the floor, the committee rose, and the house adjourned.

FRIDAY APRIL 29. Mr. *Briggs* asked leave to offer the following resolution which was read:

Resolved, That the president of the United States be requested to communicate to this house the report or reports made by the commissioners, or any of them, appointed to investigate the concerns of the N. York custom house.

On the question being taken, the resolution was adopted.

Mr. *Roosevelt* arose to the motion which he had made yesterday.

As the adoption of the motion to print was made nisi solebant, the speaker now decided that Mr. *Roosevelt's* motion, although he had voted in the affirmative, could not be entertained; but subsequently as it seemed to be a question of such feeling and probably involving much interest the speaker withdrew his decision and announced that the question would now be on the motion to reconsider. Mr. *Roosevelt* arose and further explained his motives for making the motion to reconsider. He had voted for the printing under a misapprehension of the nature of the report, supposing it to be one from the committee and not from the ex parte report or but one of the board of commissioners.

Mr. *Canning* said that it was a document of some 400 pages, had been presented to the house in pursuance on the 12th, and was withdrawn for some reason, and then presented again on the 20th. Therefore the president and secretary had had time to do no more than read it over, if even that.

Mr. *W. C. Johnson* thought that if published it ought to be accompanied with the whole collateral evidence and reports of the other commissioners. Two of them had already fully made reports in obedience to the directions of the president. The third one who had strong prejudices against a large portion of the manufacturing and commercial interests had not perfected his report, but had then withdrawn it, and not given it in till 20th. The president had been most desirous of laying the whole subject before the house.

Mr. *Arnold* was inclined to think the only way to get the whole report out of the hands of the president, was to print the present copy of it, which the committee had got not "by accident" but as had been intimated by some. Rumors deeply implicated the political integrity of the president, as designing to withhold a portion in order to concoctate, 'the denouement;' A little light was wanted, it was in the bush and he was for holding fast and printing it entire.

Mr. *White* went into a recapitulation of the facts in the history of the appointment and doings of the board of commissioners (from May, 1841, when Messrs. Poindexter and Kelly had been appointed, and on their recommendation Mr. Stewart had been associated with them, to October, 1841, when a new board had been designated consisting of Messrs. Poindexter, Stewart, and Bradley; the anxiety of the president that they should close their labors, and report in time for him to make the necessary recommendation to congress; and the resolution of the board on the 26th of December to close its sittings. On the 28th of December Mr. Stewart had reported in part. On the 14th of January other reports were made by Messrs. Stewart and Kelly, and on the 9th of February, Mr. *Linn*, chairman of the committee on expenditures in the treasury department, had introduced a resolution calling for the department's report and all the documents and correspondence connected with the subject. At that time Messrs. Bradley and Poindexter were still at New York, engaged in concluding their report and making a synopsis of the evidence. The president determined to wait till their report should have been received, before he replied to the call, desiring in justice to Messrs. Poindexter and Bradley that their report should not be forestalled by that of the other commissioners. Mr. Poindexter did not report till the 13th of April: he had then withdrawn the report for some purpose. [Mr. *Sprigg*: For correction.] Well, for correction, and had not returned it till the 20th. Thus, though the report had been in the department but seven days, the committee complained of delay in communicating it to the house. It must have taken the secretary alone three or four days to read it, and he supposed he had not yet read the whole of it, yet both he and the president required time to read and consider it, and to compare it with the previous reports already rendered.

The report was that of but one commissioner out of four; and how did the committee get hold of it? They had called in vain on the secretary, and so they concluded to apply to Mr. Poindexter himself, an officer not appointed by the house but by the president, and whose duty it was to make his report to the president. Which appointed him. Mr. White, in reply to Mr. that gentleman had (if I herself) arrived to report the result of his investigation to a committee, when the house had called on the president for it, and that call had not yet been responded to. The report was not his: it was the property of the government: it belonged to the executive department. Were Mr. W. president, and an officer should serve him so, he would turn him out forthwith, would dismiss him instantly.

Mr. W. then proceeded to inquire who was George Poindexter? And, after passing high complimentary on his intelligence and standing, his fearlessness and independence, and admitting he had been among the leading members of the senate, and the Atlas of legislation in his own state, he proceeded to show that he must well know the course of the committee to be an abuse, and, if now on the floor of the senate, would be the last man to justify it. Mr. W. did not know that it was the responsible, the proper conduct of the committee or the conduct of the president's subordinate. The committee had no business with the document.

Mr. W. believed the New York custom house was a cancer to the country; he wished it to be probed to the bottom, he did not wish this document suppressed, but he wished the report of the board to be placed in a fair light. He had no vengeance to wreak on Mr. Curtis, or Mr. Hoyt. Mr. Curtis had been nominated by president Harrison, and not by Tyler. Suppose for sake of argument, that if the president had had that report for ten days; he was to read it, compare it with the other reports; reflect on the whole, and then write his message to congress. The whole measure originated with him: and a most important report it is. It not only involves the conduct and character of men in the New York custom house, of Hoyt, of Curtis, of Gerard, of Wasson, and others in that establishment—but I can tell New England gentlemen on this floor, that it involves some men of the very highest standing in Boston and in Lowell—the pride of New England—the highest class of capitalists—these too are involved: and if the statements in the report are true, men of this description have been engaged in a conspiracy to bribe the commissioner, and to seize on the revenue for the benefit of the manufacturers of New England.

Mr. W. said that if these facts came out he should thank Mr. Poindexter most profoundly for his labors; it would go far toward excusing his course in relation to the report, although, till there should be actual evidence produced of it, he should be inclined to suppress the report rendered to him. Mr. W. did not see how it could be excused. He believed this very report would be found to be one of the strongest anti-tariff documents put forth to the community; the agricultural interest of the country would be gratified by its perusal. The report not only involved the character of the custom-house officers at New York, but those of the commissioners themselves, (who were understood some of them to be anti-tariff whigs, and others protarif whigs,) and ultimately every member here representing the state of Massachusetts. This report, gentlemen might be assured, had deeper ends in view than a mere reform of abuses or correction of the revenue laws. Should it expose the iniquities of the protective system, and operate to save the country from their infliction, the whole south, and particularly the state of South Carolina, ought to erect a monument to the memory of its author. Mr. Poindexter was dear to Mr. W. on personal kindness, as he always had had his admiration for his talents. He was the very man, of all others, he should have selected for such a mission, and he believed he would have been the universal choice of the country.

Mr. *Stanly* said he was not in the least surprised at the strenuous opposition of gentlemen to the printing of this report. He had expected that the honorable gentleman who represented the district of the sainted Butler and of the immaculate troyt, (whom Mr. Van Buren had selected for such a mission, an investigating committee had shown his defalcations,) would be desirous of taking care of those very pious and exemplary persons: he had expected, too, that the cross-by party would be equally anxious to take care of their conscientious president. All this was to have been expected, and from the intimate knowledge which some of the gentlemen seemed already to have of the contents of this report, the house had proof before them that the alliance between the two had been consummated. The friends of Hoyt and Butler on the one hand, and the members of the temporal's guard on the other, perfectly harmonized in their common efforts to keep information from the people.

The printing was opposed, too, by the gentleman from Massachusetts, (Mr. *Cushing*,) than whom there was not to be found a more adroit ingenious man in the house, and a stronger foe to a search into the abuses of the custom-house in Boston. (A laugh.) He was the greatest gem in all the species of domestic manufacture that Mr. S. had ever seen in his life. He combined reports which proved his own wit, a skill truly surprising. Here was a report of his on the colonial trade, and a most useful and valuable document to be sure, containing a vast amount of tabular statements, drawn from the records of the house; and the house, too, the house had ordered 10,000 copies of it to be printed—but how much of it was his own?

Mr. *Stanly* here alluded to the mode by which the house got information in the Sandwich Island affair, and also to Mr. *Wise's* reporting letters of Mr. Cass's clerks, which he had chosen not to consider as private. Mr. Cass had insisted they were private. Mr. S. also alluded to the mode in which the Harper's Ferry abuses had leaked out, and to how R. M. Whitney had been bullyragged. The gentleman from Maryland (Mr. *Wm. C. Johnson*) had spoken of the commissioners being opposed to each other in relation to the tariff.

[Mr. *Johnson* here explained. He had not asserted that such was the case. He had merely put a case hypothetically, and had supposed, for the argument's sake, that such might be the case.]

Mr. S. then observed that he should not say what he had intended. He had understood the gentleman to insinuate that there were certain prejudices in the mind of the president of the board, which went to invalidate the report.

Mr. S. said, that, as yet, that the committee on expenditures had called on the executive for the report on the 9th of February; but the Senate had done the same in January, he believed, & on some day in February, no answer had been obtained.

As to the delay, of which so much had been said, the commissioner would have been able to report at a much earlier day but for the stumbling-blocks perpetually thrown in his way. There were not fewer than fifty volumes of manuscript correspondence which had been withheld from him till February; and he had not received them, he had made such use of his time, and had exhibited such an amount of talent and industry that they would, among all government defaulters hereafter, make the "Poindexter gun" more dreaded as the famous "Paixhan gun" of the navy.

The gentleman from Virginia had urged that this report was not the property of the commissioners: it belonged to the government. Yes; and here Mr. S. would say to the house, that one of the chief reasons with him for obtaining the report from the commissioner was, that it was understood before the house was that he understood the president had said that he intended to employ it for his own individual use.

Mr. *Linn*, of New York, here obtained the floor, and in proof of Mr. *Stanly's* assertions, read the following extract from a letter of the president to gov. Poindexter, dated February 11, 1842, and which Mr. L. stated he had permission to read, and understood it was a part of the official correspondence in relation to the commission:

"The commission on which, at my own request, you and others consented to serve, was instituted, and the report of the commissioners is now wanted by me FOR MY OWN INFORMATION. I do not doubt but that it will contain many suggestions with regard to the custom houses, and the mode of transacting business most worthy to be recommended by me to congress. And should it bring to my knowledge any facts implicating those now in office, to an extent or upon grounds requiring the executive action in regard to them, I shall, without any special place by congress, who have rightfully nothing to do with it, discharge my duty to the country without fear. That I have, for a considerable time, most anxiously desired the report to be made, I will not deny.—*Whether, when made, I shall deem it best to communicate the entire report to* congress, or otherwise make it public, or continue myself with adopting its recommendations and urging them upon the deliberations of congress, *will be for my own decision*; as also will be the time and the occasion for making it."

[A voice: "How did the gentleman get that letter?"]

Mr. *Linn*. The letter is a part of a correspondence between the commissioner and the president, and forms part of the report.

Mr. *Stanly*. That letter was the moving cause with me for desiring to pursue a course which should bring this report to public notice. I do most solemnly believe that if the committee had not sent for this report, many of the facts there developed would never have seen the day. Why did the president assume the very extraordinary power of reserving to himself certain portions of a public document, obtained by him as the chief magistrate, under a power to see that the laws are duly executed, and submit-

ting just such portions of it as he pleased, to congress? He had no right to make any such reservations. Was it for his own private purposes that he was to employ public officers at so much a day out of the treasury, and clothe them with powers of investigation which others were compelled to obey? Was it that he might be able to say to certain gentlemen in certain quarters, "I have you in my power; I want a few votes in your state; and if you don't get them for me, I blow you all sky-high?" Why, said Mr. B. if I had suppressed such a document as this, I should have thought I deserved to be censured as one of the peculiar friends of this administration, (from which fate may heaven in its mercy keep me and mine!) I have heard certain charges made in different quarters which could not have been made, had not this report been seen.

The gentleman told us that in this report was involved the reputation of Hoyt, Curtis, Carnes, Wasson, and some of the highest families in New England. Now, I believe there are not more than six gentlemen on this floor who know that Carnes and Wasson were named in the report at all. Where, let me get this fact? From the executive archives? How does he know that the report implicates Carnes and Wasson as well as Hoyt and Curtis? This alone is a sufficient justification of the committee in calling for this report. And I will here tell the gentleman from Virginia, without intending to say any thing at all offensive, that, if any justification was called for in the course of the committee, the censure of that member speaks more in their favor than any defence its friends could offer. I offer no justification of that course to him.

I do not wish to be the member of a commission of investigation. I had rather be a terrier dog, and be set to catch rats under a barn, than the member of a commission with the president against me at every step.

When this report shall be printed, the country will be astounded by the disclosures it contains. Had I had any agency in suppressing it, I should have been ashamed to show my head. I should have expected [what I should dread of all earthly evils] the aspersation of some of those gentlemen the president's "peculiar friends." But it cannot be suppressed. It must be printed, it will be printed; it will be printed.

Mr. *Andrews*, of Kentucky, moved the previous question, but withdrew the motion on the declaration of Mr. *Wise* that he rose for purposes of explanation, and on his pledge to resent it if required.

Mr. *Wise* (very indistinctly heard) was understood to say that he would have abhorred the conduct of Gov. Poindexter unless a proper explanation was made. That gentleman knew, and was the author, how he (Mr. W.) had got the information about the proceedings of the board at New York. At the last session of congress he had received information which was communicated to him for the purpose of legislation, and which he had furnished to Messrs. *Berrien* and *Woodbury*, of the senate, for the same object. Governor Poindexter had informed him (Mr. W.) that he did not communicate the report to this committee until he had received a subpœna from the speaker of this house to furnish the papers, and had communicated that fact to the secretary of the treasury. It was due to him (Gov. P.) to say that this explanation certainly acquitted him from impropriety.

The main question "shall the vote be reconsidered?" was then taken, and decided in the negative—yeas 78, nays 84.

So the vote was not reconsidered.

The house passed to the consideration of private business.

And then adjourned.

SATURDAY, APRIL 30. Mr. *J. Q. Adams* rose and asked leave to present a tariff memorial from Edward H. Robbins, Abbott Lawrence and thirty-two others. He did this for the purpose of having an opportunity to vindicate himself, his colleagues, and his constituents from the arraignment to which they had been subjected by the observations of the gentleman from Virginia (Mr. *Wise*.)

Mr. *Wise* wanted to inform the gentleman as to his remarks of yesterday, that it was due to him, if the gentleman or any other gentleman was mistaken about his (Mr. W's) remarks yesterday, and had understood that the remarks were made in a spirit of exultation—that this attack had been made on a large class of gentlemen from the north—to say that such a spirit was farthest from him yesterday. He had not meant to say that this report would be found to be true, or to endorse it in any respect whatever, but to judge it after he had examined it; and he merely meant to inform the representatives of those gentlemen who were attacked in this report, that there was such matter in it, which matter, if proved to be true, would be all-important; or, if false, those who represented the gentlemen attacked ought to be informed of its contents, so as to inform their people. One of the gentlemen from Boston who was attacked was a gentleman whom he (Mr. W.) would defend perhaps as soon as any friend the gentleman had on this floor—a man connected with the manufacturing and commercial interests of Boston, and a man of high honor.

He had wished yesterday, and that was what he intended, to complain in behalf of the manufacturing interests of the north—of the manufacturing gentlemen—that such a report, which implicating their characters, had been brought into this house as he believed improperly, if not surreptitiously; forestalling the report made by the two other commissioners, which, perhaps, would do them gentlemen justice. He had said, and he repeated, if the charges were true, that a debt of gratitude would be due to the gentleman (George Poindexter) for establishing the charges and bringing the matter to light. He complained in behalf of these gentlemen for bringing in this report before the report of Kelley and Stewart. He had wished the president to Mr. Poindexter had been introduced. He wanted all the correspondence between the president and the board of commissioners to be brought forward—[a voice: "it will come out"]—and he would see whether the president had acted justly or not towards these manufacturers. Although an anti-tariff protective man, he was bound to say that he was made without having the whole reports. He wanted the letter of Governor Poindexter to the president, to which this was an answer, and the whole correspondence brought before the house.

Mr. *Adams* was very happy to receive the explanation of the gentleman from Virginia. (Mr. *Wise*.) The gentleman had said that his motive in his remarks yesterday was to inform those whose characters were all at stake in this paper. [A voice, "how did he know any thing about it?"] And, in getting this information, he had entertained an intention that they should notice it properly, and he could not do it without bringing the subject to this house. This memorial received last night gave him an opportunity to do justice, because it referred to the tariff, and the gentleman from Virginia (Mr. *Wise*) had said that the great Poindexter gun was to blow them all sky high and to blast their character, charging them with bribery and perjury, and not only them, but the manufacturers of Lowell. That was the reason why he had called on his colleague (Mr. Cushing) to defend himself and on all his colleagues to defend themselves.

[Mr. *Adams* then proceeded to comment on the speech of the gentleman from Virginia, as reported in the Intelligencer, and read several extracts].

There [continued Mr. A.] is the charge, and were they on this floor—the representatives of Massachusetts—to hear that charge and not to notice it? He called the attention of his colleagues, and of the whole house, and would call in a voice of thunder the attention of the whole nation, to these charges. But to attend further to the gentleman's remarks:

(Mr. A. read further extracts).

Mr. A. did not wish to comment on this contrasting of the positions of the agricultural and manufacturing interests of this country. So far as its tendency might be to increase the great interest of the country with one another, he did not comment on it in that point of view. But what was the conclusion of the gentleman from the south? Why, it was as true, it was to be an anti-tariff document? Was it an anti-tariff document? Was Governor Poindexter, a southern man, an anti-tariff man by his position and policies, selected to go and investigate the concerns of the New York custom house, to destroy the tariff interests of the country? Was that to be the use made of this report, even on the supposition that it fixed bribery and corruption on individuals named by the gentleman, including all the members from Massachusetts on this floor? If it was proved that this bribery had been committed by individuals in such an interest, surely to this house, representing all the great interests of the nation, that was no reason to have a bearing at all on the tariff.

He noticed this to give information to this house, and to call attention as to the effects to be sought from this report on great questions; not on what had been done in the custom house of New York, but involving the great interests of the nation. He protested against it even on the supposition that these charges of bribery could be fixed. A conviction of bribery at the custom house had no bearing between great interests on the tariff.

Mr. *Wise* (Mr. A. at his request yielding the floor for explanation) said he understood the gentleman to have inferred from his remarks that he meant to insinuate that the delegation from Massachusetts, or that members of it, were convicted of corruption and bribery. The remark he had made yesterday was simply to inform the delegation from Massachusetts, and to notify especially the representatives from Boston and Lowell, that this report involved their constituents, (not themselves,) and that injustice was likely to be done by this report coming in, unless accompanied by the report of the other commissioners, two out of three of whom (Messrs. Kelley, of Ohio, and Stewart, of Maryland) were tariff men in their opinions.

He did not endorse the report one way or the other, for he had never read it, but wished merely to give this information, that if the attack was made that there were two other papers which would qualify the report and should come in with it.

Mr. A. received Mr. *Wise's* explanations with pleasure and said yet his colleague [from Lowell] had concurred in objecting to the printing.

Mr. Cushing thanked him for the opportunity of explaining the grounds of his differing from his colleague, and his being desirous that the matter should come in mass and not in *ex parte* form before the house. His constituents challenged investigation on the subject and he was ready to vindicate them if necessary from the evidence submitted to the commissioners. He had heard of charges as early as last September and had informed his constituents thereof.

Mr. *Adams* was happy to hear the explanations of his colleague and next referred to the letter of the president addressed to Mr. Poindexter, Feb. 11, 1842, called the 40th. It was "a private letter" to one of the strongest arguments for publishing the whole of the report at once.

Mr. *Wise* stated that it was addressed to Mr. Poindexter alone, and in reply to one the president had received from Mr Poindexter.

Mr. *Adams* then read the extract of the president's letter, [the same that was read yesterday by Mr. *Lane*] and he would have concluded its reading proceeded to comment upon it.

If there was no other reason for it, and totally independent of the question of the tariff, or otherwise in consequence of this report, from the moment that he heard read the extract of this letter from the president of the United States, he should have said, "print the whole report." Was the commissioner, who had let us put into the power of this gentleman, who says congress have nothing to do with it, charges of bribery and corruption and every species of malfeasance of public officers, to be suppressed?

Congress had nothing to do with it! What was this house constituted for? What was the power of impeachment given for? What was the tariff bill had been engaged in these investigations for? What was it that they were giving to committees of the house the power of investigation for? What was it for which they had all this, if the gentleman, the servant of the white house, and those with him, were every thing, and congress had nothing to do? In his opinion, congress had a great deal to do—he was sorry that a gentleman of congress would do, and certainly more than they would if that report had been sent back to the treasury department, or to the president of the U. States, to be garbled just as it should suit to the purposes of that department or individuals whom he chose to cover with his protecting wing to be cut out.

There had been a question made whether this was a public or a private letter. It was not written under the injunction of secrecy. He would not undertake to say, if it had been, that there might not have been some objections to its introduction. He did not approve of private letters. He thought as Cicero did, in that divine fulippic against Mark Antony, that the introduction of private letters was dishonorable, unless for a great object, superior to that delicacy which was due between private correspondents. He would not undertake to say that if it had been a private, secret letter, there might not have been something wrong, not in the committee, but in the person who communicated it to them. He saw nothing in it to charge any one, either the commissioner or the committee. It might be necessary to the commissioner himself, whose character, by the way, he took it, was as much implicated in the members from Massachusetts on this floor. And he took it for granted there would be an investigation of his character and conduct, essentially necessary for the administration of justice required of this house on this subject in general, before it was dismissed.

After hearing the extract of that letter, coming with perfect fairness to this house—a paper from which every member of this house had a full and perfect right to draw all the legal inferences to be drawn from it—when he saw an express avowal that, with regard to the issue of the investigation, the president should be the judge of what congress had or had not to do with it—he said it was an utterly unconstitutional doctrine; and if they admitted that

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doctrine for once, they might as well put the power of the whole government into the hands of one man. Considering this letter, and the attempt to suppress the report, if he had 240 votes they should all be cast against the reconsideration of the printing of this paper.

Mr. *Adams* concluded with his motion to refer the message to the committee on manufactures and to print, which motion lies over for debate.

The house then proceeded to the consideration of private bills.

A message was received from the president of the United States, under the care and immediate supervision of John Tyler, jr. esq. his private secretary, but which was begged down the centre aisle, in a good sized market-basket, by the messenger boys of the house.

Washington, April 30, 1842.

To the house of representatives of the U. States:

In compliance with your resolution of the 29th inst. I have the honor to transmit the reports of Messrs. Kelley and Steuart, two of the commissioners originally appointed along with Mr. Poindexter, to investigate the affairs of the custom house of N. York, together with all the correspondence and testimony accompanying the same, and also the report of Mr. Poindexter, to which is annexed one letter subscribed by Mr. Poindexter and Mr. Bradley. The last named gentleman was substituted in the place of Mr. Kelley, whose indisposition and duties called him to his residence in Ohio, after the return of the commissioners to this city, about the last of August. One of the letters just mentioned was addressed to the secretary of the treasury, and bears date the 12th of April instant, and the other to myself, dated the 20th of this month. From the former you will learn that a most interesting portion of the inquiry instituted by this department, that relating to lighthouses, buoys, beacons, revenue cutters and revenue boats, is proposed to be made the subject of a further report by Messrs. Bradley and and Poindexter. You will also learn, although the accompanying letter from Mr. Steuart, the reasons which have delayed him in making a supplemental and additional report to that already made by himself and Mr. Kelley, embracing his views and opinions upon the developements made subsequent to the withdrawal of Mr. Kelley from the commission and the substitution of Mr. Bradley in his place. I also transmit two documents furnished by Mr. Steuart, and which were handed by him to the secretary of the treasury on the 7th inst. The one being "Memorandum of Proceedings," &c. marked No. 1, and the other "Letters accompanying Memoranda," &c. marked No. 2.

The commission was instituted for the purpose of ascertaining existing defects in the commercial regulations; to trace to their true causes past errors; to detect abuses; and, by wholesome reforms, to guard in future not only against fraud and peculation, but against error and mismanagement. For these purposes a selection was made of persons of acknowledged intelligence and industry; and upon this task they have engaged with the utmost an entire year, and their labors remain yet to be completed. The character of those labors may be estimated by the extent of Messrs. Kelley and Steuart's report, embracing about one hundred pages of close written manuscript, the voluminous memoranda and correspondence of Mr. Steuart, the great mass of evidence accompanying Messrs. Kelley and Steuart's report, and the report of Mr. Poindexter, extending over three hundred and ninety-four pages, comprised in the volume accompanying this, and additional reports still remaining to be made, as before stated.

I should be better pleased to have it in my power to communicate the entire mass of reports made and contemplated to be made, at one and the same time. And still more should I have been gratified if time could have been allowed me, consistently with the apparent desire of the house of representatives to be put into immediate possession of these papers to have compared, or even to have read with deliberation, the views presented by the commissioners as to proposed reforms in the revenue laws, together with the mass of documentary evidence and information by which they have been explained and enforced, and which do not admit of a satisfactory comparison until the whole circle of reports be completed. Charges of malfeasance against some of those now in office will devolve upon the executive a rigid investigation into their extent and character, and will in due season claim my attention. The readiness, however, with which the house proposes to enter upon the grave and difficult subjects which these papers suggest, having anticipated that consideration of them by the executive which their importance demands, it only remains for me, in lieu of specific recommendations, which, under other circumstances, it would have been my duty to make, to urge upon congress the importance and necessity of introducing the earliest reforms in existing laws and usages, so as to guard the country in future against frauds in the collection of the revenues, and the treasury against peculation; to relieve trade and commerce from oppressive regulations; and to guard law and morality against violation and abuse.

As, from their great volume, it has been necessary to transmit the original papers to the house, I have to suggest the propriety of the house taking order for their restoration to the treasury department at such time as may comport with its pleasure.

JOHN TYLER.

Mr. *Wise* moved that the message and documents be printed, and spoke at considerable length in support of his motion.

When Mr. W. had concluded, Mr. *Underwood* obtained the floor, and on his motion, at a quarter before six o'clock, the house adjourned.

MONDAY, MAY 2. Mr. *Briggs*, of Mass. offered a resolution that the house of representatives would on Thursday next adjourn from 12 o'clock until the following Monday the purpose of taking up the carpets, ventilating, cleansing and re-arranging the hall. The resolution adopted nearly unanimously.

On motion of Mr. *Vinton*, (of Vermont, (the chairman of the apportionment committee,) the house went into committee of the whole, and took up the apportionment bill as the unfinished public business of last week.

Mr. *Johnson*, of Md. being entitled to the floor, addressed the committee very briefly in favor of the amendment, by which the state legislatures should adopt the district system. He thought it more wise, politic and constitutional. He was ready to vote for it and to add to it a requisition requiring the election for members of congress to take place on the same day in all parts of the country. This would prevent what was charged to be a common offence in the conducting of elections.

Mr. *Pendleton*, a gentleman of both parties, made charges of fraud by double voting and particularly by voting in two states. An amendment of the kind proposed would prevent these frauds. He did not wish to be deprived of his own district, for no frauds had ever been committed there, and no people were more honest or unsophisticated.

Mr. *Pope*, of Kentucky, was opposed to the amendment.

Mr. *Pendleton* supported it. Mr. *Everett* also supported the district system.

Mr. *Halsted*, of New York, repelled the insinuation of its being a party movement, and said that most of those who had opposed it in debate were of the majority in the house. The general ticket system had been the system of his own state for many years past, and were he governed by considerations merely personal or political, he should be opposed to the proposed reform, but he regarded the interests of the whole Union, and believing the district system to be the best for the Union, he supported it.

Mr. *Halsted* argued that the district system was the only constitutional system, and contended that the constitution could not be carried out unless the district system was adopted. It was a part of the duties of the house to decide upon the qualification of members of congress, and such a decision would be impracticable if not impossible, under a different system than that which elected members of congress by districts.

Mr. *Ferris*, of New York, continued the debate, and in opposition to the amendment. The chairman of the committee having made his report to the speaker, Mr. *Caruthers*, of Tennessee, offered the following resolution:

Resolved, That on Tuesday next, at 2 o'clock, all debate in committee of the whole on the state of the Union, on house bill, No. 73, "for the apportionment of representatives among the several states according to the sixth census," shall cease, and the committee proceed to vote on the amendments that may be then pending or that shall be offered to said bill, and then report the same to the house, with such amendments as may have been agreed to by the committee, provided said bill is not sooner reported to the house,

The resolution was adopted, and on motion of Mr. *Bennett*, the house adjourned.

TUESDAY, MAY 3. Mr. *Adams* presented a memorial from the stone cutters employed on the public buildings.

The house then proceeded in committee of the whole (Mr. *Allen* of Me. in the chair) to the further consideration of the apportionment bill.

Mr. *Ferris* concluded his speech in opposition to the district system.

Mr. *Atherton* also advocated the general ticket system as preferable.

Mr. *Butler*, of S. C. sustained the amendment, as securing the most just and republican system—and had no doubt of the constitutional power of congress in relation to the subject.

The question (it being 2 o'clock) was then taken and carried by yeas 95, nays 92. The bill with its amendments was then reported by the committee which rose, and the speaker took the chair.

And the question recurring upon the amendments adopted in committee, the chair decided that any amendment was not then in order because the committee had charged the bill entirely. If the house now concurred with the committee in these amendments, new amendments would be in order.

Mr. *Everett* presented an amendment advancing the ratio from 51,175, adopted in committee, to a larger ratio.

An amendment was offered by Mr. *Thompson*, of Indiana, to insert 70 6-10 instead of 51,179, and it was rejected by noes 123 to yeas 76.

The amendment of Mr. *Briggs*, adopted in committee, inserting 50,179 was then decided in the affirmative by 123 yeas to 75 nays.

This will make the house to consist of 305 members, distributed among the states as follows:

Maine	10	South Carolina	9
New Hampshire	5	Georgia	11
Massachusetts	14	Alabama	9
Rhode Island	2	Mississippi	5
Connecticut	4	Louisiana	5
Vermont	5	Tennessee	15
New York	42	Kentucky	14
New Jersey	7	Ohio	20
Pennsylvania	34	Indiana	13
Delaware	1	Illinois	9
Maryland	8	Missouri	7
Virginia	21	Arkansas	1
North Carolina	13	Michigan	2

The amendment that the legislature of each state shall by the state off into its representative number of districts each entitled to one representative was adopted by yeas 101, nays 93.

The bill was ordered to a third reading and passed, And the house adjourned.

WEDNESDAY, MAY 4. Mr. *Bernard* presented two papers from the war department, one a report on improving the delta of the Mississippi river, the other on improving the Hudson river. They were referred to the committee of commerce and ordered to be printed.

Mr. *Stewart* offered to present certain testimony of the Mormons in relation to their controversy with the state of Illinois, which objection was made.

The house then proceeded to the unfinished business of Saturday last. This was a motion submitted by Mr. *Wise* to print the reports of Messrs. Stuart, and Bradley, commissioners appointed by the president to examine into the condition of the New York custom house.

Mr. *Underwood*, of Kentucky, was entitled to the floor and opposed the motion to print the documents upon the ground of the great expense which would be incurred, and for other reasons. Mr. U. went into the whole subject of the commission, the authority for appointing it, and other matters connected with it. The letter of the president appointing the commissioners and instituting the commission, was also read, having been called for by several of the members. Mr. U. denied the power of the president to institute the commission, contending that it was irregular and that the reports should not be received, examined, or touched in any manner whatever.

Mr. *Proffit* replied, vindicating the president and the secretary of the treasury from the charges made upon them. He contended that the president had not seen the report when it was laid before the committee. Mr. P. also argued in favor of the power to appoint the commission.

Mr. *Adams* addressed the committee in vindication of the course of the committee on public expenditures in procuring the publication of the documents which embodied the report of Mr. Poindexter.

Mr. *Stanly* first replied to the speech of Mr. *Proffit* and addressed himself afterwards in reply to Mr. *Wise* who had hitherto spoken in committee of the whole, of the committee of expenditures as dogging the secretary of the treasury, to get from him the report of Mr. Poindexter. Mr. *Stanly* referred to his proceedings in the investigating committee in the case of H. M. Whitney, in rebutting a serious alteration issued between him and Mr. *Wise*.

Mr. *Stanly* next proceeded to comment severely upon Mr. Tyler's letter to Mr. Poindexter and afterwards again referred to the gentleman from Virginia in personal language and concluded with an expression of regret at the necessity which required him to make use of it.

Mr. *Cushing* continued the debate and finally yielded the floor to a motion for adjournment and

The house adjourned.

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CHRONICLE.

BANK U. S. *The case of Nicholas Biddle, &c.* in the court of general sessions on April 29, Judge Barton delivered the opinion of the court, Judge Conrad concurring, in the matter charging Messrs. Biddle, Cowperwait and Andrews, with a conspiracy to cheat, &c., discharging them for want of probable cause. Judge Doran dissented from the opinion of the majority of the court. [*Philad. Gazette.*

BANKRUPTCY. The very important and much mooted question as to the effect of attachments of the property of bankrupts prior to the institution of proceedings in bankruptcy, was decided by Judge Story on Saturday, at Boston, in an opinion of great length, in which he discussed the whole subject with his usual ability and clearness. The result to which he came was, that *such attachments should not hold the property, but could, in effect, be dissolved by the proceedings in bankruptcy.* This decision is considered of more importance by legal gentlemen than any which is likely to arise under the bankrupt law, and in some of the states it will make a vast difference in the effects of bankrupts. Judge Story remarked that, as the decision was of great importance, he should furnish it to the law reporter for publication, and he hoped the counsel in the case would do the same with their arguments.

CANADA TRADE—IMPORTANT FACTS. Lately at Port Stanley, on lake Erie, and two other shipping places a few miles from it, exported 86,000 bushels of wheat 2000 barrels of flour, and 1400 of pork, and imported 3400 barrels of salt and 3000 tons of merchandise. Twenty years ago, there was scarcely 500 bushels exported at those places.

Last year there were transported through the Welland canal, from U S to U S ports, 946,142 bushels of wheat and 11 230 barrels of flour—and from United States to Canada ports 86,964 bbls 6 cwt, 22,307 of pork, and 276 261 bushels of wheat—also from Canadian ports on lake Erie and Niagara district to Canadian ports on lake Ontario 120,803 barrels of flour 11 bbls. of pork, and 260,935 bushels of wheat.

The amount of American salt imported by Canada during the past season, is estimated by a writer in the Toronto Patriot, at 18,000 barrels.—*Rochester Evening Post.*

CONNECTICUT LEGISLATURE assembled on Wednesday at New Haven. The house was called to order by Samuel A. Peters, of Colchester, the oldest member present, and proceeded to the election of a speaker. L. K. Wightman, democrat, receiving 149 of 175 votes, was declared to be duly elected. His chief competitor was C. J. McCurdy, who received 51 votes. John C. Palmer, and Nathan G. Wilcoxson, were chosen clerks.

The senate was organized by the appointment of W. E. Burrall, of Canaan, president *pro tem.* and E. S. Abernethy clerk.

A resolution was then offered, that there being no election of governor, lieut. governor and other state officers, by the people, the house should, the senate concurring, proceed to elect those officers on the 5th, which was passed. [*N. Y. Amer.*

COLONIZATION. A great Colonization meeting commenced proceedings at Washington on May 4th. The claims of the cause have elicited the eloquence of several distinguished gentlemen, and they adjourned to meet again on the next evening. The subjects presented sufficient importance to induce them to procrastinate proceedings to the third evening.

DISGRACEFUL OUTRAGE. Don Fernando Revel, a Spaniard, an inoffensive man, was beset by a gang of fellow passengers in the interior of Georgia, and narrowly escaped being tarred, from the fact of his being unable to speak the English language, and with his complexion giving rise to the suspicion of his being a Mexican. He has made complaint to the Spanish consul at New Orleans.

DEATHS IN NEW YORK. The city inspector reports 138 interments last week—30 men, 35 women, 39 boys, 34 girls—under 2 years of age 51. Consumption exerted of 29, small pox 7.

J. R. GIDDINGS, re-elected on 26th ult. representative in congress from Ohio, to fill the vacancy from his own resignation took his seat in the house on May 5th. His majority over his opponent was about 3,500.

INTERESTING FROM OAHU. We are indebted to Capt. Vinsey, a passenger in the ship Wm Gray, at this port, for the latest papers from Honolulu. The Polynesian, of Nov. 27, has the following interesting items.

The Vincennes had a narrow escape from shipwreck at the bay of Gonsalves, off the island of Hawaii. She left for the Sandwich Islands, and officers on board the small boat were sent on to prepare to harbor the ship in a safe harbour near. The tide changed and heavy rollers set in which broke along side—Their weight and volume with the noise were terrific. One broke on board flooded the decks and he starting the spare spars from their lashings on the spar deck, occasioned the death of a marine. The next morning a breeze sprung up, and she was enabled to leave her dangerous anchorage.

The squadron proceeded hence to Manilla, Singapore, cape of Good Hope and the United States, to arrive the ensuing summer.

Late intelligence from the Oregon confirms previous accounts in regard to numerous operations in that quarter. The most intelligent of the missionaries appear to be convinced that from the fewness of the Indians, their decreasing numbers and migratory habits, little good can be effected among them. Some of the missions are preparing to leave. At the principal Methodist station, on the Willamette, there are 40 to 50 Americans within twenty miles, and the missionaries have become farmers, have built good houses, and are rapidly accumulating property. As settlers, we wish them every success, but advise them to drop the missionary business and turn farmers outright. The John Howland, capt. Whitfield, which arrived here on Saturday last, brought five natives off one of the small islands in the vicinity of Japan. They were taken from a small uninhabited island near the Kouin group, where they had been for some time, having been blown there by a gale, while fishing in a small boat.—*Sal. in Gazette April 22.*

MISSIONARIES. Rev. Geo. B. Rowell and lady, Dr. Jas. W. Smith and lady, and Mrs. Lydia H. Nye, sailed from Boston on May 2, in the Sarah Abigail, for the Sandwich Islands.

NATIONAL AGRICULTURAL SOCIETY. This body convened at Washington on May 5th, reelected James M. Garnett president, and J. P. Callan secretary, for the ensuing year. Mr. Garnett delivered an interesting address which is requested for publication. Mr. Ellsworth reported favorably on publishing an agricultural periodical at Washington. The favorable report was adopted on appointing a committee of two from each state and territory, to meet in Philadelphia on July 6th next, to confer on the expediency of holding an agricultural and mechanical fair at Washington in Dec. next.

NAVAL. Commander William K. Latimer, who was recently tried before the naval general court martial sitting at Baltimore, and found guilty, in part, of the charges preferred against him, was sentenced to be publicly reprimanded by the secretary of the navy, and to be suspended from his rank and command for one year, from the expiration of his present term of suspension.

The sentence of the court has been approved; and in carrying it into execution, the department takes occasion to observe, that the censure of his superiors in the service, for conduct which they believe to have discredited it, should be felt by an officer, as a punishment of the severest kind. In this case, if the opinion of the court needs confirmation, it derives it from the full approbation of the department.

A. P. UPSHUR.

Navy department, April 27, 1842.

METHODIST BISHOP. Mar Yohanna from Urumiah, Persia, visited the tomb of Washington on the 21st ult. He has been accompanied by the rev. Justin Perkins to various cities of the union and as far south as Richmond.

PRICES AT HOME AND ABROAD. The New York Express gives the following comparative view of prices in Liverpool and Cincinnati on the 1st of April:

	Liverpool.	*Cincinnati.*
Flour per bbl.	$4 60	$4 25
Wheat, per 60 lbs.	1 85	75
Indian corn do.	1 26	25
Oats, per 45 lbs.	72	25
Pork, mess, per bbl.	48 00	6 50
Beef, do. do.	14 50	8 00
Bacon, per 112 lbs.	10 80	3 08
Hams, do.	12 96	4 48
Lard, do.	12 36	5 04

John Bull levies the following duties on the above articles from the United States (which are to be somewhat reduced by sir Robert Peel's proposed tariff,) viz:

On flour, 1st April, $3 85; wheat per bushel, 80 cen s. Indian corn 60; oats, 55; pork and beef per bbl. $5 76; bacon and hams, per cwt. $6 71; lard per cwt. $1 93.

If John would only allow us a little "free trade," how we would feed them!

AN OFFICER DEAD. Capt. James R. Butler, United States army, died at the arsenal, Pittsburg, on 29th ult.

PRINCE FREDERICK, son of the archduke Charles, of Austria, is to visit the United States next August, in the frigate Venus. [*Phil. Sentinel.*

REMOVALS FROM OFFICE. The U. S. Gazette of Wednesday says:

"With regard to the part of removals at the custom house in Philadelphia, to which so much reference has been made, we learn that the president of the United States has addressed a letter to the secretary of the treasury, directing him to order the collector of the port of Philadelphia to remove from office a great number of persons employed in the collection of the customs, and designating their successors. The secretary, without giving the order, sent the letter of the president to the collector, for him to take order therein. Nothing, we believe, has been done in the premises as yet; and it is stated that Mr. Roberts, the collector, sets out for Washington this morning."

RHODE ISLAND. We are indebted to the officers of the constitutional Clerkship for slip from the office of the Newport Rhode Island, dated Wednesday evening, 4th May, 8 P. M. from which we learn that the constitutional government was duly org nized at Newport, and the usual forms transacted overnous. R. K. Randolph was elected speaker. After the organization was completed, both houses separated; and a resolution was offered in the house, making a requisition upon the president for his interference by proclamation, *and otherwise, if necessary.* This was passed in the house, by a vote of 56 to 6, sent to the senate and there unanimously agreed to; after which they adjourned till this morning.

We understand that Mr. Randolph (the speaker) passed through this city to-day, on his way to Washington.

The Providence Express publishes, by authority, the acts of the pretended legislature. Among them are, one repealing the so called Algerine law, another requiring the governor to notify the president and congress, and the governors of other states, of the organization of the new government.

Mr. Daniel Brown, one of the free suffrage representatives from Newport, was arrested yesterday in Newport for treason, and held to bail in $10,000. All was quiet and peaceable.

[*New York American, May 5.*

THE TURF. A great match race is to come off on the Long Island course on the 10th inst. between Fashion and Boston, for $20,000 a side; $30,000 are said to be already staked by the friends of either,—south and north.

VIRGINIA ELECTIONS. Sufficient returns have been received to show that the Van Buren party have gained an entire majority over the whigs in the late elections for the legislature of the state. All the returns not yet received.

MR. VAN BUREN MET the Nashville deputation at Smithville, Ky. on the 25th ult. and proceeded immediately to the Hermitage.

THE WESLEYAN METHODISTS. The total receipts of the Wesleyan Methodist Missionary Society for 1841, are £101 68 2s. 4d; the total expenditure £98 754 7s. 9d., leaving a balance of £2 933 14s. 7d. The society occupies about 260 principal stations; its missionaries are about 270, its catechists and assistant schoolmasters, &c., are about 336; the exhorters, leaders, and teachers not salaried, are 3,800. Seven printing establishments are supported at the foreign stations. Two months of the society or communicants, under the spiritual care of the missionaries, are 84,231. The total number attending the ministry may be reckoned at more than 200,000. In the schools there are nearly 57,000 adults and children. Upwards of twenty different languages are used by the missionaries, and translations of the Bible, the Liturgy of the Scriptures, and of other useful and instructive books, is in progress. The number of members in Great Britain is stated to be 328,792; in Ireland, 27 268; in the missions, 84 234; in the United States in 1840, 844 816; in Canada, 17,017—making a grand total of 1,302,127.

THE SEASON AT QUEBEC. The Quebec Gazette of Monday, April 25th, in speaking of the weather says: "the fields are more than half free from snow, and the ice is fast disappearing from the St. Lawrence. The Montreal mails now come in on wheels." Up to Sunday week, it appears that the mails were carried in sleighs.

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NILES' NATIONAL REGISTER

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THE PAST—THE PRESENT—FOR THE FUTURE.

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UNITED STATES AND GREAT BRITAIN.

Yesterday's National Intelligencer contains a letter addressed by Mr. WEBSTER, secretary of state, to the governors of Massachusetts and Maine, dated the 11th April, 1842, in relation to the pending negotiations in reference to the north eastern boundary line, which negotiation is in such a posture as, in the judgment of the president, to authorise his application to the executives of the two states most immediately interested in that boundary, to convene the respective legislatures with a view to their authorising a *conventional* line to be agreed upon between the two countries. The letter intimates that Lord ASHBURTON is charged with *full powers to negotiate and settle the different matters in discussion* between the United States and Great Britain.

In compliance with this request, the governor of Maine has issued his proclamation convening the legislature of that state on the 18th inst.

The governor of Massachusetts deems an extra session unnecessary, as the legislature had in anticipation, authorised what might be necessary in the premises.

The secretary of state left Washington on the 12th inst. for the north, where he has been for some days expected.

REPORT ON THE TARIFF. The report of the secretary of the treasury, on the tariff, reached us after most of our matter for this number was in type and has excluded several articles in order to give it room.

TARIFF BILL. The project accompanying the report of the secretary of the treasury, proposes to levy upon unmanufactured *wool,* which costs at the foreign port over eight cents, a duty of 30 per cent. ad valorem; on wool which costs 8 cents or under, 3 per cent. ad valorem. On manufactured wool, except carpeting, blankets, worsted stuff goods, hosiery, mits, gloves, caps and bindings, 40 per cent. ad valorem.

On unmanufactured *cotton,* 3 cents per pound. On manufactured cotton, 25 per cent. ad valorem, except cotton twist and thread—*provided* that undyed cottons of value not exceeding twenty-five cents per square yard, shall be estimated at 25 cents per square yard, and dyed or colored cottons at 30 cents per square yard, except velvets, cords, fustians, &c. of not over 50 cents value, which shall be estimated at 50 cents per square yard.

On hemp unmanufactured, $40 per ton. India hemps $85, Sisal Grass $25.

Iron, unmanufactured, $18 per ton; bar or bolts $30; pigs $10; castings one cent, vessels of castings 1½.

Glass vessels of cut flint or German glass one or more prices weighing less than eight ounces, 45 cents over that, 35 cents. Plain flint glass weighing under eight oz. 12, others 10 cents per lb.

Leather, tanned sole or bend 6 cents, calfskins $3 50 per doz. sheepskins $2; goat $2 50; kid $1 50 per dozen.

Men's boots $1 25 per pair; shoes 40 cents; women's boots, &c. 50; pumps, &c. 40; slippers 25; children's 15 cents.

FOREIGN ARTICLES.

GREAT BRITAIN.

The Caledonia steamer arrived at Boston on the morning of May 5th in fifteen and a half days from Liverpool, which she left on the evening of 19th April.

The financial measures of the administration have been followed up in parliament. A variety of alterations of some importance have been made in sir Robert Peel's amended tariff duties.

The corn law bill, as it has been already described, had its final passage in the house of commons, April 7, and was sent to the house of lords. The discussion on the motion for the third reading was ayes 229, noes 90—majority 139. A previous motion for postponement had been lost by a majority 150.

A debate on the income tax was begun in the house of commons on the 8th, on resolutions offered by lord John Russell, the purport of which was that the estimated deficiency of income to meet the expenditure might be raised by a judicious arrangement of the duties on corn, sugar, timber, and coffee, and a reduction of various prohibitory duties, and that the house deemed it not necessary, and therefore not advisable to renew a tax on income, "inquisitional, unequal, and hitherto considered a war reserve." The debate was continued in several successive sessions, and on the 12th it was closed by a vote of 308 for bringing up the report, and 202 for lord John Russell's resolutions—ministerial majority 106.

On April 18th the income tax bill was called up in the house of commons by sir Robert Peel, and opposed in a speech by lord John Russell, who moved the postponement of the bill. Mr. Robert replied, and the debate was continued by other members. On a division the vote for lord John Russell's motion was 188, against it 285; majority 97. The bill was then read the first time and ordered to a second reading on the 22d.

The Scotch and Irish banks show evident marks of the torpid condition of trade in the provinces, and the whole circulation of the united kingdom is at the very unprecedented low aggregate in the total of £53,014,617. This amount of paper money current is totally incompatible with the healthy condition of this great manufacturing and commercial population; and unless things take a speedy start, the consequences upon society cannot fail to be injurious. The advices from Manchester and Liverpool lead to an impression that the accounts of trade are likely to assume a more favorable character.

The troubles in Ireland, arising principally from the scarcity of provisions, the want of employment and disaffection with the government, were every day assuming a more alarming aspect. Murders, robberies, and other outrages upon the laws, were of frequent occurrence—all showing a laxity of moral restraint, and a desperate determination not to obey the behests of tory rule. The complaint was, that the government, amidst all its proposed measures did not contemplate doing anything for Ireland, or to lighten the burdens which weighed down its energies.

FRANCE.

Paris dates are to 16th April. The public mind is engrossed with the approaching elections and relations with England. The radicals (or republicans) and legitimists hope to secure a majority against the present ministry, who with fifty thousand places and a budget of two hundred millions at their disposal are no less determined to maintain power. The elections take place in July, and the number of votes throughout France is only about two hundred thousand, and on their result depends the fate of the Guizot ministry. The correspondent of the Intelligencer writes as follows.

The debates in the chamber of deputies last week terminated in conceding to the cabinet all the *supplementary* appropriations reported by the committee on the subject, and amounting twelve millions of dollars, already expended or pledged in the recess of the legislature, and styled *provisional credits by royal ordinance.*

A chief engineer for the fortifications submitted details of expenses, plan of executing, and equivalent tuberitio. He insisted that the detached forts and the continuous wall went forward alike in the greatest degree possible; that the whole would be completed within the five years, and the cost—one hundred and fifty millions of francs—allowed by the law. This admits of doubt as to the pecuniary estimates.

On the question of the fiscal census and the treatment of the Spanish regency, the cabinet was rather "let off" or respited than acquitted and sustained by the conservative majority. Touching Spain, the attack was more vigorous and direct than on the former occasion. M. Guizot adhered to his point of etiquette: an ambassador at Madrid was out of the question, but the diplomatic relations continued as before by charge d'affairs. Ill will to the regency betrayed itself again in several parts of his speech. He complained of the toast drank at Valencia—*Death to the king of the French.* A member reminded him that, in the chamber of peers, only a few days before, Espartero was called an assassin and usurper, and consigned to perdition, without reproof from the ministerial bench. If the toast was "evidence of anarchy" in Spain, what did the language held in that chamber betoken of France? Odilon Barrot presented a strong sensation by a highly rhetorical exposition of the case. Let me give you a sample:

"ODILON BARROT. Men pushed their audacity so far as to attack the Spaniards in her very palace at Madrid, and these men were received and protected in the French territory.

"THE MINISTER OF FOREIGN AFFAIRS. They were received as refugees.

"M. ODILON BARROT. As refugees! What! was it as such that a Spanish general was welcomed here? (Cries of 'name, name!') General O'Donnell. Not only was he received, but even honored. The heads of the departments, after, without doubt, having consulted the government, and receiving its special authorization, had lavished the strongest marks of interest on this man. The government acted far differently when the Polish refugees were going to bear assistance to the patriots of Italy. The word to them was, 'you are not Frenchmen; you are refugees—retire, quit the soil of France.' (Approbation on the left). The fact alluded to that night was a proof of the unfavorable sentiments which were felt by the government towards Spain. The epithet applied in the chamber of peers, to the regent, certainly deserved being repudiated.

"THE MINISTER OF FOREIGN AFFAIRS. It was so.

"M. ODILON BARROT. The *Moniteur* did not say so. Go and consult it. (Noise.)

"THE MINISTER OF FOREIGN AFFAIRS. The honorable deputy will permit me to send him to consult it himself. (Agitation). I say that, when the insulting expression was used, I stood up and disavowed it. The president, in his turn, addressed the gentleman using it, and made some pertinent remarks on the occasion."

Barrot adverted to the quintuple treaty of search in these terms: "You keep the protocol open for ratification, but you know that ratification is impossible. The British government would be deceived if it thought otherwise. You talk of your diplomatic relations with the regency of Spain; because after the decision of the cortes, it is obviously impossible for the regency to yield to your pretitles."

On the war in Algeria, no prior discussion had so frank, instructive, and effective a character. The two deputies, Messrs. De Beaumont and De Corcelles, who visited the Algerine province last summer, spoke, at length, as witnesses and anxious observers. They both concluded that the French enterprise should be strenuously prosecuted, but their statements import that colonization is nearly hopeless, and conquest always temporary and precarious. It appears, from their testimony, that the inhabitants, of every description, have been, from the outset, every where subject to arbitrary and military rule—no civil or legal administration, or any kind of pro-

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tection for person or property. The chamber was nearly unanimous for unabated war on the refractory tribes and their Emir, and particular for the immediate execution of such works at Algiers as would render the harbor perfectly secure for twenty-five ships of the line and three hundred merchant-vessels at one time. M. Thiers urged that conquest and colonization were not to be depended on, unless a capacious, indestructible military and commercial port should be constructed—a port equal to that of Toulon, and all important for French power generally in the Mediterranean. Accordingly, we learn this day that the ministry have adopted a plan to that end, by the prompt extension of the mole, of which the cost is estimated at from five to seven millions of francs. A Legitimist deputy, Gourry, a very able engineer, who was employed at Algiers by Charles X, endeavored to prove, professionally, that twelve millions would scarcely suffice for the projected mole work, and the harbor, when so made, for half the number of large ships of war. It is feared the London press at the French notion of refuge for fleets and security for armies among the Arabs, in the event of a war with Great Britain, paper on the Tuesday, the politicians of every division. At the end of the debate, the banker Fould called the attention of the government to the fact that foreign stuff had lately been consumed to a great extent in France. He thought that, in order to check this consumption, it should be forbidden to import the article unless in French vessels. It is on the tapis how the experiment the American imported can be secured for French shipping.

The proceedings of the chamber of peers, on the 11th inst. concerned Americans more than those of the deputies the week before. The principal topic of yesterday—that is, a call on the cabinet for explanations of particular cases of capture under the old conventions—had been made the order of the day. I have been informed by two of the peers that the aspect and bearing of the chamber throughout the discussion indicated a more general and severe hostility to the British claims and French conversions than the deputies had manifested. When Baron Dupin, who inveighed unsparingly against the treaty, and scouted the pretence of philanthropy on the side of the four powers, opposed a fear that his voice might not carry authority and force enough to impress his noble colleagues with his own deep convictions, the cry, "yes, yes—go on," rose from nearly all the seats except those of the ministers. The Marquis de Boissy, one of the richest men in France, firmly loyal to the Orleans dynasty, and a staunch supporter on most occasions of M. Guizot's Guizot cabinet, summoned the minister of foreign affairs in a prepared and weighty harangue. You may conjecture its spirit and tone throughout by this extract from his exordium:

"I will not turn the discussion on the treaty of December, 1841, for the right of search. Such a treaty ought not to be the accessory of the battle, but the battle itself; and it is easy to prove, by the terms in which it is drawn up, that the ministry has shown itself in this matter weak and negligent, both as respects our commerce and our national honor. Luckily, as yet, the treaty has not been ratified, and cannot be considered as law, until the ratification by the government has taken place, which ensuretes the delay we request. But this consent should be given within the delay specified in the original draught of the agreement, for otherwise the treaty is an absolute nullity."

He followed out the cases of the Marabout and Senegambia, ending thus: "I wish to know from the minister whether, with the facts before him which I have adduced, he intends using the faculty he possesses to refuse to English cruisers the warrants by virtue of which they exercise search. This is not a question of mere ministerial interest, but one of national honor." M. Guizot was hard pressed, he endeavored to soften the cases; pleaded for British jurisdiction as to the second, and treated the main question in the following terms:

"I will not leave the tribune without adding a few words relative to the general question, namely, the treaty for the right of search. I am desirous that the chamber should clearly understand the position in which we stand on this subject. You know that when the moment arrived for the ratification of the treaty of the 20th December, it was not ratified by the government, and that we proposed modifications, some of which were important, declaring, at the same time, that we would enter into no engagement, direct or indirect, to ratify the treaty purely and simply at any period whatever. This state of things was fully comprehended, and accepted by the other parties to the treaty, and the protocol was left open indefinitely for France, subject to the three conditions which I have just mentioned. From that moment the government has received no note, no demand, no application urging it to come to adopt a different course from that which it had pursued in itself. The chamber will know what to think of the pretended urgent and menacing applications which the government is said to have received, and of the weakness of which it is supposed it intends to be guilty. I have nothing more to add on this subject. The affair is still in suspense. I cannot, I will not, allow myself to be led into further explanations, for I do not know, I cannot know, the extent of my duty. I entreat the chamber to consider the inconvenience which would arise from a perpetual recurrence to this subject would be for the worse of it? The only use would be to furnish a means of attacking, and most assuredly embarrassing the cabinet, and the chamber will not be surprised if I should refuse to lend my assistance to such a line of policy on the part of our opponents. There would besides be another inconvenience—the exciting and promotion of feelings of animosity between two great nations. I do not think this would be very wise, or according to the feelings which should actuate good citizens. I have had the honor of observing, when speaking of the Pacis Gallica, that it is necessary that it would be perfectly independent as regards the whole world, and free from all special and exclusive alliances; but, whilst we discarded the notion of any such alliance, we should be wrong to keep up friendly relations, and to live in harmony with all the powers of Europe. Now, in order to carry out such a policy, we must not permit ourselves to be led astray by public rumors, by the pretended movements all acts, all declarations should be marked with propriety; they must be exempt from every thing like insult. Insult may become another sort of policy, but that policy is not ours. We are serious in our ideas of the good understanding which it is our intention to maintain with Great Britain. We are on good terms with the Government of that country, and we will not permit our relations with it to be disturbed by the contagion of animosities and public credulity. I do not say this with reference alone to our foreign relations; I speak also in the interest of a good question, of a splendid cause, now under discussion—the abolition of the slave trade. France had the honor of first commencing the great work of putting the impetus to it, before a religious party in England took it in hand. It is not for us to abandon so noble an undertaking. I have sometimes shown that we have to pay a double tribute, sometimes the crimes of those who have gone before us, but no consideration should induce me to renounce the hope of completing the good understandings which they commenced. The abolition of the slave trade was one of them, and we are bound to continue it; we must not allow ideas and feelings which are opposed to it to take root. In the treaty of the 20th December, I will remain within just limits. The chamber may be assured that we shall show no weakness or complaisance, but neither will we abandon the great work begun under the Restoration."

Two of the ablest jurists of the chamber, Persil and Laplagne-Barris disputed and refuted M. Guizot's doctrine on the points connected with the law of nations. They denied that it was lawful for any state all right of search or visit on the open seas—all assumption of police on any plea whatever—unless by virtue of treaty, or in the case of pirates in the old sense. A pirate, they observed, is no man's no country; a slave trader, although guilty, is French or American, equally with any other vessel. The Duke de Broglie, president of the tribunal, very nearly, strove to vindicate the convention of 1831 and 1833, in the negotiation of which he had a principal share; but he disclaimed any defence of the British government on foreign grounds. He confessed that he was still sore from lord Palmerston's management of the oriental question. The peers were not satisfied with M. Guizot; they inferred from his text that he meant to adhere to the treaty of 1841 in toto; but they abstained from an expressive vote, lest they should weaken the ministry in the elections, a great majority being conservatives.

The correspondent of the French Courier of New York writes that the speech of M. Thiers has produced a profound sensation in England. The Chronicle, the organ of Lord Palmerston, says that the policy of the cabinet of the 1st March recalls that of the worst days of the revolution, with the difference alone that France then had to defend her liberty and independence, while now it is the reverse. All that M. Thiers wishes to provoke Europe. But the Chronicle advises M. Thiers (and doubtlessly also Admiral Duperre and Marshal Soult who both are in favor of the prompt construction of the port of Algiers), that Russia, Austria and Turkey, more interested than England in this question, will coalesce in a common cause of defence against it. The time however is propitious for France, while England is carrying on her wars with China and Afghanistan, and is menaced with others. The final discomfiture of Abdel Kader had been too hastily announced. He reappeared about the close of February near Tlemcen with a large force of cavalry, about 3,000 men, recruited on the Moorish frontiers. His re-appearance, by rousing the Moors in the quarrel has created a subject of grave policy. The Moorish emperor is known to be the chief of the religious sect to which belong most of the tribes of the western part of Algeria. Abdel Kader has taken advantage of this circumstance and of the gross fanaticism of the Moors, and obtained funds from them under the pretence of a holy war, based on the terms of the English by means of the aid of the faithful Musselmen, and has always received a constant support from the emperor, though indirect, and disavowed whenever France has made complaint to him. The treacherous course of Muley Abdel Rhaman has been at all times, "I am not sufficiently powerful to repress throughout the extent of my empire the religious zeal of my subjects." This excuse the emperor will doubtlessly repeat again. The question is will we accept it, in presence of the plots of the English, that are now known—the plots of the British government—and whose present empire is perfectly understood. At the centre we need a great military port. England is opposed to our constructing it. At the east, she does every thing to impede the loyal Pacis, the friend and protege of France. At the west she sells or gives arms to Abdel Kader, and excites new difficulties for us and perhaps a war with Morocco. It is rumored at Paris, and even today that the orders sent to Africa by Marshal Soult are to urge on actively the operations against Abdel Kader and his new allies, and that the president of the council has in the meanwhile advised general Bugeaud, of a demonstration to be made by sea before Tangiers. Others state that England had requested our cabinet to respect the territory of Morocco but that the cabinet had the orders to prevent Bugeaud were to that effect. We hope for the sake of national honor, that the former is the correct version.

It is said by way of England and Germany, that the powers have selected a prince of Bavaria as the future husband of the daughter of Ferdinand VII. Spanish papers say that French government has spoken of the duke of Aumale; which the four powers formally opposed, as well as his suggested union with the infanta Maria Louisa her sister. The name of prince Coburg-Gotha was asserted to by some and dissented from by others. Austria proposed her young archduke; France peremptorily rejected them. The duke of Cambridge was spoken of and finally the royal family of Bavaria was last propose to, for the same motives that prompted the selection from it, of Otho for Greece. It is now however stated that France renounces her idea of placing one of his own sons upon the Spanish throne, but will never consent to the marriage of the young queen with a prince, who is not of the house of Bourbon, son of Don Carlos, or the infant Don Francisco, prince of Naples, or of Lucca.

M. Thiers in his speech in favor of the construction of a great commercial and military port at Algiers, remarked, that as to those who were in favor of an extended occupation (of whom he was one, and not because he preferred a gigantic conquest, but merely because he had been always convinced that it was and is, a serious attack upon the Arab nationality, that the French could render themselves masters in Africa), the port of Algiers is, not the sole point, but the indispensable condition for the preservation of our establishment. I have perhaps felt more than any other man, how far our establishment there would be menaced, unless we had a great port for I have long felt, from honor, and honorably, of retaining the country at a moment when war was not probable or certain, but possible. All who have concerned themselves for the preservation of the colony, have felt that the necessity of having a port for the use of a maritime war, could succeed be sent with certainty and rapidity to Algiers! If in the course of this war our maritime superiority were not established; could an army be transported from Toulon to Algiers? That is the whole question. M. Thiers then proceeded to state that the north west winds, called mistral, common at the south of France, blow frequently, with sufficient violence, to raise any blockade of Toulon, and to cacey a fleet in 48 or 62 hours to Algiers without danger, which if composed of 20 vessels of the line might easily transport twenty thousand men.—The establishment would be chimerical, and would merit all that the honorable M. Desjobert urges in opposition, if we did not hasten in the time of peace, to profit by its existence and insure the two conditions, the second only remaining to be executed, the fortification of Algiers, the first that of Toulon being at our hands. That in four years, with a moderate expense, Algiers could be made to protect at a safe anchorage 25 sail of the line, has been demonstrated

by the experience at the place. It would have required 50 or 60 millions of francs and perhaps forty-fifty years to execute the works at Cherbourg.—The port of Algiers is however already commenced; and its ancient mole has been repaired and prolonged and a new port commenced, of which 100 metres have been executed at an expense of 1,890,000 francs! Why then does the government stop? For a new project, it is replied. I do not contest its merit; it is only too vast; it would entail too much time and expense. This port would cost 25 to 30 millions and could not be finished in 12 or 15 years. It is true it would be more vast than the first and allow of entrance with any wind. This advantage is not denied, but the difficulties of its execution are such that the government has hesitated at the second project. I am about to press the government for explanation, to choose one or the other of the projects. I have believed there has been too little zeal, there has even been a repugnance in the ministry against the undertaking of its construction, and if I call upon the ministry now, it is because I am convinced there is no other recourse, but the intervention of the chamber and the expression of its opinion, upon the execution of this work. The adversaries of our establishment in Africa are fond of saying that the English are delighted at seeing us in Africa. If they are delighted at seeing us there, it affords them however no delight to behold the construction of a port at Algiers. And I do not dissemble it, there is a difficulty involved in it, by the embarrassment it gives to England; I perceive that this difficulty requires diplomatic tact, I admit it; (emotion and voices "are we not masters in our own country?) I ask pardon for the expression I have used; it is not my ordinary language which I have just used. [Laughter.] As I would wish to conciliate for this great interest, the most general favor, from a wholly patriotic aim I would not wish to employ expressions which might wound in the least those who believe that I and my friends wish only but for that which might wound Europe. No, for myself, I am wholly in favor of the polley which has for its object, the conciliation of all interests; I have sustained it; I believe it the best.—The convictions resulting from our deeds in Africa have effaced the inertness of the preceding years. There is but one point where it has not been overcome; that is the construction of the port. Having Algiers on Toulon, the entrance of the Mediterranean will be closed at the will of the French or against that which would wish to reign alone in the Mediterranean. It is a subject of immense interest. It has been known today that in 3 or 4 years with 6 or 7 millions you can secure that advantage, and I repeat that if I did not believe an appeal to the chamber indispensable, and the port wholly compromised by remaining silent, I would have remained so, as I did the last year; but I now address the chamber as the last resource I know of for stimulating the zeal of the government.

M. Guizot replied that the government was wrongfully accused of having suspended the works of the port of Algiers; they had prosecuted them with activity and would continue so doing, as far as the appropriations by the chambers would allow.

Paris, April 16. M. Dufaure, the reporter of the rail road commission had his bill upon the table of the chamber of deputies. It provides that the state shall establish lines of rail road—

1. From Paris to the Belgian frontier, by Amiens, Arras, Lille and Valenciennes.

2. From Paris to a point of the chanoel not yet determined.

3. To the German frontier, by Strasburg.

4. To the Mediterranean by Lyons, Avignon, Tarascon and Marseilles.

5. To the Spanish frontier, by Bordeaux and Bayonne.

6. To the ocean, by Tours and Nantes.

7. To the centre of France, by Orleans, Vierzon, and Clermont.

8. A line from the Rhine to the Mediterranean, by Mulhausen, Dijon, Chalons and Lyons.

The commission adopts the clauses of the bill relative to the manner in which the sums necessary for the execution of the projects are to be raised. The state to furnish part, the localities part, the rest from private shares. It accords immediate credits for the execution of 1, the Paris and Belgian line; 2, the line from Paris to the German frontier; 3, for the section from Chalons to Dijon on to the two lines of Paris to the Mediterranean and the Mediterranean to the Rhine; 4, for the line from Avignon to Marseilles by Tarascon; 5, for the section from Orleans to Tours, common to the two lines of Paris to the frontiers of Spain, and Paris to the western frontier; 6, for the section from Orleans to Vierzon, belonging to the line from Paris to the centre of France.

The general discussion is fixed for the 25th inst.

TURKEY.

The additional accounts from Constantinople which have reached us by this express are dated the 17th ult. Hopes were entertained that the Turko-Greian difference would be speedily adjusted in a satisfactory manner for both countries. The Divan continued to be much occupied with the affairs of Syria. The plan for appointing a Mussulman prince to govern the Druses, and a Christian prince to govern the Maronites, had been favorably received, although deemed by many to be impracticable.

M. Mavrocordato, the envoy of Greece, presented his credentials to the Grand Vizier on the 10th, and dined with sir Stratford Canning on the 15th.

Ali Effendi, the minister of the porte to England, and Akif Effendi, the minister to Vienna, left for their respective posts on the 12th.

Sir Stratford Canning had presented very strong notes to the porte on the alleged misconduct of the Syrian authorities.

Prince Mavrocordato had not yet had his audience of the sultan. He is looked upon as a sort of imitated general, and expects a very cold reception, but it is agreed that the porte will not throw any impediments to the fulfilment of the object of his mission.

To the complaints made by sir Stratford Canning are to be inquired into and settled by Selim Bey, when he arrives at Syria. The accounts received from this quarter are conflicting, all parties accusing each other.

Syria was in a state of insurrection, and the confusion more confounded by the employment of Albanian troops to repress it, they being, in fact, little better than banditti themselves. Mehemet Ali was at Damanhour. Admiral Walker had returned the sword presented him by the sultan, on the ground that he was inferior in value to those presented to other officers.

INDIA.

No later news from India. The overland mail was hourly expected, as arrangements had been made by which the time from Bombay to Suez was to be reduced from 18 to 12 days.

Several regiments had embarked for India, chiefly Calcutta. Three additional ones have been ordered to India—the 78th Highlanders, 10th Foot, and the 9th Lancers.

The total augmentations of the army for foreign service will amount to at least 15,000 men. Lieut. general sir Benjamin D'Urban goes to India as commander in chief.

The Leipsic Gazette, of the 4th inst., under date Constantinople, states, that the British government had obtained permission from Mehemet Ali to march a body of troops through Egypt to the Isthmus of Suez for the purpose of facilitating their arrival in India. The point is not stated, however, that he could not grant the request without the consent of his master the sultan. Sami Bay had recently arrived at Constantinople on a mission from Mehemet Ali, and it was said that the object of his visit was to represent to the sultan the inexpediency of granting such a request.

MEXICO AND TEXAS.

Extracts from General Houston's Proclamation.

"Texas is compelled to make war—a war not of aggression, but one which the civilized world will justify—one that is due to ourselves—one to which Mexico has provoked our exertions—one to be conducted upon the most enlightened principles, and directed against the nationality of Mexico—not opposed to its religion—but a war upon its despots and oppressors. Our nation will be united in its maintenance. The suddenness of the incursion and the alacrity of our citizens induced them to rush to the frontier without organization or the call of the executive. This was a noble and generous impulse, and manifested the existence of the same spirit which has always actuated the Texian people. The misfortune was that they remained without organization. The president, anticipating this evil, on the first assurance of the enemy's approach, ordered Gen. Alexander Somerville, commanding the first brigade, embracing the western frontier, to repair to the scene of action, assume the command and organize the forces. He was also invested with power, if his force would justify the measure, to pass the Rio Grande and sweep its valley as low down as Reinosa; but not to advance upon Matamoras with an insufficient force, as no co-operation could be insured by sea. In the meantime, he was to keep the president advised of his general plan of operations and of the progress of his campaign, hoping thus to be enabled to chastise the enemy for their wanton aggressions. Gen. Somerville rendered strict obedience to orders; but owing to the absence of all discipline, the agitation occasionally arising from the condition of the men, the great anxiety of many to command, and the unwillingness of others to obey, he was unable to execute the orders of the president. The object in issuing those orders was, therefore necessarily defeated. No official communication was ever received by the president, nor had he any information of the strength, condition, and total want of organization of the men assembled at Bexar and Victoria, until after the arrival of Gen. Somerville at the former place.

"The president has taken every precaution in his power to prevent any further alarms. He has directed that two companies under experienced and vigilant officers capable of serving, and composed of the most efficient men, should remain upon the frontier. These troops will act under the orders of the government, and will render efficient service. All troops who may attempt to visit the frontier, under the name of volunteers, and depredate 'upon their own hook,' *will not meet the sanction of the government*, because they will be acting in violation of the laws. In all military operations concert is indispensably necessary, and troops should at all times act in obedience to the laws and the orders of the government, keeping in view the interest of their situation and that of the army. If this course is not pursued, benefit can never result to the country. If we are not obedient to our own laws, we cannot expect those who come to mingle with us in our struggle to be subordinate, disciplined and useful."

General Burleson, now vice president of Texas, is a native of North Carolina, early emigrated to Tennessee, returned to North Carolina, married and resided there 4 years, participated in the battles of the Creek war, emigrated to Missouri, thence again to Tennessee, was elected colonel of militia in each of those states, removed in 1830 to Texas, settled on the Colorado and was chosen general of the volunteers who in the fall 1835 besieged General Cos at San Antonio. When the army was organized with Houston as head in 1836, General Burleson was made commandant of the first regiment of volunteers, with whom he stormed a breast work at San Jacinto. After serving till the invaders were expelled he was sent to the congress of Texas as representative from Colorado county, and next year became senator. His civil career terminated in the spring of 1839, when president Lamar selected him to command the first regiment of the regular army. He defeated in the summer of 1839, a body of Mexican rebels and marauders in the west; marched with his regiment from the Colorado to the east, and engaged with the volunteers under Generals Rusk and Douglass in fighting two desperate battles with the Cherokees in the county of Nacogdoches, and which campaign terminated in the expulsion of the savages and the death of their able chief, the celebrated Bowles. Returning westward he again encountered and vanquished the Cherokees in Brazos, at Plum creek, aided in routing the Comanches who had plundered and burnt Lamville, and released the captives they had made. After these brilliant exploits, and having but little expectation of any more active service, he resigned his command, to the regret of privates, officers, and the nation. His fellow citizens, grateful for his many acts of patriotism, in 1840, by a very large majority, elevated him to fill the office of president, which claim his honesty of purpose, strong mind, and patriotic determination enable him to fill with honor and benefit to his country. [*Cor. Nat. Int.*

A writer in the San Luis Advocate of March 1st in advising the Texans to be prepared for an invasion lays down the following propositions.

1st. There exists, then, in Mexico, two separate powers—the one of the hierarchy, entirely independent of the other, over which it exercises an unlimited control—self-existing, self-constituted, and self-governed, acknowledging no equal in the state; above all political responsibility, and arrogating to itself all privileges and immunities of supremacy, conferred upon it by the dogmas of its creed, and the superstition and ignorance of its votaries and vicars.

2d. There exists also a military despotism, which, under the name of civil government, exercises its functions as the supreme political power of the state subordinate but never to the ecclesiastical, constituting the agency through which the former enforces its mandates upon the people.

3d. Whilst the ecclesiastical power stands opposed to the recognition of Texas, the president, dictator, king, or emperor (no odds by what title he may be known) cannot and dare not enter into terms with this country.

The Mexican government propose, and there we suppose it will end, to build a railway across the Isthmus of *Tehuantepec*, to connect the Pacific and Atlantic Oceans. As the distance is 120 miles the expense will prove greater than the government of Mexico can shoulder.

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Extract of a letter from Mexico, of 8th April, 1842.

"The commotion of the present dynasty in Mexico I think is assured until the meeting of the congress in June next for the concocting a new constitution. All the elections throughout the republic have gone against Santa Anna's party; and the consequence will be a dreadful strife between the executive and this body. The president has the army, and the congress the people on their side, and will direct to forcee the issue; though many of the popular leaders of the federal party (i. e. the party in favor of the constitution of 1824, which resembles our own) imagine that a total anarchy will ensue, resulting finally in the success of an entire popular government as opposed to a strong central one. [*Balt. American.*

A paper printed in Merida, Yucatan, and called "The Nineteenth Century" contains the annexed statement of the causes which have led to the raising of so large a military force in Mexico.

General Paredes is the most powerful antagonist of Santa Anna. Santa Anna has lost the elections in the departments of Mexico, Guanajuato, San Luis, Aquas-calientes, Sonora, Valladolid and Jalisco; these states, with the exception of the first, act in concert with Gen. Paredes, who commands the forces in the last mentioned state; in that of Mexico, D. Juan J. Andrade is in command; and the generals Guitierrez, Galindo, Juvera, and another not recollected, command in the rest.

Paredes is in favor of the re-establishment of the federal institutions, to which Santa Anna is opposed; his is augmented in numbers by the partizans of Bustamente and the clergy, by whom he is despised, in consequence of his attempts surreptitiously to possess himself of the property in *mortmain.*"

The government authorised Paredes to raise in the states before mentioned, a limited military force; but this general abusing this authority, and extending his order, raised and enlisted to the enormous number of 15,000 men well appointed and disciplined, with which he intends to force Santa Anna to fulfil the promises he has made to the people, and in which promise he is also implicated; this has caused the president *ad interim*, whose views do not seem to accord with those of Paredes and his party, hastily to augment his forces; so that in Mexico alone he has 10,000 men, the greater part assembled together without discipline, and confined in convents in that capital and in those of the adjacent towns, such as St. Angel, where they are guarded by corps of confidential troops, to prevent desertion, which, notwithstanding all these precautions, cannot be prevented.

Texas. The Brussels papers contain this statement—"Letters from Odessa announce that a revolution had broken out in Persia—that the Shah was abdicated—and that thirty thousand insurgents were on their march to Teheran. This seems to need confirmation."

On the authority of a Berlin correspondent, upon whose information, derived through letters from Moscow, great reliance is placed, the Times states that the Shah of Persia has march against Herat at the head of 60,000 men, and that Russia has furnished a subsidy of 2,000,000 rubles in order to enable the Shah to make the movement.

Madrid papers mention that M. Zerman, who was regarded as an agent of prince Metternich, had received notice to quit the Spanish capital.

A younger brother of the present chief of the Druses of Mount Lebanon, has arrived in England for the purpose of being educated at one of the universities.

The inhabitants of Copenhagen have had meetings, the object of which is to pay off the national debt by voluntary contribution. The address to this effect is before the king for his consideration.

A terrible storm at the mouth of the Danube has destroyed all the quarantine establishments.

The preliminaries had been concluded for a matrimonial alliance between the duke of Bordeaux and the second daughter of the emperor Nicholas of Russia.

The grand duke and duchess of Tuscany have lost another daughter, the princess Ann Maria, making the third within two years.

The Semaphore de Marseilles, publishes an account of an awful hurricane on the coast of Africa, near Oran, in which forty vessels perished.

The Augsburg Gazette mentions a report that negotiations are on foot between the courts of Rio Janeiro and Naples, for a marriage between the emperor of Brazil and the youngest sister of the king of Naples.

Berlin, April 12. The important question respecting the system to be introduced into our prison discipline has been decided. The Pennsylvania system, defended by Dr. Julien, but reproduced by almost all practical men, is rejected. On the whole, the system hitherto adopted by our government will be retained, which, without obstinately abiding by a theoretical principle, is susceptible of great practical improvement. Only on the construction of the penal institutions, orders have been given for various alterations, which the king has judged advisable since his late inspection of the London prisons, especially the model prison. Accordingly orders are given to be immediately built or altered, especially at Berlin, Koingsberg, Ratisbon and Munster. The new minister of finance, baron Bodelschwebingh, is to enter on his office on the 27th of this month.

Nothing in the box after all. The opening of the chests bequeathed to the university of Upsala by king Gustavus III. of Sweden, to be opened fifty years after his death, took place on the 29th of March. Their contents were letters, memoirs and trifles of the king's own time; the most valuable being the letters written by those of the most noble Frenchmen friends to the king, viz: 1st, the countess d'Egmon, daughter of the famous Marshal de Richelieu; 2d, Henriette de Sunehon du Boufflers, the 3d, the Countess de la Marque, daughter of the Mareshal de Noailles. The orthography of both the French and Swedish documents, written by his own hand, and deposited in the chest, since then discovered, that the princess enjoyed the reputation of a great author without knowing how to spell.

The latest account from Lisbon and Oporto says: Their affairs are growing worse and worse daily, and the wine trade was frightfully depressed. Two new failures had occurred, for a considerable amount, and fresh failures were expected daily to declare themselves. The French suadron was about to leave Lisbon immediately, the Grondeur, a war steamer, having arrived from Brest, with orders to that effect. The destination of the squadron was not accurately known, but supposed to be Tangier.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

George W. Lay, of New York, charge d'affaires to Stockholm, Sweden.

Christopher Hughes of Maryland, charge to the Hague, Netherlands.

Henry W. Hillard, of Alabama, charge to Belgium.

Consul. Timothy Darling, of Maine, for the port of Nassau, in the Island of New Providence.

Marshal. J. A. Simpson, for the district of New Jersey, in the place of John S. Darcy, whose commission has expired.

Collector of the customs. Conway Whittle, re-appointed, at Norfolk, Virginia.

THE ARMY.

HEAD QUARTERS, ARMY OF FLORIDA.

Palakhakha, April 21, 1842.

Sir: In following out the movements, by detachments, upon several points on the Withlacoochee, indicated in a former report to take place on the 15th inst. the army was hurried by thought to action, in a strong position on the morning of the 19th, situated southeast from this in the direction of Ahapopka lake, and, after a spirited attack and well sustained defence, thoroughly routed and dispersed. Our loss is one private killed; one sergeant and two privates wounded of Ker's company, 2d dragoons; and one private of Bingham's company, 2d dragoons; the enemy—one killed, two wounded and one prisoner; the latter I have used to open a communication with the chief Halleck, who commanded the party encountered, from which favorable results are anticipated.

It is due to the officers and soldiers that at a moment of leisure, I make a special report.

Very respectfully, I have the honor to be, your obedient servant,

Signed, W. J. WORTH, *Col. Com'dg.*

The Adjutant General, U. States Army, head-quarters, Washington.

Camp Wardell, Warm Spring, April 25, 1841.

Sir: I have the honor, in further detail, to report that in obedience to the instructions of the 28th ult. on the morning of the 13th inst. each detachment was at its appointed station with admirable precision. All the points on which this movement was directed were thoroughly examined, without discovering any thing exhibiting the recent presence of Indians. The boat detachment under Major Belknap, composed of 1 and K companies, [Montgomery's and Gates,] of the 8th, much reduced in numbers, was ordered, after entering and thoroughly examining Panasaffkee lake, to descend the Withlacoochee as low as Camp Izard, thence pass the boats into the waters of Charla-a-popka; detachments of the 4th under capt. Buchanan and lieut. Alvord [companies B and I] to pass around the west side, examining all the swamps, &c. on the border of the lake; detachments of the 2d (Casey's, Long's and Lorillard's) under major Plympton to do the same on the south side; the remaining force, Graham's and McCall's companies of the 4th under lieut col. Garland, and Reeves' company [B] of the 8th, to move directly on this point, a rendezvous common to all. At the same time, friendly Indians were sent to the southeast to search for signs; they re-joined me in the evening, reporting a solitary track in the direction of Ahapopka, upon the detachments were advanced about fifteen miles on the evening of the 18th, and as soon as there was sufficient light on the morning of the 19th, to detect signs, the track was recovered and pursued through several inferior hammocks, in each of which planted fields were discovered, until it led to the principal hammock, where the enemy was found in force in a well-constructed town. The enemy was as speedily overcome as the difficulties of the ground permitted the troops to close upon him, every trail made in the flight was taken and pursued until dark, and the whole of the next day, the detachments marching on each day some twenty, some thirty miles. On the next morning it was discovered that the general tendency of the trails, although often doubling, was in the direction of the great Okeehumpkee swamp lying about nine miles northeast of this position. With a view to refresh the troops, but more especially from information received by a person coming from the enemy, of a disposition to submit, the detachments were directed upon this point, the value of which has been stated.

In respect to the affair, I have already made brief but sufficient report; that officers and soldiers evinced the highest spirit and gallantry in the presence of the enemy, is a matter of course; but all exhibited under every circumstance of continued fatigue and of privation of food, the higher excellence of patient and unrepining endurance.

I am much indebted to the zealous support and exertions of lieut. col. Garland, of the 4th, maj. Plympton, of the 2d, major Belknap, of the 8th, and capt. Ker, of the 2d dragoons, who the two last and the last gave a fine example in presence of the enemy—the third, as before stated, had been detached in a different direction.

On this, as on all other occasions, I have received the zealous and intelligent support of maj. Cooper, assistant adjutant general, and lieut. Sprague, aid-de-camp to the command.

I submit herewith a list of killed and wounded, and in connection would add that assistant surgeon Simmons, present with the troops, has evinced high and intelligent activity in the field, and given prompt professional attendance to those needing his assistance. Very respectfully, your ob't serv't,

Signed, W. J. WORTH, *Col. Com'dg.*

The Adjutant General, U. States Army, head-quarters, Washington.

List of killed and wounded in the affair of the 19th instant, with the hostile Indians in the Big Hammock* of Palakhakha.

Killed. Private, Augustus R. Wandall, company K, 2d dragoons.

Wounded. Sergeant, Theodore Bingham, K company, 2d dragoons—severely in the breast and right arm.

Private, Thomas G. Roberts, K company, dragoons—severely in the left arm.

Private, John Hitchcock, K company, 2d dragoons—slightly.

Private, —— Jokee, E company, 2d infantry—severely in the left side.

Signed, S. COOPER, *Ass't Ad't Gen'l.*

Head-quarter's Army, Florida, Camp Palakhakha, April 25, 1842.

General Gaines reached Fort Smith, Arkansas, on the 17th ult. Colonel Bomford and capt. Morris, of the United States ordnance department, who arrived at Little Rock on the 13th, for the purpose of inspecting the United States arsenal, having accomplished the object of their visit, left the same evening in the steamboat Herschel, on their return down the Arkansas.

"*Palatka, May 4, 1842.*

"Halleck Tustenuggee with about 80 persons, including 26 warriors, came in at Fort McClure about the 1st or 2d. Some Creeks and a few of Sam Jones' men among the number." [*Savannah Gaz.*

THE NAVY.

The secretary of the navy has submitted a plan for the reorganization of the right arm of our national

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* The largest of a succession of dense hammocks.

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defence. The scheme provides for "a distribution of duties upon the principle of orderly arrangement allotting to each branch of service in the department its special bureau. Thus, it is proposed to have a bureau of navy yards and docks, another of construction and repairs, another of equipment and stores, another of ordnance, &c. The whole system appears to be well contrived for efficiency and economy.

The bill on the navy recently reported to congress by the hon John C. Clark, recommends the establishment of three additional grades of rank—those of admiral, vice admiral and rear admiral, and to fix their pay as follows:

	Per annum.
The admiral, at all times in service,	$5,000
When on leave, or waiting orders,	4,000
The vice admiral, in service,	4,500
When on leave, &c.	3,500
The rear admiral in service,	4,250
When on leave, &c.	3,000

The rates are but inconsiderably higher than those now paid to the senior captains, captains of squadrons, or captains waiting orders; making an entire additional expense of only $1,750.

PAIXHAN GUNS. We learn, says the Boston Mercantile Journal, that eight Paixhan guns, sixty-eight pounders, are to be immediately shipped from this navy yard for Portsmouth, New Hampshire, to form part of the armament of the new frigate Congress, now fitting for sea.

At Sisgapore, January 20, U. States ships Constellation and Boston, the brig Pocahontas, capt. Ringgold, and Oregon, capt. Carr, of the exploring expedition, all well. Arrived 30th, the Vincennes, and a United States schooner, at Manilla, to leave for Singapore.

The United States ship Columbia from Norfolk, anchored in the North River, New York, on the 4th. Her destination is the East Indies.

STATES OF THE UNION.

CONNECTICUT.

LEGISLATURE AND GOVERNOR'S MESSAGE. The legislature assembled on the 4th. There having been no choice by the people, Gen. Chauncy F. Cleveland, of Norwich, the democratic candidate at the election, was chosen Governor on Thursday the 5th. The majority over Ellsworth was 71.

William S. Hollabird was chosen lieutenant governor by same process, by a majority of 65 over Booth, the whig candidate. James W. White was chosen treasurer; and Noah A. Phelps, late collector of the port of Middletown, secretary of state.

The governor elect was escorted into New Haven on Thursday, with the military parade, usual in that state. On Friday he delivered his message.

He goes for discriminating duties on imports, but insists that the amount of revenue shall not exceed the expenses of government economically administered, and the sums necessary for defence. He is in favor of a repeal of the land distribution law; approves of Gen. Jackson's veto of the bill pertaining to a U. S. Bank, and says, "I cannot but regard every effort for a combination of moneyed power, in a national bank of any description, or under any form, as calling for the patriotic resistance of every friend of republican liberty. We are beyond the reach of such influences now, and it is the part of wisdom to remain so."

The school fund now amounts to $2,044 255; dividends to the schools last year $117,492 60—whole number of children entitled to the benefits of this fund, 84,250. In the distribution of the surplus revenue of the United States, Connecticut devoted one half of her share to the support of common schools, and the other half was left to the control of the several towns. Many of the towns also appropriated the other half to the same object. The governor recommends "such a modification of the law, as will secure the appropriation of the whole of this money for the support of common schools."

He recommends to the attention of the legislature, the banking institutions of the state, as needing a thorough reformation. First, as to the application by the president and officers of some of the banks, to their own use, of a large part of the funds. Second, the practice of taking usurious interest. Third, the practice of making dividends, when the capital of a bank has been essentially impaired. He recommends an enlargement of the powers of the bank commissioners.

He is in favor of the abolition of capital punishment. The amount received into the treasury of the state during the past year, from the state prison, is 13,000 dollars. [*Jour. of Com.*

RHODE ISLAND.

TUESDAY, MAY 3. The revolutionary legislature assembled at Providence, Gov. Thomas Dorr, delivered his inaugural address.

Mr. Daniel Brown, a member of the revolutionary assembly arrested at Newport, for treason, and admitted to bail for $10,000.

WEDNESDAY, MAY 4. The charter legislature assembled at Newport.

The revolutionary legislature passed an act for the registration of votes throughout the state; an act repealing resolutions passed by the (charter) general assembly at their last session, relative to the removal of state property, the recalling of state arms, and the appointment of a board of counsellors; also an act repealing "the Algerine law;" and resolutions requesting the governor to inform the president and congress of the United States that the government of the state had been fully organized and had proceeded to business.

Mr. Wales, one of the delegates from Providence, offered a resolution to the effect that a committee be appointed to proceed to Newport to meet a similar committee, if the general assembly at that place should think proper to appoint it, to ascertain whether any plan could be devised by which, with honor to the parties, the controversy could be determined speedily and peaceably.

The resolution was rejected by a unanimous vote.

The senate and general assembly then received the report of the joint committee for the election of civil and military officers. The appointment of the civil officers was postponed until the next session. The following are the most important of the militia officers which were appointed:

Americus V. Potter, major general; Henry F. Pooley, adjutant general; Wm. Oldridge, quartermaster general; Arnold Saunders, commissary general; James S. Lincoln, division inspector; Jedediah Sprague, brigadier general.

On the same day, Gov. Dorr issued the following proclamation:

"*Whereas*, the general assembly on the 3d day of May, 1842, passed the following resolutions:

"*Resolved*, That the governor be requested to make known, by proclamation, to the people of this state, that the government under the constitution thereof, has been duly organized, and calling upon all persons, both civil and military, to conform themselves to said constitution, and to the laws enacted under the same, and to all other jurisdiction and authority, duly exercised under and by virtue of the same."

"*And whereas*, the general assembly on the 4th day of May, 1842, passed the following resolution:

"*Resolved*, That the governor be further requested to call on all persons who are, or may become, interested in the state, to make payment to the duly appointed officers and agents, under the provisions of said constitution; and to make known to all persons, that no payment to any other officers or agents than those aforesaid will be considered as a discharge of their obligations.

"*Resolved*, That the governor be requested to call on all persons who are in possession or have charge of any of the public property, to deliver the possession or charge of said property to the authorities and officers acting under the constitution and laws of the state."

Now, therefore, I, Thomas W. Dorr, governor of this state, do hereby, as requested, proclaim and make known said resolutions to the people of the state, and call upon all persons to conform themselves thereto, and to govern themselves accordingly.

In testimony whereof, I have hereunto set my hand, and caused the seal of the state to be affixed at the city of Providence, this 4th day of May, A.D. 1842. THOMAS W. DORR, *governor*.

By command of the governor,

Witness, WM. H. SMITH, *sec. of state*.

THURSDAY, MAY 5. The revolutionary legislature adjourned to meet on the 1st Monday in July next. The charter legislature still in session at Newport. Its committee for counting the votes made the following report:

Whole number of votes for governor, 7,080; Samuel W. King, has 4,864; scattering, 5.

Mr. Clarke presented resolutions, making a requisition on the general government for assistance in the present difficulties. He said that the case contemplated in the constitution now existed. There was a strong faction in opposition to the laws, and it was the duty of the state to place itself under the protection guaranteed by the constitution, in order to prevent confusion and bloodshed. Resolutions were accordingly passed making a formal demand on the president to put down the insurrectionary movements. The following is the form of the requisition:

"*Whereas*, a portion of the people of this state, for the purpose of subverting the laws and the existing government thereof, have formed a pretended constitution, and, for the same unlawful purposes, have met in lawless assemblages and elected officers for the future government of this state: and whereas, the persons so elected, in violation of law, but in conformity to the said pretended constitution, have, on the third day of May inst. organised themselves into executive and legislative departments of government, and under oath assumed the duties and exercise of said powers: and whereas, in order to prevent the due execution of the laws, a strong military force was called out, and did array themselves to protect the said pretended organization of government, and to set at defiance the due enforcement of law. Therefore,

"*Resolved by the general assembly*, That there now exists in this state an insurrection against the laws and constituted authorities thereof, and that, in pursuance of the constitution and laws of the United States, a requisition be, and hereby is made by this legislature upon the president of the United States, forthwith to interpose the authority and power of the United States to suppress such insurrectionary and lawless assemblages, to support the existing government and laws, and protect the state from domestic violence.

"*Resolved*, That his excellency the governor, be requested immediately to transmit a copy of these resolutions to the president of the United States."

On the same day, the governor, senators, secretary of state, attorney general, and judges of the supreme court, to the number of 1 major 1 Payne, paid a visit to Fort Adams, Newport. The guests were carried to the fort in the barge, and were received with a salute of fifteen guns. A review of the troops was held, and the governor and other guests expressed their gratification in the highest terms at the discipline and appearance of the men. After the review, the governor was invited by major Payne to inspect the arms. A fine collation was served, and, after examining the fortifications, they departed highly pleased with the attention and hospitality shown to them.

The supreme judicial court. The next term of the supreme judicial court does not take place till September. It is very important that the persons who have lately been arrested in open, shameless violation of the laws, should be speedily tried. It is the right of the accused, and the ends of justice demand it. We trust the general assembly will not adjourn until provision has been made for a special session of the supreme court in all the counties.

On the same day, Dutee J. Pearce, of the revolutionary assembly, was arrested at Newport, on a warrant issued by chief justice Durfee, on a charge of treason against the state, and held to bail with two sureties (Sanford Bell and Nicholas Hazzard,) in the sum of $5,000 each.

Warrants issued on the 5th instant at Newport, against Joseph Goslin, the general treasurer, under the revolutionary constitution, Thomas W. Dorr, Jeremiah Sheldon, &c.

FRIDAY, MAY 6. The charter legislature adjourned at 2 o'clock, to meet again on the 11th to hear the president's answer to the requisition, and arrived at Providence at 5 P. M., and were there received and escorted by 1,000 persons, of whom 250 were in uniform of military companies, and 120 on horseback. The Providence Journal remarks that it was got up almost extemporaily and without any unusual effort, and was engaged entirely of the citizens of Providence, as a manifestation of their respect for their chief magistrate and of their devotion to peace and order. When it is remembered that the suffrage procession, last Tuesday, numbered only about 1600, from the entire state, and from the neighboring states, after months of preparation, the numbers yesterday, when the city alone, are particularly gratifying. The character of that procession, too, was even more gratifying than its numbers. The bons and muscle of the city were there; old men were there who were not sanguinary enough to participate in any public parade, and young men who are ready at a moment's warning, to defend the safety and honor of the state. Throughout the whole route, the procession was enlivened by crowds of ladies at the windows, doors and steps.

Barrington Anthony arrested at Providence, and held to bail in the sum of $4,000.

Several members of the suffrage legislature resigned.

A large meeting held at Providence, furious addresses made, and the following resolution adopted:

Resolved, That Thomas W. Dorr, the governor of our state, be requested personally to represent at the seat of government the cause of the people of Rhode

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land, and to convey our protest against the employment of the national forces in the settlement of a question involving the rights of the people to establish or change their form of government.

On the next day, Monday the 9th, Gov. Dorr arrived at Washington. On Monday the 9th, Benjamin Arnold, jr. was arrested at Providence on the charge of treason. He pleaded not guilty, refused to find bail in the sum of $4 000, though he could easily have obtained it, and was committed to prison. An ineffectual attempt was made on the 8th to arrest Mr. Sayles, at Woonsocket. The officers was intimidated by the crowd of his friends, who on the next day adopted resolutions for resisting all arrests in that village, and to send Mr. Sayles to Washington.

On Wednesday the charter general assembly reassembled at Newport to act on the despatches which their envoys to Washington, Messrs. Randolph and Potts, are expected to bring.

Connecticut mediation. The two houses of the Connecticut legislature have passed a resolution authorising the appointment of a committee to consider the expediency of offering the mediation of the state to the contending parties in Rhode Island, for the settlement of their difficulties.

On Tuesday, Mr. Arnold gave bail and was released; Mr. Willard, also. Joseph Joslin, treasurer, was entered to bail in the sum of $10,000.

REVISED TARIFF.

Report of the secretary of the treasury, transmitting a bill to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes.

Treasury department, May 9, 1842.

SIR: In obedience to a resolution of the house of representatives of the 29th March last, requiring the secretary of the treasury to communicate to the house "the plans, views, and information, and matters, called for in the following letter addressed to him on the 26th February last by the chairman of the committee of ways and means:"

Committee room of ways and means,

February 26, 1842.

SIR: I am instructed by the committee of ways and means to request you to communicate to them any plan which you may have for raising the necessary amount of revenue for defraying the expenses of government by an increase of duties on importations, or by auction duties on goods imported, or otherwise; also, any plan or view which you may have on the subject of home valuation, cash duties, or warehousing system, or any other matters incidentally connected with these subjects, and especially any information which can be afforded by your department as to the particular article imported which will best bear an increase of duty, and the amount of such increase.

As the committee are now ready to take this subject under consideration, they would be happy to receive your views at as early a day as possible. Respectfully, yours,

MILLARD FILLMORE, *chairman.*

Hon. WALTER FORWARD.

I have the honor to state that, upon the subject of taxing "sales at auction of goods imported or otherwise," with a view "to increasing the revenue," the department is under the necessity, for the want of more full and distinct information respecting it, to defer the expression of any opinion in reference to the expediency of the tax question.

The opinion of the department as to the impracticability of the "home valuation," provided in the compromise act, was expressed in the report on the finances, made on the 20th of December last, and remains unchanged.

Various substitutes, proposed with a view of securing the benefits promised to the manufacturing interests and laboring classes by such valuation, have been considered; but, either nature reflections, it has been thought best to continue the existing mode of assessing *ad valorem* duties, so far as those duties are retained, guarding it, as far as practicable, from abuse, by additional precautions against fraudulent invoices.

The plan of the department "for raising the necessary amount of revenue for defraying the expenses of government by an increase of duties on importations" will appear in the accompanying bill.

The object primarily regarded in framing this bill was the supply of an amount of revenue supposed to be commensurate with the probable wants of the government in future years. The limit of expenditures must of course be determined by congress; and all estimates by the department of their amount are necessarily, in some degree, conjectural. In reference to this matter, it possesses no means of forming a correct judgment other than those which are equally in the power of every member of congress. The department can go no further than assume that, whatever expenditures may be required to support the government and maintain or enlarge our system of national defence, will be certainly secured; and, being well convinced that the United States cannot be placed in that condition of entire security which appears to be called for by popular opinion as well as dictated by our highest interests, without liberal and perhaps increased appropriations from year to year, the supposition of diminished expenses has not been entertained. That spirit of economy which forbids prodigality and waste not expected to interpose to frustrate a liberal system of measures for the national defence.

A secondary, though extremely important, object in framing this bill has been to afford some relief and encouragement to the laboring classes and the mechanical trades of the country, whose interests are now languishing under a severe and, in many instances, ruinous depression. While it is conceded that the primary object of duties on imports is the raising of revenue, it is believed that a proper discrimination among the articles made dutiable, as well as in the amount of duties, may be rightfully demanded by the interests referred to, and is favorable to the interests of all.

In order to carry out the views of the department on this subject, it became necessary to institute inquiries in various parts of the United States, and to await the required details and statements. The delay, therefore, which has taken place in reply to the letter of the chairman of the committee of ways and means, as well as to the resolution of the house, was necessary, not only in affording the opportunity to those who are connected with the several interests above mentioned to present their views on matters vitally important, but also in allowing to this department some reasonable time for due examination, and for an equitable and judicious arrangement of a subject so complicated and delicate in its character as that in framing a system of duties.

The following estimate of the expenditures of the years 1842, 1843, and 1844 exhibits the measure of income necessary to be raised during the same period:

For the year 1841.		
Civil, foreign intercourse, and miscellaneous, military and naval, as estimated by the departments.		$24,494,358 95
Permanent appropriations		932,000 00
Debt due by corporate cities, principal and interest		135,900 00
Parts of the old public debt		5,000 00
Three and five per cent. funds due to the states, including the sums due to Mississippi and Alabama, under the late law		412,000 00
Interest payable in 1842, on the loan of 1841 and 1842	$513,000	
Redemption of treasury notes, including interest	7,400,000	
		7,913,000 00
		33,822,258 94
For the year 1843.		
Civil, foreign intercourse, and miscellaneous, military and naval	$24,424,358 95	
Permanent appropriations	932,000 00	
Debt due by corporate cities	132,000 00	
Parts of the old public debt	5,000 00	
Three and five per cent. funds due to the states	362,000 00	
Interest payable in 1843 on loan	1,003,000 00	
Redemption of treasury notes, including interest	5,300,000 00	
		32,158,658 95
For the year 1844.		
Civil, foreign intercourse, and miscellaneous, military and naval	$24,424,358 95	
Permanent appropriations	931,000 00	
Debt due by corporate cities	128,700 00	
Parts of the old public debt	5,000 00	
Three and five per cent. funds due to the states	100,000 00	
Interest payable in 1844 on loan	1,003,000 00	
Principal of the loan, payable January 1, 1845	5,668,976 88	
		32,262,035 83
Total		98,242,953 73

The following is a statement of the probable amount of receipts into the treasury to meet the expenditures during the years above mentioned, provided the scale of duties on imports now submitted by the department shall be acceptable to congress:

Probable receipts into the treasury in 1842.		
Customs, to June 30, 1842	$8,000,000 00	
Customs, to December 31, 1842	13,721,667 00	
Lands, for the year	1,000,000 00	
Treasury notes issued	5,000,000 00	
Loan of 1841 and 1842	11,931,023 12	
Miscellaneous sources	150,000 00	
		$39,202,690 12
Probable receipts for 1843.		
Customs	27,443,335 00	
Lands	2,000,000 00	
Miscellaneous	150,000 00	
		29,593,335 00
Probable receipts for 1844.		
Customs	27,443,335 00	
Lands	2,000,000 00	
Miscellaneous sources	150,000 00	
		29,593,335 00
Total		$98,389,360 12

It will be perceived that among the estimated receipts into the treasury the fund accruing from the sales of the public land is included. The duties proposed in the bill submitted being in many instances higher than twenty per cent. its passage will, under the terms of the distribution act, restore the income from the public lands to the national treasury.

Annexed is a schedule, marked D, designed to show the amount of importations in 1840 of the dutiable articles specified in the present bill, and of the revenue which would accrue from each, at the rates of duty now proposed.

The importations assumed as the basis of revenue are seen to amount to $93,817,985, yielding a gross revenue of $32,603,335 27

From which deduct estimated amount of drawback on merchandise exported, on refined sugar and spirits, pickled fish, and expenses of collection	5,160,000 00
Leaving a nett revenue of	$27,443,335 27

In the existing state of the country, embarrassed and crippled as it is, from one end to the other, it is impossible to make any estimate of the amount of importations during the present and two following years, that can be fully relied on. In the port of N. York, the importations in the first quarter of this year were much less than in the corresponding quarter of the year 1841, and in the succeeding quarters of the current year the disproportion is likely to be still greater. While the removal of a portion of the duties on the 31st of December last brought into the country a large amount of products which were waiting for that event, the increase of duties by the tariff now proposed, on many important articles, together with the cash system of payment, will operate, no doubt, for a time, to check importations. These are other circumstances to discourage importations, among which may be mentioned the decline in the prices of some of our staple articles of export, and the large state loans effected in Europe, which were paid in productions of foreign manufacture, and are still outstanding as a permanent balance against this country.

Although the estimate of imports for the present and two next succeeding years is given at ninety three millions, it is proper to state that, owing to the circumstances above adduced, it will not be a matter of surprise if they should, in the average amount, fall short of the sum mentioned. But it is believed that the trade and business of the country, as well domestic as foreign, have reached, or nearly so, their lowest point of depression, and that, under the benign influence of the system of duties proposed, they will, in the course of another year, begin to improve, and, at the end of three years, recover their former prosperity. Under this expectation, the duties on tea and coffee are limited in the bill to three years, after which period it is expected that the revenue accruing from other sources will be adequate to meet the current wants of the government, and finally to extinguish the public debt.

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I have already adverted to the influence of this system of cash duties in checking redundant importations. The annexed table, marked E, will show the influence, generally, of duties upon importations. It does not comprise all the articles included in the present bill, but embraces a number sufficient in amount and importance to exhibit a complete view of the principle which this statement is designed to elucidate. It commences in the year preceding the rise of duties under the tariff of 1824, and extends to 1840, inclusive, so as to embrace the periods when the highest rates of duty were exacted, and that of their decline under the compromise act. It will be perceived, on an inspection of this table, that, although the increase of duties was attended with consequences by a slight falling off in importations, the latter soon rose to their former amount, and suffered no material diminution under the operation of the highest rates of duty.

These facts are persuasive to show that the duties now proposed do not, in the main, exceed the true revenue point, and that the increase of income which they are expected to yield will, whenever our trade shall have resumed its regular and natural course, be realized.

But, should even a different result be experienced, and the foreign supply decline in a more exceeding that of the increase of the duties, or be cut off altogether, it by no means follows that there will be a corresponding decline in the aggregate receipts of the treasury. On this subject, the views of Mr. Crawford, late secretary of the treasury, contained in his report to congress made in December, 1822, are both pertinent and instructive: "But if," says the report, "contrary to present anticipation, the augmentation of duties should, before the public debt be redeemed, produce a diminution of the revenue arising from the importation of those articles, corresponding that of the increase of the duties, or be cut off altogether, it by no means follows that there will be a corresponding decline in the aggregate receipts of the treasury. On this subject, the views of Crawford, late secretary of the treasury, contained in his report to congress made in December, 1822, are both pertinent and instructive: "But if," says the report, "contrary to present anticipation, the augmentation of duties should, before the public debt be redeemed, produce a diminution of the revenue arising from the importation of those articles

Halstead,) on last evening. It was new to him, and presented, at first view, some difficulties. He had not seen the amendment in print—it not having been published in the morning papers, and, in the confusion which prevailed in the hall on yesterday, it was almost impossible to hear it, when read at the table by the clerk. He had, on hearing its purport and its object, been struck with its novelty, to say the least of it: that, viewing it in this light, he had but a moment before coming to the house this morning, looked at Mr. Madison's exposition of this clause of the constitution, under which it was proposed to exercise this power, and take from the states the privilege they had now used, under the constitution, for more than fifty years, of fixing the time, place, and manner of holding their own elections for members of congress. He had risen, he said, mainly to call the attention of the house to the fact, that one so able and so distinguished as Mr. Madison. He did not propose to debate the subject: he had not come prepared with proper references, and after sufficient examination of the subject, to enter at length into discussion—he would leave that to others. Mr. Madison, he said, having been a member of the general convention which adopted the constitution, he might be well supposed to be capable of judging of what the intention of the framers of that instrument were, and of what was their meaning and the construction that should be given to particular clauses. He was also a member of the Virginia convention that passed upon the ratification of the constitution of the United States, and it was in this latter body that he gave the exposition to which Mr. G. had alluded, and which he would presently ask to be read by the clerk.

Mr. Goggin said that he had not expected this proposition would meet with favor among those who professed to be states rights men, as some did on the floor. He used not the words in derision. He used them, not only as a Virginian, but as an American—as one desirous that all the rights of the general and state governments should be preserved and guarded in exercising either power precisely delegated, or those about which there was doubt. On most of the important leading topics, he had been willing to follow the views of Mr. Madison. He believed, he said, with him, that *the power* to regulate the time, place, and manner of holding elections was given to congress—but only to be exercised under particular circumstances. Cases might arise which the legislatures of the states, *failing* to make the necessary regulations, that then it might be proper for congress to interpose to prevent a dissolution of the government—in such cases did the wisdom of the framers of the constitution lead, and for such was it thought necessary to provide, by inserting the clause which declares that "the time, place, and manner of holding elections for senators and representatives, *shall be provided in each state by the legislatures thereof*—but the congress *may*, at any time, by law, make or alter such regulations, except as to the place of choosing senators." Cases might occur, though they never had yet, in which it would be proper to call to aid this clause of the constitution: "The states shall at all times" and "congress *may* at *such times*"—as the states, failing to do their duty, it may become necessary in order to carry on the operation of the general government. The states had so far always acted in the matter—why had not congress? Because no emergency had arisen to require it. Congress and the states both could not act at the same time: if they did, the states might, by the unanimous voice of the legislature, establish one system for themselves and congress, even against the protest, for example, of the twenty-one members from Virginia, might establish another—the two governments would thus be brought in conflict, and the question would arise, which rule, or regulation, or law should be obeyed—that which our own people at home had established, or that which might be forced upon us by the votes of the members of Maine, New Hampshire, Massachusetts, New York, and all the northern states, or of the southern states, if you please, against the united voice of the people of Virginia?

Mr. Goggin said he would beg leave to ask gentlemen if they had considered that congress, under the power now sought to be exercised, of districting the whole Union, might hereafter, instead of the *district system*, establish the *general ticket system* whenever it pleased!

[Certainly, said several members.]

Mr. G. said he thanked gentlemen for the admission—it was then conceded that, although Virginia cherishes her system of districts and will adhere to it—this congress might do it away—her whole system might be abrogated by a single vote in the majority in this and the other house. He said such a claim of power or the exercise of such a power by this government surprised him much, he would surprise him if carried out; yet it was conceded by the advocacy of this resolution, which, however, he had no doubt had been introduced from patriotic considerations. He did not impugn or suspect the motives of gentlemen at all.

He said that by the operation of a system which under this power might be established, he and his friend and colleague near him (Mr. Powell) might be, as well as all his other colleagues, ousted of their seats on this floor as representatives of particular districts—not by the legislature of Virginia, but by regulations adopted by congress—not by the votes of our people at home, said he, but by the votes of those whom we have never seen—between whom and them there is no sort of sympathy, and who can know nothing of their wants and wishes. Instead of having twenty-one members here from twenty-one districts, we may, under this system (called the general ticket system) twenty-one members from a single district in the state—the districts might be disfranchised, and we would be compelled to the people for such an outrage! Not the legislature of Virginia, sitting in Richmond, in which there is a member from all the counties, to give an account at home, but 230 members of congress, sitting in the city of Washington, nine-tenths of whom may never have been even within the limits of the state. Under this operation of such a system my colleague, (Mr. Powell,) said Mr. G., should represent their representative by nineteen-twentieths of the people of London, Fauquier, and Fairfax might be supplanted, and, under the general ticket system, nineteen others might be substituted, whom no man in his district may have ever seen. By the general ticket system, if adopted and enforced by congress, it is admitted it might be, a majority of one vote in one hundred thousand would be sufficient to send twenty-one members to congress from Virginia, when 49,999, including every man in his friend's district, might prefer twenty-one members, of which his friend might be one.

Mr. G. said he entered his solemn protest against the exercise of this power. We had gone on under our present system for half a century, and he hoped now it would not be disturbed. His state claimed to manage her own affairs, in her own way. Mr. G. said he would now ask the clerk to read the remarks of Mr. Madison, to which he had alluded, and which he at first only designed, in rising, to have read.

The clerk then read the following:

"Mr. Monroe would be the honorable gentleman, who had been in the federal convention, would give information respecting the clause concerning elections. He wished to know why congress *had an ultimate control* over the time, place, and manner of elections of representatives, and the time and manner of that of senators, and also, why there was an exception as to the place of electing senators.

"Mr. Madison. Mr. Chairman, the reason of the exception was, that if congress could fix the place of choosing the senators, it might compel the state legislatures to elect them at a place remote from that of their usual sessions, which would produce some inconvenience, and was not necessary for the object of regulating the elections, which it was necessary to give the general *government a control over the time and manner* of choosing the senators, to prevent its own dissolution.

"With respect to the other point, it was thought that the regulation of time, place, and manner of electing the representatives, should be uniform throughout the continent. Some states might regulate the elections on the principles of equality, and others might regulate them otherwise. This diversity would be obviously unjust. Elections are regulated now unequally in some states, particularly South Carolina, with respect to Charleston, which is represented by thirty members. *Should the people of any state, by any means be deprived of the right of suffrage, it was judged proper that it should be restored by the general government.* It was found impossible to fix the time, place, and manner of the election of representatives in the constitution. It was found necessary to leave the regulation of these, *in the first place*, to the state governments, as being best acquainted with the situation of the people, subject to the control of the general government, *in order to enable it to produce uniformity, and prevent its own dissolution.* And, considering the state governments and general governments as distinct bodies acting in different and independent capacities for the people, it was *thought the particular regulations should be submitted to the former, and the general regulations to the latter. Were they exclusively under the control of the state governments*, the general government might easily be dissolved. But if they be regulated properly by the state legislatures, the congressional control will very probably never be exercised. The power appears to me satisfactory, and as unlikely to be abused as any part of the constitution."

Mr. G. said, a voice which he recognised as coming from a gentleman near him, was heard, saying the authority was adverse to his position. He said, gentlemen might entertain different views about the matter; as for his own part, he was very clear on the point of expediency. He could not doubt about the intentions of the article, when Mr. Madison had declared as he had done, that it was thought proper to *leave the regulation* of the elections of representatives in the *first place to the state governments*, yet, under the ultimate control of the general government, when it was found necessary to exercise the power, "to *prevent its own dissolution.*" If (said he) gentlemen think this authority sustains their position, instead of the one he maintained, they were welcome to the benefit of it—high as he admitted it to be.

For his own part, (he said) he wished it to be understood, that he maintained, that he did not propose the district system, as *regulated by the states*—he preferred it to any and all others; he, in fact, abhorred the system of election of members to congress by general ticket: it was opposed to all his notions of right. Let each district (said he) send the man of her own choice to do the people's business.

He was only opposed to congress undertaking to do that which properly belonged to the states. He was willing to trust the legislature of Virginia; he had full as much confidence in the integrity of its members as he might have in a majority at some time on this floor.

CIVIL APPROPRIATIONS.

SPEECH OF MR. CAMPBELL, OF S. C.

ON THE GENERAL APPROPRIATION BILL, DELIVERED IN THE HOUSE OF REPRESENTATIVES APRIL 15, 1842.

Mr. Adams having concluded his remarks, (as heretofore reported, see page 134.)

Mr. Campbell, of South Carolina, addressed the committee, in substance, as follows: There are parts of the gentleman's speech which he has just resumed his seat in which I concur, and there are parts in which I condemn as connected both with our foreign and domestic relations.

I concur with my colleague in the sentiment which he has expressed with so much sincerity, that "our country may always be successful, but whether successful or not, may she always be right!" It is a noble sentiment, worthy of the gentleman.

I also concur with him in the hope that the blessings of peace may be preserved as long as they can be with honor. And, notwithstanding the number and complexity of our points of controversy with foreign powers, especially with England, I see no good reason to doubt, if approached on both sides with a proper spirit and with a full view of the great importance to both nations of preserving their present amicable relations, that they will be satisfactorily settled.

I have not, however, risen for the purpose of discussing our foreign relations, and had the gentleman confined his remarks to them, I would have retained my seat. But he has thought proper to seize on this, as he has on many other occasions, to attack both the government and what he is pleased to designate "the peculiar institutions" of the south; and to some of these attacks, although they have no reference whatever to the subject-matter immediately before the committee, it is my attention, unless called to order for irrelevancy, to reply at length.

On a proposition to strike out of the general appropriation bill, the salary of our minister to Mexico, and to reduce these for Austria and Prussia one-half, the gentleman has managed, as usual, to misplace many of the common-place topics of abolition. He has charged the representatives of the south with denying to northern and western gentlemen an equality in the privilege of debate; he has designated one of her institutions as a "peculiar institution," a misnomer, and he has stated his principal objection to our minister at Mexico to be that he had promoted the passage of "that execrable 21st rule that is driving this union to its dissolution."

The gentleman does not properly appreciate the deep and abiding attachment of the people of this country to the union, if he supposes it is to be dissolved because, forsooth, the abolitionists are not allowed to convert this hall of legislation into an arena for incendiarism to play off its antics. No, sir, the attachment of the people to this monument of our political wisdom and glory commenced with the birth, has grown and strengthened with the growth and strength of the country, and will continue to grow and strengthen, in despite of the combined efforts, here and elsewhere, of domestic fanatics and foreign emissaries.

From what quarter of the union was a petition

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first presented to this house for its dissolution? Not from the section formerly represented by our present minister to Mexico, or by any gentleman who voted for the 21st rule, but, I am sorry to say, from the section of country represented in part by the gentleman from Massachusetts himself! Who was found on this floor to be the standard bearer of this nefarious petition? Not our present minister to Mexico, or any representative from the slaveholding states, but every eye is turned to the gentleman, and every voice is prepared to say, "thou art the man." Yes, he who once ministered as the high-priest at its altar was the first to violate its sanctity!

Monstrous however, as this petition was, it only prepared for the peaceful accomplishment of its object to which hundreds of petitions attempted to be intruded upon the house indirectly tend, through scenes of contention and blood.

Many things, evil, evil in themselves, are, through the wise dispensations of Providence, made productive of good never contemplated by their authors, and such must be the effect of the petition to which I have alluded. For, although it has afflicted humiliating evidence of the joint influence of folly, fanatacism and passion, its presentation here must convince the people of the whole nation of the dangerous and criminal extent to which the pretended right of petition may be carried.

I cannot be induced to attempt a personal disrespect to the gentleman. When I remember his honorable age and the services which he has rendered to the country, I cannot for a moment believe, notwithstanding the presentation of that petition, that he is an enemy to the union. But thy very fact that a gentleman whose biography for half a century would embrace almost the entire political history of the country, could be induced to mingle with the conscience to present such a petition, is only additional evidence of the necessity of the existence of a rule more comprehensive than any which we have yet established for the extinction of the fanatical, the bottom of which lies not the abolition of slavery but the dissolution of the union.

To show the light in which the conduct of the gentleman has been held by the people of at least one patriotic non-slaveholding state, I will read the resolutions adopted by the state of Ohio. They are as follows:

"*Whereas* it has been communicated to this general assembly that John Quincy Adams, late chief magistrate of this union, and now a representative in congress from the state of Massachusetts, has presented to the house of representatives of the United States a petition from American citizens, praying that congress may dissolve this confederacy. Therefore be it

"*Resolved by the general assembly of the state of Ohio*, That John Quincy Adams, of Massachusetts, in adding to give publicity and importance to this treasonable proposition, has subjected himself to the merited censure and reprehension of his countrymen.

"*Resolved*, That, in the opinion of this general assembly, the house of representatives of the United States owe it to themselves, to the American people, whose representatives they are, to stamp the course and conduct of the member from Massachusetts with the severest marks of indignant disapprobation and censure."

In reading these resolutions permit me to express the regret which I feel that the name of the gentleman from Massachusetts is included in them. I regret that such a name must bear through all future time the unenviable reputation of having been the first to present a petition for the dissolution of the union. But although the first, he is not the last. It is a misfortune that even bad examples set by gentlemen of reputation will have humble imitators, and a gentleman from Ohio, (Mr. Giddings,) who has recently returned to his constituents under the censure of this house for certain resolutions which he afterwards presented in the Creole case, soon followed his example. This gentleman will be, I suppose, returned to us from his particular district, which, from all accounts, is as wrong in politics as he is himself; but I doubt not that the resolutions I have read are approved by a large portion of his state, and that his conduct will be regarded with the same approbation there that it has been on this floor.

One other benefit must be obtained from these petitions, not contemplated by their authors or by the gentlemen who presented them.

The vote on the reception of the petition offered by the gentleman from Massachusetts (Mr. Adams) stood ayes 40, nays 166. Thus we made up a record showing, by 166 to 40 votes, that this pretended right of petition which has been so much contested is a mere humbug, used only for party purposes. Where were the tender consciences, the constitutional scruples of gentlemen, when they were called on to say or no on the reception of this petition? They had no more right to refuse to receive it than they have to receive any other, the agitation of which would be productive of discord and dangerous to the union, over which congress can exercise no rightful jurisdiction. On the vote on the reception of the petition of a similar character offered by the gentleman from Ohio, (Mr. Giddings,) the affirmative vote was only 25.

I hope that gentlemen from non-slaveholding states who have stood up here in defence of the constitution, and have resisted the agitation of abolitionism on this floor, will now forget their scruples, and that the 21st rule has in effect been declared constitutional by a large majority of both parties from every part of the union.

But this is not all. At the late extra session a rule was forced upon the house by the votes of a large majority of the whig party from the non-slaveholding states, denying to us petitions whatever, except upon subjects referred to in the president's message and on the subject of bankruptcy, should be considered during that session. This was going far, very far beyond the 21st rule. If we have to pass such a resolution for one session we have the same right for another, and may make it applicable either to one session or to a whole congress. I did not vote for this rule of the extra session, but the gentleman from Vermont (Mr. Slade) and most of the other abolitionists on this floor did. I have never objected to the constitutionality of the rule which I thought we had jurisdiction for an entire session of congress, but most of the abolitionists on this floor have.

It is not evident from the statements I have made that the real ground of complaint, not that the constitutional right of petition has been violated, but that we, by the 21st rule, have endeavored to prevent this house from being converted into an auxiliary abolition society?

I will here read an extract from an editorial in the Globe newspaper, and I will leave it to gentlemen to say what is the object of the abolitionists:

"The people of the south, where 5,000,000 of white men exist, are irritated and inflamed by a course of abuse, lying and insult, if paralleled, certainly not exceeded, in the history of mankind. On the other hand, the people of the north are alarmed by assertions that the people of the south—the weakest section of the union, but numerically twice as strong as our fathers, in our revolution—are plotting in defence—are plotting to enforce on them the institution of African slavery. If congress passes a law that incendiary publications, calculated to wake up insurrection amongst the slaves of the south, shall not be scattered throughout the south by the United States mail, it is an outrage on the north. If the southern states provide a penalty for incendiary publications tion to their slaves, it is a violation of the liberty, of speech to northern citizens. If they forbid the printing or circulation of writings and papers calculated to produce insane and wild within their own limits, and amongst their own people, the liberty of the press is invaded to the northern people. If they protest against the passage of laws by the northern states by which the law of congress, passed in pursuance of the constitution, is nullified, and their fugitive slaves are taken from them, it is asserted that they wish to deprive the northern people of the rights of *habeas corpus* and trial by jury. Thus the different sections of the union are instigated to hate each other. In the same time, and simultaneously they approach their object—a dissolution of the union. At first, the Declaration of Independence, not the constitution, is relied on to support their designs. Then, if the constitution, and the author rises slavery, it is anti-Christian, and the laws of God are to be obeyed before those of men. Then, as an alternative between abolitionism and the union, "let the union go." Thus, the union established by prophets and encouraged by timid or unprincipled politicians, they take a political position, and openly declare their object and unfurl the banner of a dissolution of the union."

The gentleman has pronounced slavery to be a plague-spot, a sin, a misfortune. Sir, it will be a day of woe to the south—it will be a time of lamentation to the slaves—when the gentleman succeeds in producing the impression that it is sinful to hold one. Men of tender consciences, of virtue and of piety, will then rid themselves of this description of property, and the poor slave will be left to toil and bleed and sweat under the lash of merciless, unconscientious, and avaricious masters. In the name of humanity I declare that it would be cruel in the gentleman to produce this impression at the south, if it was in his power to do so.

We are not sent here to discuss questions of morality and religion; but, having noticed the remarks of the gentleman on this subject, I will take occasion to express my unqualified disapprobation of admissions that I have heard made even by southern gentlemen on this floor, that slavery is a great moral and political evil, which has weighed and is weighing like an incubus on the south. This is an admission, or rather assertion, which no representative of the south is authorised to make.

I admit that slavery, like all other human institutions, has its evils; but I deny that the south has languished under its influence, or that her progress, either morally or politically, has been retarded by its existence among us.

It is true, as a general remark, that population has attained more rapidly in the slaveholding than in the non-slaveholding states; but, if you understand the geography of the country, its soil and climate, you will find no difficulty in tracing this to proper cause. The slaveholding states, with few exceptions, stretch along on the shores of the Chesapeake, the Atlantic ocean, and the gulf of Mexico, embracing the peninsula of Florida, more than fifteen hundred miles. Along the whole of this extent there is, with few exceptions, a belt, averaging in breadth from forty to sixty miles of low, sandy country, interspersed with sand-hills and unhealthy swamps, whose poisonous exhalations, under the influence of a southern sun, are almost as unfavorable to the European constitution as the exhalations of the Nile, but which experience has proved to be congenial to the African race. There are portions of this region of great fertility and in the highest state of cultivation, and yet, generally speaking, the greater part is too poor in its native state to attract a dense population, until the fertile lands of the west shall have been occupied. This is the true reason why population has not advanced to the same extent in some of the others. For example, I have heard Kentucky represented as almost a perfect Eden; and, although I have never seen her, I have heard that I have seen some specimens of her productions in the genuine *homo* on this floor. But still it may be said that, with all her natural advantages, population has not advanced so rapidly as in the neighboring state of Ohio. The reason is obvious. Her inhabitants have turned their attention very much to pasturage. Her wealthy proprietors have purchased the farms of their poorer neighbors and blooded horses, and Durham cattle, and Berkshire hogs, have to some extent been substituted for men and women, who in their turn have emigrated to cheaper lands, and enjoyed civilization still farther west. Few states, of equal age, have advanced so rapidly as Tennessee in population for the last ten years.

But let us look at this subject in another aspect. The productions of the slave labor of the south is one of the principal means by which this nation has risen to its present commercial importance. After supplying our manufactories with the raw material of cotton, and almost the entire consumption of the country in rice and tobacco, those three great staples raised in a section of the country containing less than a third of the population, constitute more than two-thirds of the exports of the domestic produce of the whole union. To say nothing of rice and tobacco, the single article of cotton produced the south, in its cultivation, manufacture, and sale, does more to feed the hungry to clothe the naked, and spread civilization among men, than is produced by ten times the population of any other part of the union. Abstract this article from commerce, and you would not only reduce millions to wretchedness and want, who have never seen an African slave, but you would cover the earth with barbarism. The possession of this great key of commerce will do more to preserve our amicable relations with England than would an army of a hundred thousand men, or a navy twice as strong as the one that we have.

Does it appear from this statement that slavery has weighed like an incubus on the country, and that our advancement has been retarded by its existence among us? If gentlemen suppose that cotton can be cultivated extensively for export where African slavery does not exist, I will inform them that the republics of South America and Mexico, where the climate and soil are equally advantageous. From no portion of South America, except Brazil, where this institution is still preserved, is cotton a valuable article of export. I may be pointed to the East Indies, and referred to the great increase of the import of cotton from that region into England in the last year or two. This may be attributed to the combined influence of the present condition of things in the east, by which the cultivation of the poppy has been checked, the China market closed against India cotton, and to the strong temporary stimulus of English abolitionism. I would be pleased if a candid abolitionist (looking at Mr. Slade) would inform me how far the abolitionists of this country depend upon aid, if not from the British government, at least from British subjects, in promoting the overthrow of one of the institutions of their own country?

The gentleman from Massachusetts has said that

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"Texas was cursed with the sin of slavery restored," and even he was forced to acknowledge in substance that the south was not so deeply guilty. Texas, guilty as the gentleman supposes her, has never forged fetters for the arms of a freeman. The slaves which she holds are hereditary bondmen, taken from this country; and when she contrasts her rapid progress in prosperity with the miserable and wretched condition of the neighboring provinces of Mexico, it is not likely that with all the improvements that can be poured upon her head, she will be disposed to abandon this institution.

No opinion of this house can either strengthen or weaken the rights of the slaveholders of this country to hold their slaves. We hold under the laws of our respective states, guaranteed by and under the constitution of the United States. It is a question with which the people of the non-slaveholding states have nothing to do, politically, except so far as they are bound by the constitution, which binds us all together to maintain and support the institutions guaranteed by that instrument—obligations that are observed throughout all the states, and which will bind the people of the south to go to war, if necessary, to protect the property of the north or preserve the integrity of the territory of the most northern and most western states in the union.

But, although irrelevant to the subject before the committee, and only authorised by the course which has been taken in this debate by the gentleman who preceded me, I will, for the purpose of showing the gross injustice of taunting us upon this subject, enter into a brief history of African slavery. The African slave trade, as is known to every enlightened person of the house was commenced by the Portuguese, at that time as important commercial and navigating people, and under the auspices of the Catholic church, made but little progress until early in the 16th century, when the Emperor Charles the 5th, from humanity, and to prevent the destruction of Indians engaged in working the mines in the Spanish West India Islands, authorised the importation of Africans. From that time it rapidly spread throughout all the southern European colonies on this hemisphere; and it may be truly said that the south has never had the question presented to her under circumstances that she could exercise the choice whether she would or would not allow this institution to be established.

I have seen it historically stated that, as early "as 1620," the very year that the gentleman's ancestors landed at Plymouth, in Massachusets, "and only about thirteen years after the settlement of James town, in Virginia, a Dutch vessel from the coast of Guinea sailed up the James river and landed the first African slave that was ever brought to British America." African slavery, then, in general in this country with its settlement by a civilized and Christian race of men. Not only African slavery, but the African slave trade, existed through the entire period of colonial dependence on the mother country, through the war of the revolution; during the period that we were united under the articles of confederation and under the constitution by virtue of which we are now assembled, down to the year 1808. The constitution expressly declares—

"The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by congress prior to the year one thousand eight hundred and eight; but tax or duty may be imposed on such importation not exceeding ten dollars for each person."

Thus we see that not only African slavery is, but the African slave trade was expressly recognised by the constitution under which we are assembled; the trade which, permit me to say, was condemned at the south before it was at the north—a trade which is now condemned at the south as much as it is at the north; and a trade effectually put to a stopper which I am willing and prepared to go as far as he who will go farthest; but, under the pretext of suppressing which, I am not willing that the flag of my country should be wantonly insulted by the cruisers of a foreign power. The gentleman, in his remarks on yesterday, spoke of it as a remarkable thing that, while a member of Mr. Monroe's cabinet, he should have resisted the claim of the British government to search our vessels for the alleged object of suppressing this trade, while southern slaveholders, innocent of the same calumet, were in favor of it. I do not think that it is at all remarkable; for, if there were any portion of this country engaged in the African slave trade, they were not the people of the south, and if the people of any section of this country are more interested than all the rest in suppressing it they are the people of the south. In addition to the motives which operate on other sections of the union, we at the south have the additional motive of self interest to suppress this trade; for, as must be evident to all, the introduction of every additional slave into any of the West India Islands, or on any part of the continent, increases the competition of slave labor, and reduces the value of those already here. This, therefore, as the gentleman seems to suppose, is not a southern question; and, although we are not willing that England should be permitted to prescribe to us a new rule upon the subject of search, neither are we willing that our flag should protect a pirate. I acknowledge the difficulty of efficient action on the part of the cruiser of either nation in suppressing this trade without a mutual right of visitation, attended by sufficient examination to ascertain the nationality of a suspicious vessel; and, unless the flag of either is unfurled. But where will you place the limit between examination and search; or, if you permit the one, how can we insure to our vessels engaged in lawful commerce protection against the abuses incident to the other?

We have by our legislation inflicted no wrongs upon Africa, certainly none since 1808. It is evident, however, with England, and perhaps her zeal may be increased from a desire to make some retribution for the great wrongs given to the African slave trade by her ill-judged and cruel policy.

I will read from a British Review of high character, (Blackwood's Magazine for July, 1839). I wish the arguments were later, but this debate comes up unexpectedly, and I have not time to search. After showing from returns laid before Parliament that the annual production of sugar, which had for seven years previous to 1833 amounted in Jamaica to 30,000 hogsheads, had declined, in the year 1836, been reduced to 61,641; and, from accounts that had been received, would probably not amount to half hogsheads in 1839, the review proceeds as follows:

"In short, the agricultural produce of the island is totally disappearing; the negroes, in the great majority of instances, either will not work at all, or, if they work, or are so extravagant in their demand for wages, and so irregular and inconstant in their habits, as to render it altogether impossible to continue the cultivation of sugar or coffee to any profitable extent. Unless some other race can be introduced who will supply their place by free labor, and they peacefully retire to the wooded hills, where they can squat and lead a life of savage indolence and penury, nothing is more certain than that in five years the cultivation of sugar in the West Indies will have entirely ceased, and nine-tenths of all the slaves in the colonies will be reverted to a state of nature. Could any thing else have been expected? St. Domingo, before the commencement of the revolution, 160,000,000 pounds of sugar, being more than all the rest of the world put together; now it imports that article of produce. * * * No other result could possibly have been anticipated, from a measure which, however well intended, was founded on such absurd and delusive principles as the slave emancipation act. The principle on which it proceeded was, that five years were sufficient to eradicate the slavish habits and desires of a freeman, and render the transition from servitude to liberty safe and salutary; it may safely be affirmed that half a century were would have been little enough for the momentous change. How long did it take to wear our slavery in the British island? Five centuries. Why was it never possible to anticipate it even amidst all the refinements and civilization of Greece and Rome? Why does it still exist, in undiminished and undimmished vigor, over two-thirds of the globe? Evidently because it is a necessary step in the progress of civilization; because without it savage man never has worked, and never will work; because without its exercise the human race would have lived forever in the hunter or shepherd state; because, but for the slavery of our Saxon progenitors, we would now have been wandering in the woods; because, whatever evils may be inflicted on mankind, they are many and grievous, they are trivial in comparison of the universal and wide spread misery, the total stagnation of the moral and intellectual of the human race, which instantly follows the ousting of uncivilized man with the nominal blessings, but the real destitution, of freedom. * * * Does the consolation of the slave trade once the globe, the evident amelioration of the African race, and the stoppage of the unutterable horrors of the middle passage, counterbalance the misery and the disappointment of all their hopes and blasting of their expectations on the other side of the Atlantic? Alas! here the prospect is even more gloomy than on the sunny slopes of Jamaica, now choked with weeds, or the rich marshes of Guiana, fast relapsing into jungle. The slave trade has been double in extent and aggravated in horrors throughout the globe by the monstrous act, and the sufferings of the African race, under European cupidity, are now incomparably greater than when the philanthropy of Wilberforce and Clarkson first interfered for their relief. The rapid decline in the agricultural produce of the British West India Islands has given an impulse to the foreign slave colonies which is almost incredible, and augmented to an extent which it is piteous to think of both the number of blacks who are annually torn from their homes and their children in Africa and the barbarity with which they are treated on their passage to the American shores. * * * One way, and one only, of stopping the infernal traffic exists; and that is, enabling the British planter, with stationary slaves, gradually improving in industry, to undersell the foreign slaveholder in the supply of the world with sugar. This is the method—this simple, just, progressive method of nature—was in satisfactory progress, and the slave trade must have declined, and perhaps in the course of ages expired, from the effect of the competition of the British stationary serf with the foreign imported slave, when the whole progress was stopped by the emancipation act; our islands reduced to ruin; our own slaves rendered by savage life; and a new impulse, to which philanthropy can assign no limits, communicated to the execrable traffic in human flesh."

I might refer to other testimony, but the extracts which I have read are sufficient to show the effects of emancipation madness in the British West India islands and the African slave trade—effects which were doubtless not foreseen until it was too late to recall the fatal act by which the fairest and richest portion of the British empire has been ruined, and intolerable misery inflicted on the cause of humanity. It is certainly a political anomaly that, while England has at such heavy sacrifices attempted to assert the rights of the African race, the interests of humanity have suffered her from the east. I speak not of the China war; but I allude to the suffering millions in British India, trodden down and oppressed by the iron sceptre of tribute to the east and blood which she has shed in that unhappy country—to the unjust and remorseless wars which she has waged against a weak and timid race—to the slave trade in self, as it exists where her influence is paramount. I read from a late paper.

"The sole ex conscribing the slave trade in Bassein has been the following part of a statement made by the leader of a gang of slavers on the coast of Malacca, as quoted in a late speech of Lord Brougham. It will be recollected that, if not actually subjugated, Bassein is, or was, in a manner, in that country, whose capital was taken in 1827, and is still retained by England.

"I left my home with a gang of forty Thugs, and proceeded to Bassein, passing, at Kowa Dass and Rookumnee went to the city of Mutra for the purpose of buying some clothes, and succeeded in winning the confidence of four travellers, two men and two women, who were on their way to Calcutta, whom they brought with them to our encampment; after passing two days with us, Teelia Dass, Mudhoo Dass, Byrajeen and Bhoolun, Hingoma, Bechkee, Hingoma, Beja jarahn, Balbuck Dass, Chutter Dass, Nepal Dass and Kumooman Dass prevailed on the family to accompany them to the banks of the Jumna, and murdered the four elderly travellers in a garden near the village of Gokool. After throwing their bodies into the Jumna, they took their three children to the tank, or encampment, at Kowa Benjapah, near the village of Gokool, and told the two female children forty rupees and the male for five rupees." One of them, a woman, says: "We now went off to Thoomooa, where we encamped in a garden on the bank of a tank, and here several parties of travellers were inveigled by the wives of the leaders of our gangs to come and take up their lodgings with us—1. A Chinaman, with three children, one thirty years of age, and the others young. 2. The widow of a carpenter and her son, ten years of age. 3. A Brahmin and his wife, with one beautiful daughter fourteen years old, another live, and a son six years of age. 4. A Brahmin and his wife, with one daughter about fourteen, another twelve, and a son three years of age. Our encampment remained for two or three days among the tents of the Nacks and Brinjarahs, after which we all went one morning to a village in the territory of the Toomooa Rajah; I forget his name. Here very heavy rain fell at night, and deluged the country, and we got no rest. The next morning we went to a village on the bank of the canal, still in the same Rajah's country. The next day we went to a village on the bank of the Jumna; and two hours after night Kaner Dass proposed that we should go down to the sacred stream of the Jumna, say our prayers, and remain there. They all went down accordingly, leaving me, Roopla and his second wife (Rookmunee) at the village. They murdered the seven men and women, and threw their bodies into the river; but who killed them, or how they were killed, I know not.—The Chinaman and his eldest daughter, the two Brahmins and their wives, and the carpenter's widow, were all murdered. They brought the nine children back to us a watch and a half before daylight. They

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were all crying a good deal after their parents, and we quieted them the best way we could with sweetmeats and playthings. We came to Beebe-point, and encamped in the grove. A daughter and son of the Brahmin's were extremely beautiful, and these we left with Dhyan Sing for sale.' [Lord Brougham continued, but from the low tone in which he spoke, and from the restlessness under which he laboured, he was almost inaudible. We understood him to speak as follows: "I have no language—I have no power of speech wherewith to give utterance to the mixed feelings of pity and of horror which arise in the breast of every man at such atrocities as these. But it is not necessary for me to add one word to the account which I have read to your lordships. I defy the most powerful orator to paint these atrocities in colors more striking—to place them in a light more appalling, than they receive from the simple statement of the facts themselves. Steeped in blood, no nation of the earth—nay, not Africa herself—ever presented more appalling examples of the promenos to take away life—of the utter indifference as to the taking away of life—which distinguishes this cruel, this revolting traffic."

Truly has Lord Brougham said in the above extract, "I defy the most powerful orator to paint these atrocities in colors more striking—to place them in a light more appalling than they receive from the simple statement of the facts themselves."

But to return from this digression. I cannot believe that there can be a war, or even a serious difficulty, between two nations having so many motives to preserve their amicable relations, upon a point like this. Politicians, like other individuals, may affect sentiment, and use set phrases about the interests of humanity; but the age is too utilitarian to sacrifice real advantages upon a mere sentiment. Our importance than is involved in the controversy of whether the cruisers of either, engaged in the suppression of the African slave trade, shall be allowed to visit, or not, if necessary, by examination, to ascertain the nationality of a suspicious vessel bearing the flag of the other. Both nations are, I believe, equally sincere in their endeavors to suppress this traffic, but I would make no concession upon the subject, and if England attempts the exercise of a right to which she is not entitled by the law of nations, the whole world responsible for the consequences. We know that her disposition is to encroach on the maritime rights of all nations; and if the permit be an inch, there is danger she will claim an ell.

I rejoice that there is no evidence of the existence of the African slave trade to this country, even to the minutest extent. I live in the centre of the slaveholding states, and represent one of the most agricultural districts in the union, bordering for many miles on the ocean, where slaves have always been in active demand; but I never have, to this day, of my knowledge, seen or even heard of an African imported, since the law of congress prohibiting the African slave trade first went into effect.

But, previous to the year 1808, who were the people in this country principally engaged in the African slave trade, and who fattened on its profits? The people of that section of country now represented in part by the gentlemen from Massachusetts. The people of that section where there now exists an organized body of men by whom we of the south are slandered and denounced for holding slaves—by whom the freemen of the south are represented as a set of monsters, without religion, without humanity, without true virtue of any sort; who have their agents wherever they can venture to spread their moral poison, and by whom thousands of communications are almost daily published, calculated to produce heartburnings and jealousies between the different sections of the country, and to excite our slaves to murder and insurrection.

Because we refuse to these incendiaries, who have assumed the garbs of religion and humanity the means effectually to injure our reputations and disturb our peace, the privilege of having their slanders read at that desk and debated on this floor, the gentleman says that he had as well attempt to "blow with a whirlwind," and accuses us of having adopted "an execrable rule that is driving this union to its dissolution."

It is too late, Mr. Chairman, to discuss the policy of the course adopted by our predecessors, and followed by ourselves, upon the subject of abolition petitions. Whether originally wise or not, it is removed from the position assumed upon this subject, would be regarded by the abolitionists as an evidence that their principles were spreading on this floor, and encourage them to persevere in their wild and destructive projects against the peace of the south and the integrity of the union. On the other hand, if this and successive congresses persevere in the 21st rule, or in any other of a similar character, they will, notwithstanding their lamentations for the fancied offenings of others—notwithstanding their pharasaical assumption of superior piety, ultimately abandon their schemes as unattainable through an American congress, and we be spared from the agitation of this dangerous and exciting subject, the most portentous that has ever been agitated in the history of the world. How favorably does the conduct of those representatives from the non-slaveholding states who have, by their conduct, held out to their fellow citizens of the south an assurance that their constitutional rights will not be invaded through this house, contrast with that of the gentleman and his associates, who, although them-elves generally unaffected by the abolition fanaticism, pursue a course which is calculated to produce the greatest evil between the different sections of the union, and to encourage the enemies of our institutions at home and abroad to persevere in their efforts to sow the seeds of discussion among us! With one or two nerdy exceptions the whig party of the non-slaveholding states vote with the gentleman from Massachusetts upon this subject—with two or three exceptions the members of the democratic party are to be found on the other side. I flatter myself that since the vote on the reception of the petitions from abolitionists to dissolve the union, we shall have no more reason to apprehend a whig war upon us on this question; for surely they cannot, in the face of their recorded votes upon the reception of those petitions, any longer say that it is a *matter of conscience* with them to receive and consider all petitions.—Should the parties, however, continue divided, as they have hitherto been on this subject, the south will not long be the victim of the true interest to unite. The friends of the union everywhere will not long doubt in the triumph of which, there will be the greatest security for its preservation.

There are one or two expressions in this floor from the slaveholding states, who, although they believe that we are under no obligation to receive or consider abolition petitions, yet contend for their reception—in part, I believe, from motives of conciliation and in part because they think that the south should understand the true position of northern gentlemen on this subject, and that it is better to provoke on her armor and prepare for defence. With deference, I think these gentlemen are wrong. The friends of abolitionism, if they believe that if not allowed to burst in this hall, it will lower and threaten in vain. The philanthropists, as they are called, may lash each other's enthusiasm into fury by false representations of the treatment of the white, but if excluded from this hall, their fury will be impotent, and the country go on to flourish and prosper as much as it did not contain within its bosom a single company in its confederacy, "the most dangerous institutions," instead of "one of its institutions," for the true question which lies at the bottom of the movement, is not abolitionism, but dissolution of the union.) If I were confident that the reference of such petitions would produce the most favorable report for the south that can be imagined, I would not be found where I am now. Such another report as this house, no matter what might be the nature of the report, would only produce excitement at the south and encourage the abolitionists in prosecuting their schemes. Such was the effect of the celebrated report of the committee some years ago, of which Mr. Pinckney of South Carolina was chairman, and such would be the only effect now. Whatever a proposition is made to refer and report upon such petitions, you will find every abolitionist on this floor voting for it—no matter whether the reference be to a committee exclusively composed of abolitionists, or to a committee composed in part to both. I call upon gentlemen from the south who have hitherto voted for the reception of such petitions to consider well what they do. This is a question to us of self-preservation, that rises above all written or constitutional law. The assassin's dagger is aimed at our hearts; all we have to contemplate is the fatal stroke, or shall we manfully resist? Do not, gentlemen, allow the rights of your constituents to hold their property to be discussed on this floor. If you do, their bloody heartstones may hereafter tell the tale of your folly and of their misfortune.

To those gentlemen from the non-slaveholding states who have had the manliness to put the abolitionists at defiance, and vote for the exclusion of their petitions, I would say: allow not your minds to be seduced by any technical construction of that amendment to the constitution which provides that congress shall make no law prohibiting the "right of the people peaceably to assemble and petition the government for a redress of grievances."

If slavery is a grievance, it is a grievance to those states and territories where it exists, and it is an abuse of language to say that the incendiaries and agitators and disunionists in the non-slaveholding states, who endeavor to propagate their disorganizing doctrines here, are people who "peaceably assemble to petition the government for a redress of grievances." Illiberal, for argument sake, that in this I am wrong: when the people have assembled and petitioned, their constitutional privilege upon this subject has been fulfilled. When the petitions are presented here, our privileges commence, and we have the right to dispose of them in any manner that we may think proper. What has much more common from the commencement of this government than to lay a petition upon the table upon its first presentation, without allowing it to be debated, read, or referred? There is scarcely a gentleman in this house who has not voted to dispose of single petitions in this way; and, if it is constitutional thus to dispose of single petitions, why not dispose of scores of them, all relating to the same subject, in the same manner? Where is the substantial difference, in point of constitutional right, between refusing to receive a petition and refusing to consider it? And yet who has ever supposed the constitution violated when a petition upon its presentation has been laid upon the table, without allowing a moment's time for explanation? The truth is, as was well remarked by the gentleman from Pennsylvania, (Mr. C. J. INGERSOLL) at the extra session, undue importance has been attached in this country to the right of petition, by confounding it with the right of petition as it exists under governments where the only political right that the people have is the right of petition. I do not gentlemen degrade their constituents when they attach so much importance to a right which is more properly the right of a slave than of a freeman!

There are two grounds upon which the twenty-first rule must be admitted to be perfectly constitutional. Few gentlemen on this floor will contend that congress is bound to receive a petition the subject matter of which is not constitutional (office legislate upon; and still fewer, I trust, who will contend that congress has the right to legislate upon the subject of slavery. As regards the Abolitionists, all admit that congress cannot legislate. As regards the District of Columbia, all, I presume, but rabid abolitionists, will admit that we are bound, both by good faith and constitutional obligations, not to legislate upon the subject. As regards Florida, we are bound not only by the obligations of the constitution, which will not permit us to do any more to deprive or injure the property of the citizens in his slave than in his horse or farm, but also by express treaty stipulation and the obligations of the Missouri compromise. So far as the slave trade, per-ter-ed relates to the internal slave trade, that question, if I am not mistaken, is settled for us incidentally by the supreme court; and, if it is not, it must be evident to every gentleman that the power of congress over commerce is conservative and not destructive.

I will allude to one more ground upon which this rule is defensible, and which, if I am not mistaken, I have often heard admitted by gentlemen from Massachusetts himself. It is this: "petitions disrespectful in their language, or insulting to the house or to any of its members, ought not to be received." All abolitionist petitions are disrespectful and insulting to every slaveholder, and to the representatives of every slaveholding community on this floor. Whether or not gentlemen from the north are all based upon this most injurious assumptions. How can you more effectually insult the representatives of the slaveholding states than by representing our constituents and ourselves to be guilty of the daily and constant perpetration of "a crime that must bring down the just judgments of God upon us?"

But perhaps we should be tolerant to the abolitionists, and, although the 21st rule is constitutional, agree to receive and refer their petitions. We have frequently been told that they are philanthropists, who have no other desire than to free our slaves by emancipation, but only to convince their masters that it is their duty to liberate and admit them to the privileges of citizens. This argument may do very well for a philanthropist of the abolition school, but certainly not for a statesman.

Let us inquire, if it be possible to do so seriously, what would be the consequences of emancipation, so bright a scheme! Evidently, the extermination of the African or European race in the present slaveholding states, or a vile amalgamation that would convert our people into a degraded mulattoes. Let the philanthropists who can see no distinction in color, thus, if they think proper, stain their posterity; but such moral stains are forever in their different materials, and southern pride will never stoop to this. No, sir; rather let us endure the horrors of a servile war, urged on by British emissaries and American fanatics; rather let the plains of the south be drenched in blood; rather let her villages and cities and farm-houses smoke in ruins, with their present happy population buried beneath them in short, rather let the negro race rule from the Susquehanna to the Sabine, than submit to so foul a degradation.

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But why do I draw this picture? It can never be realized. There is one question, and one only, which lies at the bottom of this subject, and that is, the dissolution of the Union. And in relation to that, I say, rather let the Union be dissolved, even if with it the last hope of political liberty should perish from the face of the earth!

To a casual observer it must appear ludicrous to treat the movements of these wild enthusiasts with serious notice. Let them alone, say some well-meaning gentlemen on this floor. Do not allow them to strengthen their cause by involving it with the right of petition, and the flame which they have enkindled will soon expire of its own accord. Let their petitions be received and debated, and their impracticable projects will speedily take the light where, as the mists of the morning before the full-orbed sun.

Have you read history, Mr. Chairman, with so little observation as to listen for a moment to the voice of this siren? The history of all ages shows that reason is no match for fanaticism. As well may the sailor attempt by his whistle to drown the voice of the tempest that carries his ship upon the rocks, as depends for safety, as by reason to attempt to quell the storm of fanaticism. Fanaticism is a fire, lashing with a whip of scorpions the passions, fears, and superstitious reverences of her devotees. If reason was a match for fanaticism, where would be the absurdities with which humanity is outraged? where would be the false idolatrous worship with which the world is filled? where would be the bloody car of Juggernaut—the grand Lama of Thibet—the American anti-slavery society, or its advocates here?

Mr. C. is aware that the new society, and the anti-slavery society in this country, and in glancing at the agitation on the Missouri question, took occasion to condemn the compromise which was adopted upon that subject as unconstitutional, and so far as the slaveholding states were concerned unjust. Unconstitutional, because congress has no authority to refuse to a state applying for admission the 1 thing, the right to incorporate in her constitution any institution authorised by the constitution of the United States, or enjoyed by any of the states. Unjust, so far as the south is concerned, because it attempts to confine slavery within particular limits, and thus not only prospectively weaken the relative influence of the slaveholding states in the national council, but in effect denies to their citizens who may be slaveholders the privilege of emigrating with their property to any of the territories of the U. States north of a certain degree of latitude.

Mr. C. also alluded to the impulse which the anti-slavery society received in this country from the British West India emancipation act. Slavery is not only promulgated as the rights of the West India planters, rendered the most fertile colonies on the face of the earth comparatively unproductive, and conferred incalculable evil upon the slave population, who, released from the control of their masters, better for them than the control of the law, are retrograding in morals and civilization; but is represented upon the authority of the British Review, already quoted, as having doubled the African slave trade in extent, and quadrupled it in horrors.

This respectable Review is not only one of the ablest periodicals in the world, but it also one of the ablest supporters of the principles of the Peel administration. And although the present ministry may find it impracticable to force England to take cotton from whatever she has been reduced by the unwise measures of their predecessors, which have not only destroyed her most valuable colonies, but has nurtured a spirit among the nations, which, beneath whose influence her time-honored institutions may ultimately fall. He hoped they would take warning from the example, and at once renounce doctrines which, however they may sound in theory, when inconsiderately introduced into practice, never fail to produce disastrous effects.

Hear what Napoleon, a man whose name has filled the world, and of whom it was truly said, "that at his approach competition fled as from the approach of destiny," has said on an analogous subject:

"Had any of your philosophic liberals come out to Egypt to proclaim liberty to the blacks or the Arabs, I would have hung him up to the masthead. In the West Indies similar enthusiasts have delivered over the whites to the ferocity of the blacks, and yet they complain of the victims of such madness being discontented. How is it possible to give liberty to Africans, when they are destitute of any species of civilization, and ignorant even of what a colony or mother country is? Do you suppose that, had they been aware of what they were doing, they would have given liberty to the blacks? Certainly not. But few persons at that time were sufficiently far sighted to foresee the results; and feelings of humanity are ever powerful with excited imaginations. But now, after the experience we had, to maintain the same principles cannot be done in good faith; it can be the result only of overweening self-confidence or hypocrisy."

Mr. C. spoke of the insignificance of the anti-slavery society, at its first organization, ten or twelve years ago; which, at its first meeting, scarcely numbered a score of men, women, and boys combined. Its members were, however, animated by the zeal of mad enthusiasm, and finding their sentiments uncongenial with the people of this country, they sought for and obtained a foreign influence. They sent their agents to England, who travelled the kingdom and denounced in the most unmeasured terms, and with the vilest epithets, not the American slaveholders only, but the American colonization society. And here he would take occasion to remark, as illustrative of the influence of these two societies in promoting their professed objects. There resided in his neighborhood a respectable old bachelor, (if an old bachelor can be respectable,) a conscientious good man, who, by a long life of industry and frugality, had accumulated considerable property. This gentleman, at the request of his friends and slaves, all of whom, under the auspices of the colonization society, lie liberated and sent to Liberia; where, so far as he was informed, they are still living happily and extending the influence of civilization and religion in the land of their fathers. But, mark the change which took place in the sentiments of this good man! A few years after the anti-slavery society was organised and commenced spreading its incendiary publications. Meetings were called at the south. Slavery, as it exists among us, was discussed in all its relations. The rights of slaveholders as slaveholders, had their compunctions removed; and this very gentleman, who had liberated all his slaves, again purchased his own servants, and began to increase the number of about twenty; held them in bondage while he lived, and left them, by legacy, to distant relations.

Mr. C. also spoke of the English emissaries, who had been sent to this country, commencing with the vagabond Thompson and ending with the notorious Sturge; all of them no doubt paid with English gold to work the work of abolitionism. He did not say that any of these emissaries were secret agents of the British government. He did not, indeed, believe that they were. But still it was not impossible, for, notwithstanding the superiority of England in a naval power, and her present naval superiority, England is not blind to the growing importance of the marine of this country, and may apprehend, if this union continues, that the time will come when we may wrest from her grasp the trident which she has so long borne over every sea.

He need not refer to the history of modern history to the fact, that during a time of peace between England and Denmark, Lord Nelson, acting under the secret orders of his government, given in violation of national faith, attacked the Danish navy and destroyed the navy of Denmark, then laying at anchor in the port of her capital. And was it impossible, he asked, was it improbable, if, notwithstanding the similar counsels, that the British government may from similar motives, send secret agents to this country for the purpose of sowing the seeds of dissension among us. We know, at all events, that the intrigues which within the last few months openly raised the standard of disunion.

He would put the suggestion of a foreign influence receive strong corroboration from the World's Convention, held a little more than a year ago at London, at which presided Prince Albert, the husband of her Britannic majesty, the king consort of England, and to which the American anti-slavery society sent delegates, who openly did all in their power to excite prejudice against their own country. Americans, said Mr. C. who can thus unite themselves with a foreign influence to overthrow our institutions, are not merely errorists in opinion and fanatics in religion, but they are traitors to their country, and traitors to the country; and I call upon the patriotism of the north as well as of the south to unite in checking this hydra treason in the bud.

But leaving out of consideration for the present the treasonable connexion which this society has formed with an inimical foreign influence, I will present to the view of some such rule as the one which the gentleman has denounced as driving "this union to its dissolution" is necessary for its preservation.

The anti-slavery society which commenced ten or twelve years ago with so small a beginning, we were informed by a gentleman from Georgia, (Mr. Kiso, at the extra session, when read first the abolition petitions), numbered as early as 1838 upwards of thirteen hundred auxiliary societies in thirteen states, thirteen of which were state societies. The gentleman from Pennsylvania (Mr. C. J. Ingersoll,) informed us a few days afterwards that they probably amounted at that time to two thousand. Let this, however, be as it may, we know that it has the command of funds to a great extent, and that it regulates and controls a press which issues more slander against the south than is probably published in the entire south on all subjects whatever. Almost every mail brings intelligence sufficient to convince us that it has enlisted not merely thousands of the weak and ignorant in an unholy crusade against our peace, but thousands of determined spirits, who, reckless of consequences, are driving on to the accomplishment of their purposes; that it already has sufficient influence not to throw the south only, but the whole union into violent commotion; that it is of sufficient importance to be courted by a powerful political party in the non-slaveholding state; and that it commands a fulcrum upon which is wielded three of the most powerful agents in the conduct of human affairs—fanaticism, money and a press.

If we are true to ourselves, there may be but little danger. If the representatives of the south present an unbroken phalanx, and determine that, some weal some woe, that the rights of their constituents and their property shall not be discussed on this floor, there may be but little danger. But if we are divided, we will discourage our friends at the north. If a portion of us insist that we shall fold our arms in indolent security, and depend upon our battles being fought by others; if we allow this house to be converted into an auxiliary abolition society, and rather the shallow pretext that all they want is "the right of petition," there is danger the most imminent.

What are the most prominent dangers? First, from the increase of abolitionism of this society, which, since long control the elections at the north, there is danger to the union.

In there is not here with heart so dead as not to feel grateful that his lot has been cast in this land of liberty? Is there one here with spirit so humble as not to feel proud that he is the citizen of a country whose government is unexampled, whose growth and prosperity are the wonder, of the world! whose stars and stripes are borne in triumph over every sea, and ensure respect to the American name in every quarter of the earth—a country to which great, and glorious, and powerful as she is, if this union continues, is but an infant Hercules in the cradle.

Although it may not be wise in us to indulge the hope that our republic will be exempt from the common fate of nations—although, indeed, the unwelcome conviction may force itself upon our minds that our admirable system of government is destined ultimately to meet the fate of all other human institutions, it is certainly legitimate to hope that, when ages yet to come shall have rolled their courses in the tide of time, the political liberty and union of these states will still continue.

Let our aspirations, however, for the union be as fervent as they may, this is a question which we cannot yield, even if that greatest of all political evils except the loss of our liberty should be the certain consequence—the dissolution of the union. No, sir, let us gilder as we may upon the subject of receiving abolition petitions, every man who treads on southern soil is prepared to rally under the standard of southern rights, if the hour of trial should at last come, which God grant it never may, no citizen of a slaveholding state can doubt his duty, and he who does not endeavor to perform it will be a coward or a traitor. If this government, which was intended for the protection and benefit of all, should ever unhappily be made the channel through which the institutions of the slaveholding states are assailed, and the peace of our firesides invaded, it is certainly not necessary to point out the course which self-preservation will compel us to adopt. If our northern brethren shall ever, by the habitual agitation of this question on this floor, drive us from their embraces, a the south will turn to the south; she will open her arms, and her children, assemble, now living beyond our southern border with institutions like our own, will rush into her embrace. And thus, instead of the supposed evil which the excited imaginations of gentlemen have conjured up in this debate, "of the annexation of Texas to the union," Texas will be united to the southern portion of the union. How far this southern confederacy may be extended beyond the limits of Texas I will not undertake to estimate, because I will make no estimate based upon the occurrence of an event so abhorrent to my feelings as a disruption in the present family of political sisters.

The next danger to which I will advert, from the admission of abolition petitions by this house, is one of a physical character.

I believe that our slaves are as lighthearted a race of beings as there is to be found on the face of the earth. They are, I think, generally pretty well contended with their condition, and will probably re-

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main so until taught differently by the officious intermeddling of those who, whether ignorantly or hypocritically, would most cruelly convert into a galling yoke that servitude which they have hitherto borne with cheerfulness. The slaves of the south in general appear to entertain for their masters and their families not only respect and esteem, but sincere friendship. They, however, exist among us a separate race, and are capable of being converted into our deadliest enemies.

It would, sir, be indelicate to allude to a danger to the brave constituency represented on this floor by the gentleman from the Massachusetts, but if the danger was one that could be repelled by gallantry. It is not, however, the open enemy, but the midnight murderer, of whom I speak. From generally concerted, extensive insurrections, we have scarcely any thing to fear; but the scene which was witnessed in Southampton, Virginia, in the district represented by my friend Mr. Wise, in 1831, is sufficient to convince us of the tragedies that may be perpetrated in particular neighborhoods by a few deluded, bloodthirsty wretches. Upon that occasion there were less than fifty slaves engaged; and in a single night, in a sparsely settled neighborhood, there were about fifty murders—the father, the mother, and babe being involved in indiscriminate butchery.

I will not insult the gentleman from Massachusetts, (Mr. ADAMS), notwithstanding the inconsiderate expressions which he has more than once used on this floor, by asking if, in his estimation, there is any attribute of the deity, or any principle of humanity or religion, which would have impelled him to have aided these deluded wretches in perpetrating this horrid massacre! or whether, if in his power, he would not have been compelled, as a patriot, a man, and a Christian, to have aided in suppressing them, and in asserting the supremacy of the law? I will not ask the gentleman to reply. My own heart has already answered for him. And yet he must know that repetition of such scenes is one of the probable consequences which must result from the cruel delusions which such incendiary expressions are calculated to produce on our slaves, as well as from the consideration of abolition petitions here.

If, however, we believe the anti-slavery advocates, they would not purchase the emancipation of the blacks by the murder of the whites. Kind, tender hearted gentlemen, pity it is that you should be so misrepresented! But in an account which was published some years ago by the National Intelligencer of an attempt made by a slave to kill his master in his own mistress, a Mrs. Thornton, and who, all the time that he was engaged in his hellish attempt, was repeating a publication which he had learned from an anti-slavery paper, and which had given rise to his passions had turned him frantic—in the address which the abolitionists have recently made, not to the masters but to the slaves of the United States—and in resolutions which they have adopted at various of their meetings, we have some evidence of the truth of this declaration. Vile slanderers of the chiefest reputation of the south, we belie you not; but, in your hypocritical tones, we recognise the bay of the bloodhound thirsting for our blood.

As a specimen of such meetings we have thrown off all reserve, I will quote a part of the proceedings unanimously adopted "at a meeting of the Liberty party, held December 29th, 1841, at the town of Williamsburg, Kings county, New York:"

"Whereas we believe that American slavery is contrary to all divine law, and that, to use the words of John Wesley, 'it is the sum of all villany;' Therefore,

"*Resolved*, That should the slaves at the south endeavor to gain their natural rights and liberty, 'peaceably if they can, *forcibly if they must*,' we should not feel bound to aid in extinguishing the sacred flame; but, in the words of that noble-hearted democrat, William Leggett, 'we would pray that the BATTLE might go with the oppressed.'

"Whereas the slave power, by striking down the right of petition, lynching citizens of the free north, breaking open the mails, and passing inspection and other military laws, is making continual encroachments upon the liberty of the states: Therefore,

"*Resolved*, That it is high time that these things should cease, for the time is fast approaching when slavery must be abolished, by peaceable means, OR

Because we refuse to allow resolutions and petitions of this character to be received by this house, is it not monstrous that the gentleman from Massachusetts should endeavor to excite the prejudices of our brethren of the non-slaveholding states against us by constantly declaring that the rights of the north are outraged, and that we are by the 21st rule driving this union to its dissolution?" How much better would it become him to use his great weight of character in endeavoring to soothe instead of exciting sectional prejudices! Why will he persist in agitating this subject, when he has it in his power by a different course to become almost the "second Saviour of his country;" and, instead of being execrated by a portion, to have his memory embalmed in the grateful recollections of the people of all the states, north and south?

Having, as I think, successfully shown that the gentleman is wrong in his unqualified denunciation of the 21st rule, I will now proceed to show that the prejudice so frequently attempted by himself and others to be excited against this institution, upon the ground that it is inconsistent with the principles of our government, is equally unfounded.

That the expressions used in the Declaration of Independence that "all men are by nature equal," &c. were intended to have no reference whatever to our slave population, is evident from the fact that *slavery existed in this country at the time that Declaration was made*; and from the fact that those who adopted it were themselves slaveholders. The battles of the revolution were no more fought for our slaves, nor have they under our government any more political rights, than they would have if still wandering over the burning plains of Africa.

So far from this institution being uncongenial with a republican government, it is a fact that no such a government than in any other; for, as paradoxical as it may appear on a superficial view, it is nevertheless capable of demonstration that slavery does produce equality and nurtures a spirit of liberty among the citizen population of a country. Where domestic slavery does not exist, menial and domestic offices are considered the lowest employ among the citizen population, and this degradation of a few affects the respectability of the entire class to which they belong. The poor and the rich are thus divided into classes, and the free born and laboring poor, although perhaps more virtuous than their rich neighbors, are treated as inferiors. I know that this evil is less perceptible in those portions of the states of this union than in any other part of the world where this institution does not exist, because the duties of domestic servants are in them performed to a great extent by free blacks. I will, however, ask the gentlemen of the non-slaveholding states, if this inequality of classes does not exist even among them to an extent which prevents the poor farmer and laboring mechanic of the privilege of associating with the wealthy upon terms of equality? Whether, in other words, the poor are not only excluded as companions upon the public highways, but also from the parlors of the rich, but whether, if in their hours of recreation, they visit the premises of their rich neighbors, they are not compelled to associate with hostlers, cook wenches, chambermaids and boot-blacks?

[Here several gentlemen from the non-slaveholding states dissented.]

Mr. C. proceeded. This state of things, it is true, may not exist in the neighborhoods of particular gentlemen, but it is to some extent the necessary state of society where slaveholders are not present, and I will ask if such a state of society is congenial with the principles of a government based on the broad foundation of equality of the citizen population?

Equality among its citizens is the corner-stone of a republic; and the spirit of independence which equality produces and cherishes is the vestal that fans the fire that burns on the altar of liberty. And I defy contradiction when I say that an entire exemption from the performance of menial and degrading offices produces equality, and nurtures a spirit of independence in the citizen population of a country. Edmund Burke, one of the most philosophic statesmen that the world has ever produced, when advocating in the British parliament, in 1775, a conciliatory course towards this country, made allusion to this tendency of domestic slavery. In speaking of its influence on the then Southern American colonies, now the southern states of the glorious old thirteen, he said, "the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible." It is this influence, sir, combined with another cause, which we have seen so fully exemplified in our own history, and which has so often first sounded the tocsin in the slaveholding states, when the course of events has rendered necessary the constitution through the exercise of undelegated powers by the federal head.

Domestic slavery is not only denounced as anti-republican, but it is also condemned as irreligious.—Not only has the gentleman from Massachusetts pronounced it a "sin and a misfortune," but I have seen resolutions adopted at anti-slavery meetings, declaring that it was a "libel on Christianity to say that a slaveholder can be a christian."

As I have already remarked, we are not sent here to convert the hall into a theological seminary, or to discuss questions of religion and morality; but as such frequent allusions have been made to the "sin of slavery," as it is called, with a view, I presume, of alarming the consciences of our constituents, I will ask in what age of the world, in what state of society, under religious dispensation, or under what form of government, has slavery not existed? In every age of the world, since our parents were driven out of the garden of Eden—in every state of society where man has made the first steps in the march of civilization—under every form of government, patriarchal, monarchical, aristocratic, or republican—under every religious dispensation, Pagan, Jewish, Mahometan, or Christian—under the Jewish theocracy, in imperial Rome, in democratic Greece—under the despotisms of Asia, the monarchies of Europe, and the republics of North America, domestic slavery has existed.

Domestic slavery not only existed, but it existed in its most absolute form, at the time and under the government under which our Saviour was born, lived, and was crucified; the master having not only the right to the personal services of his slave, but the right to take his life, without any form of trial whatever: a right which was held so sacred, that it was incontrollable even by the authority of the Roman emperor, and remained uncontrolled by human law even long after the time of the commencement of the Christian era, when the inhuman practice of exposing slaves to wild beasts, without permission first obtained from the magistrate, was prohibited.

Such was slavery when our Saviour lived, and when his first apostles preached his gospel. But although frequently recognised, it is nowhere forbidden within the sacred volume. Among other things, to covet your "neighbor's man servant or his maid servant" is forbidden, but slavery, nowhere within the lids of the Bible.

It is needless to be the worshippers of the Almighty, and to believe that he has in mercy revealed his will to the fallen race of Adam, and dare to say that it is sinful to enslave.

But some may think that the golden rule of "doing to others as we would that they should do unto us" should be reduced literally into practice. I will not ask such if they would be "ready to take the beam out of their eye." I have, however, shown that the effects of emancipation at the south would speedily terminate in the ruin and degradation of the European or African race there. And now I will ask these same gentlemen whether they suppose that freedom would be a boon that would be accepted by the infirm and old, who, in their present condition, are fed, and clothed, and sheltered, and attended with as much care as the young and able-bodied? Or from what source do they suppose that the master would be able to procure the means of their maintenance, when, if all of the young and active were liberated? The obligation between the master and slave are reciprocal; and every one knows that it he has as a great a right to demand from his master a comfortable support in his old age as the master has to demand from him a moderate degree of labor in his youth.

To judge from the situation of the negro race in Africa, as described by travellers, no man of candid mind can doubt that our slaves have been benefitted by the exchange. Their situation is not only better than that of the abject African negro in his native land, laboring under the most savage barbarism and degrading superstitions that ever fettered the imagination or corrupted the heart, but I doubt if they do not constitute the most favored for laboring class on the face of the earth, except only the white laboring people of our own country, where lands are still happily so cheap that they are easily procured by the frugal and industrious. Their situation will certainly compare advantageously with that of the starving countrymen of the Irish demagogue, who lately declared that he has pronounced us "the fellows of the human race" for allowing this institution to exist on our soil. I do not know a slave that appears to want of the comforts of this life, and I scarcely know one that does not appear to be contented with his condition. By this institution they have been rescued from the dark cloud of ignorance and superstition which overshadows benighted Africa. By it they have been converted from savages into civilized beings; many of them from Paganism to Christianity; all of them from the grossest idolatry to a knowledge of the true God. Can you doubt that they have been benefited by the exchange?

I have never visited Europe, but I have seen pictures of the distress, of the suffering condition of much of her population, that would draw tears of compassion from our very slaves. Who has not read, by every arrival from Great Britain for the last year, the most harrowing accounts of the frightful distress prevailing among the poor in her manufacturing districts, where hundreds and thousands of our fellow creatures are suffering for the want of food? In the language of their own papers,

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"The means of employment taken away, the doors of the workshop closed in insolvency, and the gates of the factory chained fast by bankruptcy, starvation meets the fathers of families when they return to their homes, and if they fly from the cries of their children to seek relief abroad, there is nought but greet them in the streets but despair." In many parts of the kingdom, persons are said to be actually dying of starvation.

The abolitionists of Great Britain may unite with the abolitionists of this country in shedding crocodile tears over the fancied sufferings of the African race, but when I compare the situation of our well-fed, contented slaves, with the famished condition of the millions of their countrymen who are without employment or the means of support, it appears to me that there is much more occasion for their sympathies at home. In view of the condition of things existing there, it appears to me that a system in which the law and humanity both combine to ensure a comfortable support to the laborer when he is no longer able to work, is at least as consonant with the principles of justice and humanity as that which employs him just as long as his labor is found to be profitable to the employer, and then turns him out to starve.

I feel that I owe some apology to the committee for having occupied so much of its time with these incidental remarks of the gentleman from Massachusetts upon questions so irrelevant to the question before it, but remarks of the same character have so frequently been made by the gentleman and others without reply, that I determined no longer to remain a silent spectator. Some gentlemen may think that I have taken extreme positions, but I have given to the subject much consideration, and have said nothing in the course of my remarks that I would, if in my power recall.

There are still other remarks of the gentleman upon which I am disposed to touch; but by several gentlemen are evidently anxious to be heard in reply to him, and as the debate seems under the rule of the house, soon terminate, I will yield the floor to another. Before I do so, however, permit me to return my thanks to those patriotic gentlemen from the non-slaveholding states who have hitherto done all in their power to prevent this body being made the channel of incendiarism between the abolitionists of the north and the slaves of the south. I exhort them to persevere in well-doing. The permanency of the union depends upon our maintaining the position which, through their aid, we have been enabled to maintain.

NOTE A—There was a part of Mr. ADAMS' speech to which it was my intention to have replied; but, in my anxiety not to occupy more than a portion of the time allotted by a resolution of the house to the debate, a note which I had taken, and upon which I intended to base the reply, escaped my observation.

He had stated in effect that, "in the event of any of the slaveholding states applying to congress to suppress insurrection, congress would obtain full and plenary jurisdiction over the subject of slavery in such states, and might abolish it."

The note which I had taken upon this part of his remarks, and which escaped my observation, was: "A portion of the people of the state of Rhode Island are said to be at this time in a state of insurrection. Suppose that she should apply to congress to suppress this insurrection, would the occurrence of such an event, confer on congress the right to abolish the government of Rhode Island, or any of her institutions?"

NOTE B—As a further evidence of the ruinous effect of emancipation madness on the production of the British West India Islands, I refer to the following paragraph, which has within the last few days appeared in several of the public prints:

"*Extraordinary change.* The island of Jamaica formerly exported a large quantity of sugar; now it is imported into that island. Mr. J. a respectable enterprising merchant of this city, within four months shipped a large quantity of sugar to Jamaica. The article sold so well, and to so good a profit, that he is preparing to repeat the adventure.

[*New York American.*

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

MAY 5. Mr. *Woodbury* offered a resolution to change the hour of meeting to 11 A. M. instead of 12 M. which resolution lies over. The senate adjourned to meet on Monday next.

MAY 9. The *president* of the senate laid before the body the following resolutions from the state of Rhode Island; which were read by the secretary of the senate, and ordered to lie on the table:

State of Rhode Island and Providence Plantations,
General Assembly, May session, A. D. 1842.

Resolved. That the governor be requested to inform the president of the United States that the government of this state has been duly elected and organized under the constitution of the same, and that the general assembly are now in session and proceeding to discharge their duties according to the provisions of said constitution.

Resolved. That the governor be requested to make the same communication to the president of the senate and the speaker of the house of representatives, to be laid before the two houses of congress of the United States.

Resolved. That the governor be requested to make the same communication to the governors of the several states, to be laid before their respective legislatures. A true copy. Witness: W. H. SMITH,
Secretary of state.

Petitions were presented, for making Galena a port of entry; from Wayne county, Pa. for protection of home industry; from coach and harness silver plate manufacturers, stating that the reduction of duty from 30 per cent. to 20 per cent. from competing with the foreign article; from citizens of Pennsylvania showing the absolute necessity of definite action on the tariff before the 30th June next; from Erie, praying for a tariff; from New Jersey for a tariff; praying for a tariff; from saddlers, harness makers and silver plate manufacturers of Trenton, stating a reduction of duty to 20 per cent.; from chamber of commerce of Charleston, S. C. for repeal of custom house; and from Pope county, Missouri, for a grant of land for a county seat.

The following resolution, submitted on Thursday last by Mr. *Benton*, was taken up and adopted:

Resolved, That the president of the United States be requested to communicate to the senate all the information which may be in the general post office imputing improper conduct in the register's office to N. P. Taylor, present register and former clerk in the land office at St. Louis.

Mr. *Benton* then submitted a resolution calling for information of how the Madisonian newspaper obtained knowledge of certain papers on file and information in relation to the appointment of Mr. Watson as deputy postmaster at St. Louis, and of the nomination of Samuel B. Churchill. Mr. B. did not ask for its immediate consideration.

The senate then proceeded to consider, as in committee of the whole, the bill to provide further remedial justice in the courts of the United States.

Mr. *Buchanan* rose and addressed the senate at great length against the bill, contending that it was always dangerous to trench on the sovereignty of the states, and insisting that even though such a step as that proposed in the bill was constitutional, still that it would be inexpedient and improper to depart from the usage of half a century, and which had always been found to work well.

Mr. *Choate* desired to say something on the bill, on some fitting occasion. The hour was then late, and as there was some business to be done in executive session, he would move that the senate proceed to the consideration of executive business; which motion having been agreed to—

The senate, went into executive session, and, after some time spent therein, adjourned.

MAY 10. Mr. *Buchanan* presented a petition of the umbrella manufacturers of Philadelphia, complaining of a violation of their rights under the compromise act by the imposition of a duty of 20 per cent. on French silk, and praying a duty of $1 on each silk, 50 cents on each gingham, and 25 cents on each cotton umbrella imported. Their export trade to West Indies and South America is now destroyed and they ask a draw back of 20 per cent.

Mr. *Tallmadge* presented resolutions of the legislature of New York in relation to the reform of the post office laws.

Mr. *Benton's* resolution offered yesterday was then taken into consideration.

Mr. *Merrick* said, when the resolution was first introduced, he had called the attention of the senate to it as one a very extraordinary character. The idea of inquiring into the manner in which an editor of a paper obtained facts was certainly a very novel proceeding, to say the least. That the senate should instruct one of its committees to make inquiry as to how an editor obtained his information struck him as entirely unprecedented; and it did appear to him that the simple reading of the resolution would be sufficient to put it down, and convince the senate that it was not a subject for its investigation.

Mr. *Benton* insisted that the motion was of a deeper, wider, and graver character than the senator from Maryland seemed to suppose; and gave out of the senator's own motion before the senate, relating to papers which were held to be secret by the department. Mr. B. contended that the article in the Madisonian bore internal evidence on its face of having emanated from the post office department. was evidently written by some one belonging to or having access to the department. Whatever letter he (Mr. B.) had written for the last twelve years that the other party was in power, he was willing should be read by the whole world; but he would not allow garbled and false statements to be made to misrepresent his communications.

Mr. *Linn* was of opinion that there should be no matters of secrecy in connexion with the appointments to office. The remarks made in the Madisonian concerning him were without foundation; he had never condemned the course of his colleague in relation to the papers, because he had never considered them confidential.

Mr. *Preston* thought there were some delicate topics involved in the business. He could never define what was the nature of records on file in relation to appointments, whether they were to be considered as archives of the department, or whether as belonging to the writers, or the persons to whom they were addressed. It was not the first time his attention had been called to this subject. In his own case he had written a letter in relation to a postmaster, which he found had been read, which recommendation had been mixed up with party and personal considerations. He hoped, for the honor of the department, that it was a general rule to expose letters to persons asking for them connected with appointments. It would be desirable to settle the rule in such cases, whether the letters were the property of the writers or the persons receiving them, or whether they belonged to the archives of the departments. There had been a case where a very high officer of the government did take them as his own property. There was the letter of General Jesup to Blair, which was considered by General Jackson of so much consequence that he made it official. He recognised the right of any gentleman to see the letters which he had written. The resolution, he thought, did not by any means settle the question of law.

After some further remarks from Messrs. *Linn*, *Merrick* and *Preston*, the subject was dropped for the present.

The senate then proceeded to the consideration of the special order, being the bill to provide further remedial justice in the courts of the United States; when Mr. *Buchanan* rose and addressed the senate at very considerable length, chiefly in reply to the remarks of Mr. *Buchanan* of yesterday.

Mr. *Huntington* said it was then half past three o'clock, and he would move to go into the consideration of executive business, which motion having prevailed, the senate went into executive session; and, after some time spent therein, adjourned.

MAY 11. Petitions of the same tenor being independ, Mr. *Smith*, of Indiana, took the chair.

The *chair* laid before the senate the following communication from the president of the United States:

Washington, July 10, 1842.

The season for active hostilities in Florida having nearly terminated, my attention has necessarily been directed to the course of measures to be pursued hereafter in relation to the five Indian tribes remaining in that territory. Their number is believed not to exceed two hundred and forty, of whom there are supposed to be about eighty warriors, or males capable of bearing arms. The further pursuit of these miserable beings by a large military force seems to be as injudicious as it is unavailing. The history of the last year's campaign in Florida has sufficiently shown that, notwithstanding the vigorous and incessant operations of our troops, which cannot be exceeded, the Indian mode of warfare, their dispersed condition, and the very smallness of their numbers, which increases the difficulty of finding them in the abundant and almost inaccessible hiding places of the territory, render any further attempt to subdue them by force impracticable, except by the employment of the most expensive means. The exhibition of force, and the constant effort to capture and destroy them, of course place them beyond the reach of overtures to surrender. It is believed by the distinguished officer in command there, that a different system should now be pursued to attain the entire removal of all the Indians in Florida. And he recommends that hostilities should cease, unless the renewal of them be rendered necessary by new aggressions; that examinations should be opened by means of the Indians with him to induce them to a peaceful and voluntary surrender, and that the military operations should hereafter be directed to the protection of the inhabitants.

These views are corroborated by the governor of the territory, by many of its most intelligent citizens, and by numerous officers of the army who have served and are still serving in that region.

Mature reflection has satisfied me that these recommendations are sound and just. And I rejoice

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that, consistently with duty to Florida, I may indulge my desire to promote the great interests of humanity, and extend the reign of peace and good will, by terminating the unhappy warfare that has been so long carried on there, and at the same time, gratify my anxiety to reduce the demands upon the treasury by curtailing the extraordinary expenses which have attended the contest. I have, therefore, instructed the colonel in command there, as soon as he shall deem it expedient, to declare that hostilities against the Indians have ceased, and that they will not be renewed, unless provoked and perpetrated indiscriminate by new outrages on their part; but that neither citizens nor troops are to be restrained from any necessary and proper acts of self-defence against any attempts to molest them. He is instructed to open communications with those yet remaining, and endeavor, by all practicable means, to persuade them to consult their true interests by joining their brethren at the west. And directions have been given for establishing a cordon or line of protection for the inhabitants by the necessary number of troops.

But, to render this system of protection effectual, it is essential that settlements of our citizens should be made within the line so established, and that they should be armed, so as to be ready to repel any attack. In order to afford inducements to such settlements, I submit to the consideration of congress the propriety of allowing a reasonable quantity of land to the head of each family that shall permanently occupy it, and of extending the existing provisions on that subject, so as to permit the issue of rations to the subsistence of the settlers for one year. And, as few of them will probably be provided with arms, it would be expedient to authorize the loan of muskets and the delivery of a proper quantity of cartridges, or gunpowder and lead. By such means it is to be hoped that a hardy population will soon occupy the rich soil of the frontiers of Florida, who will be as capable as willing to defend themselves and their homes, and thus relieve the government from anxiety or expenses for their protection.

JOHN TYLER.

The communication having been read—

Mr. *Preston* moved to refer the letter to the committee on military affairs and that it be printed.

Mr. *Sevier* inquired how much of the $100,000 appropriated for two years was to be spent in the war with the Indians had been expended in its object.

Mr. *Preston* could not say. Mr. P. here spoke of the energy and diligence of the commander in Florida, whose conduct was above all praise; and of the unwearied efforts of the troops, through weather, swamps and hammocks, having done all that troops could do.

Mr. *Sevier* would not detract from their honors, but thought some of the wholesale praise should be bestowed on the eight or ten Osages, who, he would undertake to say, had contributed more to bring in the Indians than the whole army. Nearly all of the 2 or 300 lately come in, had come in by their persuasion. The plan of an armed occupation had been suggested by Mr. *Benton*, and was then adopted by Mr. *Preston*, but now it appears that the same plan is recommended.

The letter was then referred to the military committee.

Mr. *Preston* put a question to the chairman of the judiciary committee in reference to the copy eight law, the object of which was to obtain information when the report would be made.

The answer of Mr. *Berrien* was not very satisfactory to the friends of the law. He said that the committee were ready to report and had been for more than two months past. They had not reported, however, for the reason that the gentleman who had introduced the bill (Mr. *Clay*) begged that the report might be retained until additional information be had before the committee. The committee had retained the report for another purpose. They were opposed to the bill.

Mr. *Buchanan* in his seat expressed himself gratified to hear it, and without further remark the subject passed from the senate.

The resolution of Mr. *Benton* calling upon the committee on post offices and post roads to make certain inquiries at to a publication in regard to himself in the Madisonian, came up.

Mr. *Merrick* was entitled to the floor, and before proceeding in his remarks proposed a substitute to the resolution, by declaring that the papers laid before the senate for consideration in the executive session could not be made public without vitiating the rules of the senate, and declaring further that the papers should be returned to the department after being disposed of in the senate. Mr. M. said but little of the case immediately under consideration, but made a strong argument in defence of the resolutions, which censured the course indirectly taken by Mr. *Benton* in abstracting papers for publication. Mr. *Merrick*, in conclusion of his remarks, paid a compliment to the present head of the post office department. Mr. M. said, in his official position as the chairman of the post office committee, he made frequent visits to the department and he found the post master general at his post early and late; he was there at all times, always industrious, and faithful as he believed and desired to the best interests of the government in his particular branch of service.

Mr. *Mangum* thought that but little good would come of the resolution. He confessed that it should have been offered by the gentleman from Missouri and that the senator should have allowed himself to have been for a moment disturbed by what appeared to be a hostility to the city, (meaning the Madisonian), which had made some comments upon Mr. *Benton* which prompted him to offer the resolution.

Mr. *Benton* said he did not care what the editor said, but these remarks came from the postmaster general.

Mr. *Mangum* continued and expressed his surprise that the senator from Maryland, a whig, should have defended the head of the post office department. He had prostituted the patronage of his office to party purposes; it was surprising that any one should have defended the fidelity of such a man.

Mr. *Merrick* said he should defend merit wherever it was found, and should be found at and also so regardless of what the senator from North Carolina or any one else might think. What he had said of the postmaster general he had spoken as one having official connection with him. As to the patronage of his office, he seemed to talk about it. Mr. *Merrick*, at the suggestion of friends, withdrew his resolutions here, intending to offer them as an independent proposition. Mr. *Benton's* original resolutions was then laid upon the table by a vote nearly unanimous.

The senate then proceeded to the consideration of the bill further to provide judicial justice in the courts of the United States; when

Mr. *Huntington* rose and addressed the senate until four P. M. his speech being replete with legal arguments in favor of the bill.

On motion of Mr. *Preston*, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, May 3. Mr. *Sawyers*, of Ohio, introduced to the house the hon. Joshua R. Giddings, representative from the 16th congressional district of that state, vice Joshua R. Giddings, resigned. He was qualified and took his seat.

Mr. *Habershan* presented from the minority of the committee on manufactures, a report on the subject of the tariff. The report was ordered to be printed as had been ordered of the report of the majority.

Mr. *Sollomsh* announced that, as there was a necessity of discussing the tariff before the 30th of June next, after which day no duties could be collected unless some legal provision on the subject should first be made, that he should, although there was no quorum, and early in making the counter report by the minority, urge the consideration of the bill reported by him as early after the recess as possible.

Mr. *Kennedy*, of Md., asked leave to present a memorial on the tariff. Objection was made. He moved to suspend the rules. It was negatived. The house then adjourned till Monday.

Monday, May 9. Mr. *Harris* from the committee on Indian affairs, to whom has been referred a memorial of the legislature of Iowa territory for the removal of the Winnebagoes from "the neutral ground," to some more suitable district, made a report, which was referred to the committee of the whole.

Mr. *Levy*, on leave given, presented certain papers in connection with which Mr. L. offered the following resolution, which was adopted:

Resolved, That the constitution adopted by the people of Florida, assembled in convention at St. Joseph in the month of December, A. D. 1838, together with the memorial addressed to congress by a committee of said convention, be referred to the committee on the territories, and that two thousand extra copies of said constitution and memorial be printed for the use of this house.

Mr. *Kennedy*, of Maryland, on leave given, presented certain memorials from citizens of Maryland in favor of a protective tariff. Referred.

Mr. *Milton Brown*, of judiciary committee, reported a bill changing the time of holding the circuit and district courts therein named, fixing it at Jackson, in West Tennessee, on the 21 Mondays of Oct. and April; and at Knoxville, East Tennessee, on the first Mondays of November and May. The bill was read a third time and passed.

The house proceeded to the consideration of the unfinished business of Wednesday last, being the motion of Mr. *Wise* to print the message of the president and the accompany reports and documents from the commissioners appointed to investigate the affairs of the New York custom house.

Which said motion Mr. *Underwood* had moved to amend by adding thereto the following words:

"But in printing the message and accompanying documents, this house does not intend to approve or sanction the institution of this commission, it being the opinion of this house that the president has no rightful authority to appoint and commission officers to investigate abuses, or to procure information for the president to act upon, and to compensate such officers at public expense without authority expressly given by law."

Mr. *Cushing*, who held the floor from Wednesday, resumed and concluded his remarks, defending the power of the president to appoint the commission.

Mr. *Underwood* contended again that the president had not the power.

Mr. *Adams* argued in favor of the power, on the part of the president, to appoint the commission.

The house finally ordered the printing of all the reports under the direction of the clerk, so that there should be no extra printing of testimony.

Mr. *Fillmore*, Mr. *Stuart*, of Illinois, the following resolutions were adopted:

Resolved, That a copy of the reports of each of the commissioners appointed to examine the New York custom house shall be printed under the superintendence of the clerk of the house, and when so printed shall be stitched together in the order in which they were reported to the president.

Resolved also, That a copy of all the testimony and documents reported by said commissioners shall be printed under the superintendence of said clerk, and that he provide sufficient paper for three sets of each or any one of said reports and of said testimony and documents.

Thereupon Mr. *Cushing* moved that 5,000 extra copies be printed.

To which motion (as heretofore suggested by Mr. *Cushing*) the proposition of Mr. *Underwood* was offered as an amendment.

Mr. *Fillmore* asked the general consent of the house to take up the report (on the speaker's table) from the secretary of the treasury, on the subject of the tariff, which said report had heretofore been called for by a resolution of this house.

No objection being made the *speaker* laid the report before the house.

Which, on motion of Mr. *Fillmore*, was laid on the table, and ordered to be printed.

The house then proceeded to consider in committee the amendments of the senate to the general appropriation bill, and concurred in some and rejected others; and the committee having reported progress, the house adjourned.

Tuesday, May 10. The *speaker* of the house laid upon the table a communication from Benjamin F. Butler, upon the subject of the allegations preferred against him in the report of the hon. George Poindexter, one of the commissioners appointed to examine into the affairs of the New York custom house. Mr. B. asks that he may be permitted to be present when his official conduct is examined into. His letter ordered to be printed.

Several reports were laid before congress from the heads of the departments, and referred to the proper committees. One from Mr. W. J. Leech, one of the auditors, vindicating himself from the charges preferred against him by the committee on public expenditures, in the case of Mr. Collins, a government contractor.

Mr. *Fillmore* moved that the house go into committee of the whole on the state of the Union upon the civil and diplomatic bill. The motion prevailed.

Mr. *Thompson*, of Indiana, took the chair.

The items of the bill were considered, beginning where it closed last evening, and a controversy sprung up on the Boston custom house, the appropriation for the completion of the custom house having been increased in the senate for the reason that the sum proposed by the house had been all expended. The item was debated in committee until between two and three o'clock, when, upon a division the house found itself without a quorum.

A call of the house was ordered, and the committee was again formed, and the consideration of the bill resumed. The house by a vote of 66 to 60 now concurred in the amendment.

An item for the New York custom house appropriating about $28,000 for finishing the building, was next considered. Mr. *Proffit* argued that the money had been expended in the first place in violation of law, and not only so, but in defiance of the instructions of the department, and the votes in congress. Mr. *Fillmore* replied in defence of the appropriation.

The discussion was continued until the committee rose, and the house adjourned.

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CHRONICLE.

ABOLITION CONVENTION is now in session at New York. They have relinquished the discussion of a dissolution of the union, in reference to which Judge Noah's charge to the grand jury contained the following allusion.

"It is possible that the objects and intentions of this convention may have been misrepresented, for it is difficult to believe that even fanaticism, carried to its fullest extent, could have the boldness to broach doctrines of the most treasonable import, in the midst of a population devotedly attached to the union of the states. The people have an undoubted right to assemble and discuss any question connected with the maintenance of their own rights and the preservation of our free institutions; but it is unreasonable to suppose that, in any attempt to carry out the objects of this meeting, however ostensibly humane they may be, that such convention shall be permitted to suggest, much less discuss, a proposition embracing a dissolution of our happy form of government. Should the experiment however be made, which would evidently lead to a disastrous breach of the public peace, it will be your duty to present the agitators, and indict every person whose active agency may lead to such results, and this court, by the rigid enforcement of the laws, will convince any body of the impropriety of this cry the theatre of their deliberations, that their objects and intentions must be strictly legal, rational and justifiable."

ANNIVERSARY OF THE AMERICAN SEAMEN'S FRIEND SOCIETY. The anniversary of the American Seamen's Friend Society, took place in New York on Monday evening. This society has instituted chaplains at Constantinople, at Sydney, and at the Cape of Good Hope. Also, missionaries at Stockholm and Guttenburg; a chaplain at Havre, and one is now on his way to Honolulu, in the Sandwich Islands. From the report it appears that $7,562 have been contributed during the last year towards the erection of a sailor's home in New York city, and during the same time, $13,009 towards the general cause of the society. The amount expended during the last year, by $10,161. The number of pious captains sailing out of ports in the United States, is estimated at 600. Of sailors, more than ten times that number.

ANTIQUITIES collected in Central America by Mr. Norman who travelled in the interior of Yucatan, and sojourned several days at Tehecheen, and other places, never visited by Stephens and Catherwood, and abounding in the most interesting relics of an aboriginal race, as well as in monuments yet undecayed by time, have arrived here. It is his intention to send them to some of the northern museums. The samples of sculpture, statuary, and hieroglyphic engravings are executed upon an exceedingly hard stone, although not a trace of iron has been discovered in that country. Mr. Norman's design of the great temple at Tehecheen edifice, 400 feet in length, and of a variety of mounds and monuments which he discovered almost concealed by masses of tangled and exuberant vegetation, are fraught with the deepest interest to the antiquarian and enquirer. [*New Orleans Bee.*]

A DISTINGUISHED STRANGER. Among the passengers by the Great Western, was Mr. Carte Gheys, chief engineer of the Austrian rail roads. He was sent here by the Emperor of Austria, to examine our rail roads, and the progress made in steam engines. He has been to England on the same mission.

CENTRAL AMERICA. News from Guatemala to 2d April via Honduras informs that Carrera with 2,000 men had marched to St. Salvador, had an interview with Malespin its commandant, returned dissatisfied, and disbanded his troops. Ne ness of Morazan since his re-landing at La Union in Salvador after an exile of three years. His avowed object was to serve the republic against the Mosquito Indians, who have appropriated a part of the territory of the republic; he was afterward received with open arms at San Miguel.

CITY DEBT. By the report presented by the comptroller, it appears that the city on the 7th inst. was $13,434,962, less the sum of $836,526, held in trust by the commissioners, leaving an actual debt of $12,536,410. To complete the Croton works the sum of $475,000 will still be required, which if expended by the 1st of August next, will make the actual city debt at the time $13,011,460.

CONSUL. The president has recognised George M. Thacher, as vice consul of Denmark, for the state of Massachusetts, Maine, New Hampshire and Rhode Island, to reside at Boston.

CUBA. The New York Herald gives from Manzanilla de Cuba, a report of a negro insurrection 15 or 20 miles from St. Jago, in which fifty of them were killed by the soldiery.

DEATHS in New York last week 151.

EMIGRANTS from Europe will be very numerous this year. They are beginning to pour into New York; 60,000 landed there last year, 100,000 are expected there this year.

THE ENCAMPMENT at Reading (camp Kosciusko,) will take place on the 18th. The duties will consist in practical military instruction, two lectures on military subjects, target firing, fencing, sword exercise, and pyrotechny.

FLOUR at Cincinnati on the 5th inst. sold at $4 06 a $4; and of whiskey at 12½13 cents.

INDIVIDUAL MOVEMENTS. *Charles Dickens* the author at Toronto on the 4th, has taken passage for Europe in the June packet from New York.

Lord *Morpeth* arrived at Lexington, Kentucky on 4th inst. from N. Orleans, and proceeded to Ashland the seat of Henry Clay.

Mr. Van Buren arrived at Nashville on 25th ult. visited General Jackson and returned in a few days to that city accompanied by Ex-Governor Polk, Mr. Paulding and General Jackson. He proceeded next to Ashland on a special invitation from Mr. Clay. Mr. Clay met with a most triumphant welcome from the Kentuckians, on his return to Lexington on 2d instant.

LARGEST STEAM FRIGATE. The British admiralty have ordered the building of one to be of 650 horse power; to have engines for 600 tons fuel, and complete stowage under the hatches for 1,000 troops, with four months stores and provisions, exclusive of a crew of about 450 men; and is to be armed with 20 guns of the heaviest calibre, besides carronades. The vessel is expected to be fully completed and ready for use before the close of the present year.

LOCUSTS. Myriads had appeared in the central districts of Georgia early during the last two weeks of April. The opinion is that they reappear there every 13th year. They are not destructive to the crops.

MARYLAND. The anniversary of the Pilgrims at St. Mary's was duly celebrated on the 10th. Its details are too interesting for but a passing note, and shall appear in next publication.

MOROCCO. Gibraltar dates of April 6, state that the Moorish authorities had insulted and confined the American consul Mr. Carr at Tangier. The sloop Preble was to visit the port immediately.

THE MORMONS are to hold a conference at New York on the 18th inst.

NIGER EXPEDITION. Captain Allen intended to take the Wilberforce and Soudan on from Ascension in March, again to the coast, and attempt the ascent again of the Niger in April.

PRESIDENCY. Meetings in many counties of Pennsylvania recommend a state convention to nominate James Buchanan for the presidency.

PORTUGAL AND THE SLAVE TRADE. Lord Aberdeen has succeeded in getting the Marquis of Palmella, the Portuguese minister, invested with full powers as a plenipotentiary to negotiate the proposed treaty relative to the slave trade similar to the one negotiated but not yet signed by France.

RHODE ISLAND. The Newburn N. C. Spectator of 7th states that the secretary of war has ordered the major general of the Wilmington division of the militia of that state to hold himself in readiness for a requisition upon him for troops, and supposes they are intended for Rhode Island.

RACES. The great race between north and south, Fashion and Boston, over the Union course, Long Island, on the 10th, was attended by from fifty to 60,000 people, some of them from the extremes of the Union. Boston was foaled in Henrico county, Va. in 1833, and was bred by John Wickham, esq. of Richmond, Va. He is consequently nine years old in the present time. His sire was the celebrated horse Timoleon, his dam Florizel.

Fashion was foaled on the farm of William Gibbons, of Madison, Morris county, N. J. on the 25th day of April, 1837, and is now five years old. Her sire, Mr. Livingston's imported Trustee, dam Bonnets-o'-Blue.

An extra of the Spirit of the Times furnishes these particulars.

Tuesday, May 10, 1842. Match, *the north, vs. the south*, $20,000 a side, $5,000 forfeit, four mile heats. Henry K. Tuler's (William Gibbons') ch. m. Fashion, by imp. Trustee, out of Bonnets-o'-Blue, (Mariner's dam) by Sir Charles, 5 years old, 113lbs. Joseph Laird, " " 1 1

Col. Wm. R. Johnson & James Long's ch. h. Boston, by Timoleon, out of Robin Brown's dam, by Ball's Florizel, 9 years old, 126lbs. Gil. Patrick, " " " 2 2

First heat.		*Second heat.*	
Time of first mile,	1:53	Time of 1st mile	1:57
" second mile,	1:54	" 2d mile	1:57
" Third mile,	1:51	" 3d mile	1:53½
" Fourth mile	1:55	" 4th "	1:57½
Time of first heat,	7:32½	Time of 2d heat,	7:45

This makes the first heat shorter than that of the great Eclipse race by 4½ seconds—the second shorter than Eclipse's second by *five* seconds.

STEAMERS COMING. The Acadia leaves for America on 4th May, the British Queen from Antworth, on 4th, via Southampton on the 7th, the Columbia from Liverpool on the 12th, and the Great Western on the 21st.

SUGAR PLANTERS OF LOUISIANA. A convention of those interested in the culture of the sugar cane, is to be held at Donaldsonville on the 1st inst. The object is "to take into consideration the prostrated condition of the sugar trade, and to devise means to avert the total ruin of one of the most important staple commodities of that state, involving an outlay of $52,000,000, and embracing in its ramifications every branch of industry of the United States."

SUNDAY SCHOOLS. On 10th May, a procession of Sunday school pupils marched from the battery up broadway, to the Tabernacle and to their numbers; perhaps 30,000 children. It was the anniversary of the N. Y. S. S. Society. The secretary read an abstract of the annual report. There are connected with this society upwards of one hundred schools, 1,210 male and 1,239 female conductors. Of these 2,015 are professors of religion, and 1,146 have been Sunday school pupils; 653 have professed religion since the date of last report. The number of children receiving instruction is 15,373, of whom 8,833 are able to read the Holy Scriptures; twenty-seven pupils have commenced their studies for the ministry, making with those mentioned in former reports, 563; four teachers have become ministers of religion. In the libraries attached to the schools are upwards of 30,000 volumes.

TRADE. The New York Express says: The news from Europe has produced a little better feeling in Wall street. Stocks have improved. The slight improvement in cotton, and the general conspicuous of things for the better, all contribute to give confidence. Private advices from England, state that there was a visible change there for the better. The large increase of bullion in the Bank of England—the abundance of money—were good signs.

VIRGINIA ELECTIONS. The senate stands 20 V. B. to 12 whigs, the house not all heard from.

TEXAS. Mr Edmunds, Texas consul at New Orleans states officially that a rigorous invasion of Mexico will be commenced in a short time.

TARIFF. The secretary of the treasury's report was referred to committees of ways and means in the house of representatives on Thursday the 12th. The Pa. Sunbury American of 7th states that from all parts of the country they hear of iron works abandoned, factories stopped, hundreds of industrious men discharged.

KENTUCKY. This state at its late session provided for making good to the holders the entire amount of stock fraudulently issued in the name of the Bank of Kentucky by the Schuylkill bank of Philadelphia.—The latter being the duly authorised agent of the other bank abused its trust—and the state of Kentucky has made provision for paying thirteen hundred thousand dollars, for which she never received any thing.

RAPID TRAVELLING. We received on Monday night, the Montreal Times of Saturday morning, the 7th instant—two days and a half from Montreal to Baltimore! It bears the stamp of "Harsden's Express." [*Baltimore Amer.*

WHEAT AND FLOUR TRADE. The New York Express states that the Canadians are making great exertions to control the wheat and flour trade of the west. Gold and silver are placed at every point where there is a likelihood of securing wheat and flour, and handbills thrown out in every direction, offering specie in payment. This trade will soon, however, be cut off by sir Robert Peel's bill, laying a duty on wheat and flour exported into Canada from the United States.

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NILES' NATIONAL REGISTER.

FIFTH SERIES.—No. 12.—VOL. XII.] BALTIMORE, MAY 21, 1842. [VOL. LXII.—WHOLE NO. 1,509.

THE PAST—THE PRESENT—FOR THE FUTURE.

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THE ENCAMPMENT.

Two volunteer encampments have been made during the present week, and are yet pitched. One at Reading, in Pennsylvania, and the other in the vicinity of the city of Baltimore. Troops arrived at the latter on the 16th inst. from various sections of the State of Maryland, and several companies from neighboring counties of Pennsylvania and Virginia, and on the evening of that day when we visited the encampment, it presented quite a martial aspect. The following are the principal officers:

Commander-in-Chief, Major Gen. G. H. Steuart.
Adjutant General, Colonel Horace Bliss.
Quartermaster General, Colonel H. W. Fitzhugh.
Paymaster General, Colonel Nathaniel Hickman.
Surgeon General, Professor N. R. Smith.

The commissary department is under charge of a committee, consisting of Col. Bliss, Major Sonderson, and Capt. Kane.

A beautiful flag has been procured by the committee of arrangements, to be disposed of as designed by the following resolution, adopted at the military convention held at Frederick in October last, at which the primary arrangements were entered into for getting up this encampment. The resolution was offered by Capt. Hammersmark, of Virginia.

Resolved, That the delegations from the Baltimore companies in this convention be directed to procure a flag and staff, to cost one hundred dollars, which flag shall be presented to the best drilled and most soldierly company in the encampment, and that an equal contribution be collected from the officers, non-commissioned officers and privates, to defray the cost of said flag and staff; and that the flag shall be presented by the commanding officer, and the trial be decided by himself and staff.

Much of the morning of the 16th was occupied by portions of the Baltimore volunteers receiving and escorting their visitors. Before ten o'clock the following companies took up the line of march for the encampment:

Independent Light Dragoons, captain Owings.
Baltimore county Troop, captain Gatch.
Baltimore Junior Artillerists, commanded by captain Klunck.
Eagle Artillery, captain Kane.
First Baltimore Light Infantry, lieutenant commandant Hinks.
First Baltimore German Guards, captain Ismael.
Highland Blues, captain Long, from Winchester, Virginia.
Estaw infantry, captain Keyser.
Mechanical Volunteers, captain Watkins.
Washington Light Guard, captain Roney.
Independent Blues, captain Lilly.
Maryland Infantry, captain Small, from Frederick.
Westminster Guards, captain McCollum, from Westminster, Maryland.
Washington Light Infantry, captain France, from Washington.
National Blues, captain Middleton, from Washington.
Mechanical Riflemen, captain Williams, from Washington.
Baltimore City Guards, captain Mullikin.
Maryland Cadets, captain Hopes.
National Guards, captain Prestman.
Independent German Yagers, captain Frederick.
First Baltimore Invincibles, captain Anderson.
Lafayette Volunteers, captain Roberts.
Independent Greys, captain Law.

At various points along the line were stationed fine bands of music, and the rear was brought up with numerous baggage wagons containing the camp equipage, &c. After passing out Baltimore, Green,

and Columbia streets, the line entered upon the encampment grounds, and, having been marched to the desired position, was halted, arms were stacked, and the order given to raise tents.

In the course of the day the encampment was reinforced by the arrival of troops from the following distant places, viz:

National Guards, capt. Shriver, from Frederick.
Charlestown Artillery, captain Reman, from Charlestown, Virginia.
Patapsco Patriots, captain Swain, from Ellicott's Mills.
Captain's Orem's infantry, from Howard district.
York Riflemen, captain Hay, from York, Pennsylvania.
Lancaster State Fencibles, captain Findlay, from Lancaster, Pennsylvania.

The troops were occupied in the afternoon in arranging their several quarters in the encampment. Some thousands of spectators from the city visited the camp grounds in the course of the day. The rail road track from the Three Tuns Tavern, in Pratt street, out to Mount Clare, presented an unbroken throng of pedestrians of all ages, sexes, and colors, while hundreds were on the ground in vehicles and on horseback.

Governor PORTER, of Pennsylvania, accompanied by a full military staff, arrived in the city in the evening by the rail road train from York. He was escorted to the city by the Lancaster State Fencibles and York Riflemen, and was received at the depot by captain Owing's troop of Light Dragoons and captain Gatch's Baltimore County Troop, and escorted to Barnum's Hotel.

Next morning, (Wednesday) the troops in camp were reviewed by Gov. PORTER, of Pennsylvania, accompanied by the secretary of the commonwealth of Pennsylvania, Mr. Darsum, and also by Col. Bunting, Col. J. H. Porter, Col. Anderson, Geo. Diller, Col. Cameron, Col. Andrews, Col. King, and Col. W. J. Leiper. The governor and his suite were escorted to the camp ground by captain Owing's troop of Independent Light Dragoons, accompanied by the mayor.

An immense concourse of spectators lined the streets and route leading to the encampment, and crowded into the grounds appropriated for the review. Upon the signal from the sentinel of the near approach of the expected visitors, a salute of fifteen guns was fired in honor of his arrival by the Junior Artillerists, Capt. Klunck, and the Eagle Artillerists, Capt. Kane. When his excellency and suite reached the camp, they were received by Gen. Geo. H. Steuart, Commander-in-Chief, and his staff, and escorted to the quarters of the commanding officer, where the ceremonies of the review, when the review commenced, and was conducted in proper military style, after which Gov. Porter returned to his quarters under the same escort, and next morning left the city for the encampment at Reading.

On Friday the 20th, President TYLER, Major Gen. SCOTT, and Governor THOMAS, were to review the troops.

NATIONAL AFFAIRS

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Consuls. F. L. Castelnau, of New York, for the city of Lima, in the place of Edwin Bartlett, resigned.

John Wilkeson, of N. York, for Turk's Island.

THE ARMY.

GENERAL ORDERS.—No. 26.

Head quarters of the army, Adj. gen. office, Washington, May 10, 1842.

1. The commander of the forces in Florida having reported his dispositions with the services of one or two regiments, he is instructed to send, by water, the 3d infantry to the harbor of New York, where it will be in orders to proceed and relieve the 4th artillery, now on the northern frontier, when the 4th will be brought to the seaboard.

2. As soon as he may think the service in Florida will permit, the commander in that quarter will send detachments of the 7th infantry to relieve detachments of the 3d artillery, as follows: *two* companies to *Pensacola harbor; two* companies to *Fort Morgan; two* companies to the *Barracks near New Orleans; one* company to *Fort Pike;* and *one* to *Fort Wood*, retaining two companies ultimately to garrison Fort Brooke or that fort and Fort King, or Cedar Keys, as may be deemed best.

3. On being relieved by detachments of the 7th infantry the nine companies of the 3d artillery at the posts mentioned above will immediately proceed by water, in convenient detachments, to occupy the following positions: *two* companies *St. Augustine barracks; two* companies *Oglethorpe barracks*, Savannah; *three* companies, *Fort Moultrie; one* company, *Fort Johnson*, N. C.; and *one* company, *Fort Macon.*

4. The companies in those positions are to be changed as above will be designated for their new posts by the commanders of the 3d artillery and 7th infantry, respectively. The companies named for St. Augustine barracks may be first embarked for Savannah, and the two for Forts Johnson and Macon embarked for Charleston, if found most convenient at the respective points of embarkation.

5. The head-quarters of the 3d artillery will be established at Fort Moultrie. The lieutenant colonel and major of the regiment will take post respectively at Oglethorpe barracks, and the barracks at St. Augustine.

6. The head-quarters of the 7th infantry will be established in the harbor of Pensacola. The commander of the army in Florida will retain the lieutenant colonel or major with him for the ultimate command at Fort Brooke, and send the other to take post at the barracks near New Orleans. By command of Maj. Gen. Scott: R. JONES, *adj. gen.*

War department, May 10, 1842.

The communication of Col. Worth of the 14th February last, and the suggestions of the major general commanding the army contained in his letter of the 27th ultimo, in relation to the state of affairs in Florida, and the continuance of hostilities there, have been maturely considered, and I have now to communicate to the major general commanding the army the views of the president upon the subject.

The very reduced number of the hostile Indians now in Florida, believed not to exceed two hundred and forty, including probably eighty warriors,* would seem to indicate that all has been accomplished which can be effected by the employment of a large military force in offensive operations. Unless such operations are to be continued until the last Indian in the peninsula shall be destroyed or captured, there must be some period when they should cease. That period, it is believed, has now arrived; and the protection of the inhabitants must be secured by other means, which it is believed can be effectually employed for that purpose.

The season is approaching which forbids the active and energetic movements which have distinguished the army in Florida, particularly during the last year, and the course of measures intended to be pursued must now be determined.

The communications of the governor of Florida, of many of its intelligent citizens, and of various distinguished officers of the army, corroborate the views expressed by colonel Worth of the propriety of terminating the present system of hostilities with the few Indians remaining in that territory.

Anxious to curtail the extraordinary expenses incident to the warfare, and sincerely desirous of promoting peace, the president directs that Col. Worth be authorised, as soon as he shall deem it expedient, to declare that hostilities against the Indians in Florida have ceased, and that they will not be renewed unless provoked by new aggressions on their part.—And they will accordingly cease until their renewal be authorised by the proper authority. But this is not to be understood as forbidding any acts of self-defence, either by the troops or by citizens, against attempts of Indians to molest them.

Such a reduction of the military force in Florida may be safely ventured upon, trusting with the protection the inhabitants will, therefore, immediately be made, and the troops ordered out of the territory will be stationed in the exigency of the public service may require. But it is deemed advisable that a force equal to at least two regiments be retained to form a cordon or line of protection for the frontier settlements. The action of congress will be invited to aid in the defence of the territory, by the settlement

*Since the date of these instructions the number of outstanding Indians, according to rumor, has been much reduced.

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of our citizens there, and offering to them inducements for such settlement, by gratuities of land, by allowing them rations for subsistence, and by the loan of arms. Until the decision of congress is had on this subject, it is desirable that the settlements to be made should be within such line of protection by Colonel Worth, who will take the necessary measures to effect this arrangement.

He will also use the means he possesses of communicating with the Indians yet remaining, and inducing them to consult their true interest by joining their brethren at the west.

Shipments of forage and subsistence to Florida will be suspended until expressly called for by the officer in command there.

The quartermaster general will instruct the senior officer of his department in Florida as to the manner of disposing of the public property that may not be required for use under the arrangements now directed, such as mules, horses, wagons, &c. subject to the orders of the officer commanding the army in Florida.

Col. Worth will be informed that the naval force on the coast has been directed by the secretary of the navy to withdraw, whenever the commanding officer in Florida shall deem the cessation of hostilities, and shall deem their services no longer necessary. The major general commanding the army will please communicate these directions to Col. Worth, and give such further orders as may be necessary or proper to carry into effect the views of the president. J. C. SPENCER.

STATES OF THE UNION.

CONNECTICUT.

John M. Niles formerly senator, received 104 out of 120 votes against his competitors in caucus Messrs. Ingersoll and Ingham, and was elected again by the legislature to the United States senate on the 12th instant, vice Perry Smith. The vote stood for Niles 122, Roger S. Baldwin 57. Scattering 2.

The legislature adopted the resolution of Mr. Smith, of Sharon in the house of representatives on the 7th instant, "that a joint committee be appointed, to consist of three members of the senate, from one from a county on the part of the house, to inquire into the expediency of tendering the friendly mediation of this state, for the adjustment of the unhappy differences existing in Rhode Island. The resolution was supported by Messrs. Smith, Wattles, Copp and Hinman, in some brief and eloquent remarks; and passed unanimously." On the 9th, it was so amended as to allow two members from each county.

RHODE ISLAND.

STATEMENT SUBMITTED BY MESSRS. WHIPPLE, FRANCIS AND POTTER, TO THE PRESIDENT OF THE UNITED STATES.

The undersigned, having been deputed by Samuel W. King, the governor of the state of Rhode Island, to lay before you the present alarming condition in which the people of the state are placed, and to request from you the adoption of such prudential measures as, in your opinion, may tend to prevent domestic violence, beg leave most respectfully to state the following, among the leading facts, to which your attention is more particularly invited:

That the people of Rhode Island have no fundamental law except the charter of king Charles the second, granted in 1663, and that cannot be the legislature under it. Legislative usage under their charters has been decided by the supreme court of the United States to be the fundamental law, both in Connecticut and Rhode Island.

That, from the date of the Rhode Island charter down to the year 1841, a period of nearly two hundred years, no person has been allowed to vote for town or state officers unless possessed of competent estates, and admitted free in the several towns in which they resided.

That, since the statute of 1723, no person could be admitted a freeman of any town unless he owned a freehold estate of the value fixed by law, (now one hundred and thirty-four dollars,) or was the eldest son of such a freeholder.

That, until the past year, no attempt has been made, to our knowledge, to establish any other fundamental law, by force, than the one under which the people have lived for so long a period.

That, at the January session of the legislature in 1841, a petition, signed by five or six hundred male inhabitants, praying for such an extension of suffrage as the legislature might, in their wisdom, deem expedient to propose, was presented.

That, influenced by that petition, as well as by other considerations, the legislature, at that session, requested the qualified voters, or freemen, as they are called with us, to choose delegates at their regular town meetings to be holden in August, 1841, for a convention, to be holden in November, 1841, to frame a written constitution.

That the result of the last meeting of this legal convention, in February, 1842, was the constitution accompanying this statement, marked —, which, in case of its adoption by the people, would have been the supreme law of the state.

Most of the above facts are contained in the printed report of a numerous committee of the legislature, at their session in March, 1842, which report was adopted by the legislature.

That, in May, 1841, after said legal convention had been provided for by the legislature, and before the time appointed for the choice of delegates by the qualified voters, (August, 1841,) a mass meeting was held by the friends of an extension of suffrage at Newport, at which meeting a committee were appointed, called the state committee, who were authorised by said mass meeting to take measures for calling a convention to frame a constitution.

That this committee, in the name, issued a request for a meeting of the male citizens in the several towns to appoint delegates to the proposed convention.

That meetings, of unqualified voters principally, (as we believe,) were accordingly holden in the several towns, unauthorised by law, and contrary to the invariable usage and practice of Rhode Island, 1663, down to that period. That the aggregate votes appointing the delegates to that convention was, according to their own estimate, about 7,200; whereas the whole number of male citizens, over twenty-one years of age, after making a deduction for foreigners, paupers, &c. was, also according to their own estimate, over 9,000.

That this convention, thus constituted, convened in Providence in October, 1841, and the constitution called the "people's constitution" was the result of their deliberations.

That, at subsequent meetings of portions of the people, in December, 1841, by the authority of this convention alone, (for, as its delegates had been, by about one third of the voters, according to their standard of qualification,) all males over twenty-one years of age were admitted to vote for the adoption of the people's constitution, (that meeting, we were not under presiding officers whose legal duty or legal right it was to interpose any check or restraint to age, residence, property, or color.

By the fourteenth article of the constitution it was provided, that "This constitution shall be submitted to the people, for their adoption or rejection, on Monday, the fifth day of December next, and on the two succeeding days." * * "And every person entitled to vote as aforesaid, who, from sickness *or other causes*, may be unable to attend and vote in the town or ward meeting assembled for voting upon said constitution, on the days aforesaid, is requested to write his name on a ticket, and to obtain the signature upon the back of the same of a person who has given in his vote as a witness thereto. And the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution."

During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every and all the friends of the constitution, of presenting votes upon the back of the same of a person who has given in his vote as a witness thereto, and the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution."

During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every and all the friends of the constitution, of presenting votes upon the back of the same of a person who has given in his vote as a witness thereto, and the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution." During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every and all the friends of the constitution, of presenting votes upon the back of the same of a person who has given in his vote as a witness thereto, and the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution." During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every and all the friends of the constitution, of presenting votes upon the back of the same of a person who has given in his vote as a witness thereto, and the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution." During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every and all the friends of the constitution, of presenting votes upon the back of the same of a person who has given in his vote as a witness thereto, and the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution." During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every and all the friends of the constitution, of presenting votes upon the back of the same of a person who has given in his vote as a witness thereto, and the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting for said constitution."

The provision, therefore, in relation to the great subject in dispute, the elective franchise, is substantially the same in the two constitutions.

On the 21st, 22d, and 23d March last, the legal constitution, by an act of the legislature, was submitted to all the persons who, by its provisions, would be entitled to vote under it, after its adoption, for their ratification. It was carried by a majority of 676, the number of votes polled being over 16,000. It is believed that many freeholders voted against it, because they were attached to the old form of government, and were against any new constitution whatever. Both parties used uncommon exertions to bring all their voters to the polls; and the result of the vote, as made by the scrutiny of opposing interests, in legal town meetings, that the friends of the people's constitution brought to the polls probably but not over 7,000 to 7,500 votes. The whole vote against the legal constitution was about 8,600. If we allow 1,000 as the number of freeholders who voted against the legal constitution, because they are opposed to any constitution, it would leave the number of the friends of the people's constitution 7,600, or one-third of the voters of the state under the new qualification proposed by either constitution.

It seems incredible that there can be 14,000 friends of the people's constitution in the state, animated as they are by a most extraordinary and enthusiastic feeling, and yet, upon this trial, in the most public manner, by voting, they should have obtained but about 7,600 votes.

The unanimity of the subsequent action of the legislature, comprehending as it did both the great political parties—the friends of representation giving a vote of sixty in favor of maintaining the existing government of the state, and only six on the other side, with a unanimous vote in the senate—the unanimous and decided opinion of the supreme court declaring this extraordinary movement to be illegal in all its stages, a majority of that court being of the democratic party, and the other four of a mixed character, have freed this question of a mere party character, and enabled us to present it as a great constitutional question.

Without presuming to discuss the elementary fundamental principles of government, we deem it our duty to remind you of the fact that the existing government of Rhode Island is the government that adopted the constitution of the United States, became a member of this confederacy, and has ever since been represented in the senate and house of representatives. It is at this moment the existing government of Rhode Island, both *de facto* and *de jure*, and is the only government in that state entitled to the protection of the constitution of the United States.

It is that government which now calls upon the general government for its interference; and even if the legal effect of there being an ascertained majority of unqualified voters against the existing government was as is contended for by the opposing party, yet, upon their own principle, ought not that majority, in point of fact, to be clearly ascertained, not by assertion, but by proof, in order to justify the general government in withdrawing its legal and moral influence from the existing authorities.

That a domestic war of the most ferocious character will speedily ensue, unless prevented by a prompt expression of opinion here, cannot be doubted. In relation to this we refer to the numerous resolutions passed at meetings of the friends of the people's constitution, and more especially to the Cumberland resolutions, herewith presented in the affidavits marked —, and to repeated expressions of a similar nature upon the judgment of the chief magistrate of the nation. All which is respectfully submitted by JOHN WHIPPLE,

JOHN BROWN FRANCIS,
ELISHA R. POTTER.

To his excellency, JOHN TYLER, *president of the U. S.*

The above statement was followed by a letter of the president, dated April 11, published on page 116.

LETTER FROM MR. WHIPPLE.

To his Excel. Samuel W. King, Gov. of Rhode Island:

We transmit to your excellency the letter of the President of the United States, in reply to yours of the 4th instant, in relation to our revolutionary movements in Rhode Island. You will observe with pleasure that the conduct of the president is firm, clear, and decided. It was expressed after a statement of facts, accompanied by a number of documents from both parties, and is in accordance with the unanimous opinion of the members of the cabinet, and we believe with that of every member of congress to whom the case has been fairly stated.

At the same time we observe that great and unwearied pains have been taken by the insurrectionists to forestall public opinion, by loading the newspaper with different ex-parte statements so unblushingly false, that we refer to your excellency

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the expediency of adopting some mode of giving publicity to the truth. They represent, in most of the newspapers that have come under our observation, that the party in favor of the people's constitution *has a large majority* of the whole people in its favor, and that a very small portion of the people have pertinaciously adhered to the old freehold qualification, thus rendering peaceable and legal change of government wholly impracticable. This is their case, as they have caused it to be stated in most of the cities in the union. They seek to justify revolution upon the facts that a majority of the 23,000 citizens of the State are in favor of their constitution, and that there is no other mode of redress than by revolution.

Your Excellency well knows that both these statements are wholly false. That party brought every man to the polls who was in favor of their constitution, in order to vote against the *legal* constitution, in March last. The whole number of votes polled against it was 8,600, or thereabouts. It is well known that at least 1,000 freeholders voted against the legal constitution, not because they were in favor of the people's constitution, but because being opposed to any extension of suffrage, they were against both constitutions. Deduct these 1,000 votes, and there remain but 7,600 in favor of the people's constitution, *or about one third of the voters in the state.*

But their case would stand upon no better ground were their majority clear and undisputed. Nothing but *necessity* will justify revolution. This they admit, and therefore they attempt, in their different statements in various parts of the Union, to impress upon the public mind another gross and malicious falsehood, which is, that the People seek to refuse an extension of the elective franchise; whereas every Rhode Island man knows that there is no substantial difference between the extent of that franchise under the legal constitution, proposed to the people by the *convention of freeholders*, and the extent of the same franchise provided for in the people's constitution. Both constitutions admitted all adult born white male citizen of the United States, with no other qualification but residence, to the elective franchise. The legal constitution required a residence of two years, and the people's a residence of one year. The legal constitution admitted naturalized foreigners who owned a freehold estate of $134 in value; the people's admitted them upon one year's residence.

We believe that the citizens of other states will learn with surprise and abhorrence that a party of men, generally, as we believe, opposed, if disposed, has been organized in Rhode Island, and made to believe by a few selfish and ambitious leaders, bringing some to one and some to the side of the two political parties, that they are really and truly the majority, and that they have a right, by force, to usurp the sovereignty of the state, in order to establish a principle conceded by the constituted authorities, and rejected by them, because the boon proceeded from a legal convention, instead of its being the work of their revolutionary hands.

Under the operation of such principles the Government can exist a single year. It is not merely revolution, but revolution after all the objects revolution can achieve have been achieved. It is a principle not only subversive of a representative republican government, but fatal to the continuance of a democracy in any and all its forms of real or fancied perfection.

If a revolution, based upon such principles, should succeed in Rhode Island, the same sure law of force will inevitably prostrate every state government in the union; for there is not a state in the union in which the actual grievances of portions of the people are not quite as numerous and quite as great as those complained of in the state of Rhode Island.

JOHN WHIPPLE, *for the Committee.*

LETTER FROM THE PRESIDENT.

Washington, May 7, 1841.

SIR: Your letter of the 4th instant, transmitting resolutions of the legislature of Rhode Island, informing me that there existed in that state "certain lawless assemblages of a portion of the people" for the purpose of subverting the laws and overthrowing the existing government, and calling upon the executive forthwith to interpose the power and authority of the United States to suppress such insurrectionary and lawless assemblages, and to support the existing government and laws, and protect the state from domestic violence," was handed me yesterday by Messrs. Randolph and Potter.

I have to inform your excellency, in reply, that my opinions as to the duties of this government to protect the state of Rhode Island against domestic violence, remain unchanged. Yet, from information received by the executive since your despatches came to hand, I am led to believe that the lawless assemblage to which reference is made has already dispersed, and that the danger of domestic violence, is hourly diminishing, if it has not wholly disappeared. I have with diffidently brought myself at any time to believe that violence would be resorted to, or an exigency arise, which the unaided power of the state could not meet: especially as I have from the first felt persuaded that your excellency, as well as others associated with yourself in the administration of the government, would exhibit a temper of conciliation as well as of energy and decision. To the insurgents themselves it ought to be obvious, when the excitement of the moment shall have passed away, that changes achieved by regular and, if necessary, repeated appeals to the constituted authorities, in a country so much under the influence of public opinion, and by reason to argument and remonstrance, are more likely to ensure lasting blessings than those accomplished by violence and bloodshed on one side, and little less bloodshed by similar agents on another. I freely confess that I should experience great reluctance in employing the military power of this government against any portion of the people; but, rather than do this, I have to assure your excellency that, if resistance is made to the execution of the laws of Rhode Island by such force as your excellency shall be unable to overcome, it will be the duty of this government to enforce the constitutional guaranty—a guaranty given and adopted mutually by all the original states, of which number Rhode Island was one, and which, in the same way, has been given and adopted by each of the states since admitted into the union. And if an exigency of lawless violence shall actually arise, the executive government of the United States on the application of your excellency, under the authority of the resolutions of the legislature already submitted, will not fail to use all the authorities of the state in their efforts to maintain a due respect for the laws. I sincerely hope, however, that no such exigency may occur, and that every citizen of Rhode Island, forgetting his love of peace and good order by submitting to the laws, and seeking a redress of grievances by other means than intestine commotions.

I tender to your excellency assurances of my distinguished consideration. JOHN TYLER.

To the governor of the state of Rhode Island.

THE CHARTER general assembly having convened at Newport on Wednesday the 11th in the morning, organized and adjourned till 3 o'clock, P. M. Richard K. Randolph and Elisha R. Porter, esqs. the bearers of the requisition upon the president returned at the same moment from Washington to Newport. Having met at 3 P. M. the governor transmitted a message communicating a letter from the president addressed to him in answer to the requisition made by the assembly.

T. G. Hazard, of Westerly, and Sidney S. Tillinghast, of East Greenwich, representatives to the general assembly under the "People's constitution," rejected.

BY HIS EXCELLENCY SAM'L WARD KING, Governor, captain general, and commander-in-chief of the state of Rhode Island, and Providence Plantations:

A PROCLAMATION.

Whereas the president of the United States has transmitted to me a communication touching the political affairs of this state, a copy thereof is hereunto annexed:

I do therefore issue this my proclamation, to make known the same to the people of this state, and more especially to those engaged in treasonable enterprise against the laws and government thereof, that they may give heed thereto, and govern themselves accordingly.

In testimony whereof, I have caused the seal of said state to be affixed to these presents, and have signed the same with my hand. Given at [L. s.] Newport, on the 11th day of May, in the year of our Lord 1842, and of the independence of the United States of America the sixty-sixth.

SAMUEL WARD KING.

By his excellency's command:

HENRY BOWEN, *secretary of state.*

At night of the 11th Gov. Dorr and Mr. D. J. Pierce arrived at New York from Providence.

THURSDAY 12th. A mass meeting was held at Providence court house parade, numbering from four to six thousand, and the following resolutions adopted:

Resolved, That we will submit to no compromise that has not for its basis an acknowledgement that the ultimate source of all political and sovereign power rests in the whole adult male citizens of the state, and that no action of the legislative authority is, or of right can be, necessary to say when or how that ultimate sovereign power may be exercised.

Resolved, That we will maintain these principles as those purchased with the blood and counsel of our fathers of '76 to the last.

Resolved, That we believe the latent for which the Algerine law was enacted, was to provoke an outbreak; and that all action of the tyrants under it, has been to seek to spill the blood of the people. That we regard said law as a tyrannical act of an expiring despotism, designed to goad and sacrifice the people, and in fine, that it is an open and avowed declaration of war.

Resolved, That should another attempt be made to arrest an individual under the law, we hereby pledge ourselves, in the most solemn manner, to shield such person from arrest; and if arrested or kidnapped, to rescue him from the demon who may pretend to hold him in custody, and immediately visit such retributive justice to the offenders, as the enormity of their crimes may demand.

Resolved, That we will support, protect, and defend gov. Thomas W. Dorr in his office—that we will neither surrender him to the malice of his opponents, nor will we ever forget the firmness and wisdom, as well as moderation which has marked his bearing to us and to his opponents during all this excited war for liberty.

In the evening of this day Mr. Webster arrived at New York.

New York, May 13, 1842.

To Thomas W. Dorr, governor of the state of Rhode Island:

SIR: Several military companies of this city and vicinity having tendered their services so as to form a military escort to accompany you to Providence, we have the honor to apprise your excellency of the fact. This distinction which they do so much admire, we hope will meet with your cheerful acceptance.

With sentiments of the highest respect, we are very respectfully yours,

ALEXANDER MING, Jr.
Col. 13th regt. N. Y. A.
ABRAHAM J. CRASTO,
Lt. col. 236th regt. N. Y. S. I.

New York, May 14th, 1842.

To cols. Ming and Crasto:

GENTLEMEN: I return to you my sincere thanks for the offer, contained in your letter of yesterday, of the escort of several military companies to accompany me to the city of Providence. It is impossible to mistake the spirit in which this offer is made. It is an indication of the fraternal interest with which you regard the struggle which is now going on for the rights of the people of Rhode Island, whom I have the honor to represent. While I should not feel justified at the present moment in withdrawing my person from your homes and business, on the expedition contemplated, *allow me to say, that the time may not be far distant, when I may be obliged to call upon you for your services in that cause which will so promptly remember the most efficient aid—the cause of American citizens contending for their sovereign right to make and maintain a republican constitution, and opposed by the hired soldiers of the government. In this unequal contest, I invoke your aid, and that of your associates in arms.* We appeal from the government to the people, and rely upon them in the last resort to defend our rights from every arbitrary aggression.

Be pleased to make my cordial acknowledgments to the officers and privates, who have so kindly united with you in the honor which has been proffered to me, and accept the regards of your friend and fellow citizen.

THOMAS W. DORR.

SATURDAY, 14TH. Gov. Dorr left New York for Rhode Island. The Providence Journal extra, May 14, says: A most foul and ferocious plot has just come to light. Evidence, conclusive and of the very highest authority, can be produced to establish the following statement, viz: that Thomas W. Dorr did, previous to his leaving this city, write a letter to Levi D. Slamm, editor of the New Era of the city of New York, requesting him to raise *five hundred* men in that city to be sent armed to Rhode Island! This letter was shown by Mr. Slamm to a gentleman of this city, who is a strong suffrage man, and was supposed to be in favor of Dorr and his course of violence and blood. In a spirit of independence and good citizenship, which does him great honor, he informed Dorr, upon his arrival in New York, that he would go to him in no forcible measures, and communicated to him the knowledge he had of his (Dorr's) application to Slamm, which Dorr acknowledged to be true.

We insert the following statement of two individuals of this city of undoubted credibility to establish the general fact that Dorr has made such an application. A more particular statement will be forthcoming if the fact is denied:

"We hereby state that we returned from New

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York this morning, and while there learned from unquestionable authority that Thomas W. Dorr, before leaving this city, wrote a letter to Levi D. Slamm, editor of the New Era, of the city of New York, for five hundred men, to be raised in N. York and sent armed to Rhode Island.

"J. B. NICHOLS,
"C. C. PEYTER.

"*Providence, May* 14, 1842."

TO THE RESCUE. The signal gun in the fourth ward had no sooner sounded the alarm, last evening, than the different rendezvous of the Ward Volunteer companies were crowded with soldiers, completely armed and equipped. It was ascertained that the Algerines had laid a plan to arrest Gov. Dorr, as soon as he arrived in the state, at Kingston, and imprison him in Washington or Newport county. In company of about forty muskets marched to the depot and took passage in the cars to Stonington to accompany the governor home, and defend him against any who might assail him "without and against law." (*Providence Express, May* 14.

From the N. Y. American of Saturday afternoon.

"A public meeting is called in this city under the signatures of such men, among others, as Stephen Allen, John L. Morgan, and Walter Bowne, to meet in the Park next Tuesday, to adopt such action as may be needful in view of the threatened interference of the United States government to put down, as is alleged, the free people of Rhode Island.

"If we had not ceased to be surprised at any political results, we should be surprised at seeing the names of such men, who are so largely interested in upholding law and order, used to put down the constitution of the United States as well as that of Rhode Island. But the issue may as well come now as at any other time. If triumphant violence is, either in this city or in Rhode Island, to take the place of legal authority, the effort may as well be made under the names and at the risk of such men as Walter Bowne, John L. Morgan and Stephen Allen, as under more obscure or less tangible names. Let the issue, then, come."

From the N. Y. American, May 16.

Tammany Hall was all alive on Saturday, a meeting of the radicals having been called to do honor to Mr. Thos. W. Dorr, of Rhode Island, who made a speech, in which he professed entire willingness to become a martyr, a profession which is likely very soon to be put to the test.

A procession, headed by music, was formed, and with his martial band around him," the Rhode Island pretender, in an open barouche, accompanied by the would be president of the board of aldermen, E. F. Purdy, and the would-be state printer, Levi D. Slamm, of the New Era, proceeded to the steamboat which lay convenient him, believing, that to arrest and imprisonment—the forty volunteer muskets from Providence to the contrary notwithstanding. By the bye, this having two governors in Rhode Island is not a new matter. It used to be the custom after the Whites had an election for governor, for the Blacks to have one; it has been abandoned for some few years, but this concern means a revival of the old usage. The military companies were applied to but of course refused to come out.

On Monday, May 15, Mr. Dorr arrived at Providence, was received by a large number of citizens, two or three hundred armed, and on the next day issued a proclamation announcing that the president has manifested an intention of resorting to the forces of the United States to check the movements of the people of this state in support of their republican constitution recently adopted," and bespeaks the countenance and aid of the inhabitants of the country who have received him everywhere with kindness and cordiality and especially at the city of N. Y. He then continues as follows:

"It has become my duty to say, that, so soon as a soldier of the United States shall be set in motion by whatever direction, to act against the people of this state, in aid of the chartered government, I shall rear for that aid, to oppose all such force, which, I am fully authorised to say, will be immediately and most cheerfully tendered to the service of the people of Rhode Island, from the city of New York, and from other places. The contest will then become national, and our state the battle ground of American freedom.

As a Rhode Island man I regret that the constitutional question in this state cannot be adjusted among our own citizens. But as the minority have asked that the sword of the national executive may be thrown into the scale against the people, it is imperative upon them to make the same appeal to their brethren of the states; an appeal which, they are well assured, will not be made in vain. They who have been the first to ask assistance from abroad, can have no reason to complain of any consequences which may ensue.

No further arrests under the law of pains and penalties, which was repealed by the general assembly of the people at their May session, will be permitted. I hereby direct the military under their respective officers promptly to prevent the same, and to relieve all who may be arrested under said law.

As requested by the general assembly, I enjoin upon the militia forthwith to elect their company officers; and I call upon volunteers to organize themselves without delay. The military are directed to hold themselves in readiness for immediate service.

Given under my hand, and seal of the [L. S.] state, at the city of Providence, this 16th day of May, A. D. 1842.

THOMAS W. DORR.

Governor and commander in chief of the state of Rhode Island and Providence Plantations.

By the governor's command,

WILLIAM H. SMITH, *secretary of state.*

MISCELLANEOUS.

ANNIVERSARIES. Several societies held their anniversaries at the city of New York on May 10th, and during the few days succeeding—assembling generally at the Broadway Tabernacle. The American Seaman's Friend and Sunday School Union societies have been noticed. The Tribune furnishes the following details.

FOREIGN EVANGELICAL SOCIETY. This society held its third anniversary last evening at the Dutch Reformed Church, corner of Fourth street and Lafayette Place. Hon. Theodore Frelinghuysen presided. The exercises were opened with prayer by rev. Mr. Brinsmade. The treasurer's report was then read by Mr. Chester, showing the following aggregates: Amount of receipts for the year, $15,734. Amount of expenditures, $15,275. Leaving in the treasury $459.

The report of the executive committee was then read by rev. E. N. Kirk, corresponding secretary.—It presented the purposes and the progress of the society in a full and clear light. The object proposed is to instruct in the principles and lead to the practice of Christianity those natives of Europe nominally Christian, but under the influence of Papacy. The countries in which its operations have been chiefly confined are France, Spain, Italy, Belgium, Germany, Switzerland, &c. During the past year 32 colporteurs and missionaries have been steadily employed in France and one in Belgium, and more than 200 have been engaged for longer or shorter periods. It is now 27 years since the first Bible society in France, Dr. Marsh say, of Farmington, he alluded to the peculiar difficulties and embarrassments resulting from the division of the society two years ago—to the operations of the society during the past year—and to the encouraging aspects of the cause. James S. Gibbons read the aggregates of the treasurer's report, from which it appeared that the receipts during the year amounted to $18,081 67; the expenditures to $9,700 00, leaving a balance in the treasury of $381 67. The receipts were greater by about $3,000 than they were last year. The National Anti-Slavery Standard, edited by Mrs. Child, has nearly doubled its circulation during the year. Addresses were delivered by C. C. Burleigh, of Philadelphia, Wendell Phillips, of Boston, and Gov. Bradburn, of Nantucket.

AMERICAN AND FOREIGN ANTI-SLAVERY SOCIETY. This society held its second anniversary in the church, corner of Delancy and Orchard streets, last evening. Arthur Tappan presided. The meeting was opened with prayer by rev. Theodore S. Wright of this city. The annual report was read by rev. S. S. Jocelyn, the corresponding secretary, and Lewis Tappan offered a set of resolutions that were unanimously adopted. The closing address was made by the rev. Mr. Pennington, pastor of the colored congregation at Hartford, Con. Interesting intelligence was communicated from the Amistad Africans, in Sierra Leone—from the missionaries at the West India and Sandwich Islands—from England and France, and letters were read from several distinguished individuals.

The Creole case and the proceedings in congress on the cases of the hon. J. Q. Adams and J. R. Giddings were discussed. Joseph Sturge was vindicated as being in favor of a repeal of the corn laws, and as having been elected president of the "National Complete Suffrage Union" lately formed in England, and passages were read of Daniel Webster's speech at Plymouth rock in 1820, and of a pamphlet from the pen of the hon. Thomas F. Marshall.

AMERICAN TRACT SOCIETY. This benevolent society held its seventeenth anniversary at the Tabernacle. That great building was crowded to its utmost extent. Wm. B. Crosby, esq. presided and the exercises were commenced with prayer by the Rev. Dr. Spring. A letter was read from S. V. S. Wilder, esq. declining a re-election to the presidency, mainly on account of his pecuniary embarrassments. The treasurer's report was presented by Moses Allen, esq. The receipts for the year are $71,155 14.

The society has sent abroad only $15,000—distributed as follows:

Sandwich Islands	$1,000	Ahmednugger	400
Siam and China	600	Western Africa	400
Siam A B C F M	600	Prot. Epis. Mission	200
Burmah	800	Turkey	1,500
Northern India	2,000	Greece	200
Calcutta	200	A B C F M	600
Orissa	500	Baptist Mission	200
Madras	800	Russia	1,000
Madura	500	Hamburgh	200
Ceylon	2,000	Baptist Mission	600
Mahrattas	200	Toulouse and Greece	500

The society has published during the year 1,016 volumes, and 1,634 for foreign stations. The number issued is—

	Vols.	Publications.	Pages.
Printed	245,000	4,812,000	100,108,000
Gratuitous	185,152	4,478,799	14,209,045

The circulation exceeds that of the last year by 13 647,480 pages, and includes 2,786 sets of the evangelical family library of 15 volumes; 534 of the Christian Almanac of 12 volumes, upward of 6,000, each of several separate volumes; 91,000 of the Christian Almanac for the U. States; and of some four page tracts from 100,000 to 150,000 copies each. That circulation in seventeen years 1,200,000,921 pages. 182,000 volumes have been circulated during the year, including 2,786 sets of the evangelical family library. By the voluntary co-operation of 10,000 colporteurs, 1,386,000 volumes in all have been circulated among perhaps 800,000 families, embracing not far from 4,000,000 souls.

Excellent addresses were delivered by Rev. Henry Ludlow, Rev. Dr. Milnor, and Rev. Joseph Jenkins. One of the most interesting portions of the exercises was an address in Syriac, by Mar Yohanna, bishop of the Nestorian church.

AMERICAN HOME MISSIONARY SOCIETY. The six-teenth anniversary of this society was held at the Broadway tabernacle. Henry Dwight, esq. of Geneva, presided. After prayer by the Rev. Dr. Codman, Mr. Chatfield, Joseph Corning, esq., treasurer of the society, presented the annual report. It presents the following; receipts, $95,291 43; expenses, $94,308 14; balance in the treasury, $991 21.

The receipts are $7,650 30 greater than those of last year. The liabilities incurred by the society during the year to missionaries is $6 393 36, which, with the amount due at the beginning of the year, makes the whole amount of liabilities $10,793 93. The number of congregations is 937—125 more than last year the amount of labor performed 554 years; 93 more than last year, and 130 more than preceding year. The number of pupils under the missionaries is 64,300. The number of conversions reported is 4,018, the number added to the church, 5,514. The executive report was presented by Rev. Milton Badger.

FEMALE MORAL REFORM SOCIETY. The eighth anniversary of this society was held last evening at the Hester street church. The annual report of the board states the number of copies of the Journal which have been issued during the last year, at 15,000: the number of pages of tracts published, at 475 000—a large number of which were gratuitous; 40,000 petitions have been forwarded to the legislature during the year; three missionaries have been employed, who have visited 6,570 families. Of the Advocate, 47,652 copies have been distributed: 7,000 letters obtained to the temperance pledge, and 100 children have been brought into Sabbath schools. A Bethel missionary has been steadily employed, who has visited 3,829 vessels—distributed 12,650 Advocates, 534 Directories, and 194,530 pages of tracts. From investigations carefully made, it is ascertained that in the eighth ward at one, there are 97 dwellings occupied by openly vicious females—whose number in that ward is estimated at 697. Taking this as a basis, it

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is believed that our city contains 1,640 houses of ill-fame, and 11,540 open prostitutes. Horrible as is this picture, it is the result of careful and patient investigation.

THE NEW YORK COLONIZATION SOCIETY held their 10th annual meeting last evening at the Middle Dutch church—Anson G. Phelps, esq. in the chair. The proceedings were opened with a hymn written for the occasion by Mrs. Sigourney, after which rev. Mr. Ogden, of Whitesboro', offered a prayer. Moses Allen, esq. treasurer, read the financial report for the past year, which showed the following aggregates:

Receipts,	$8,957 22
Expenses,	9,938 96
Balance due treasurer,	$1,141 44

Rev. Mr. Cone read the 10th annual report of the executive committee, which stated that their prospects were never more cheering than at present, as the interest in the success of their project was fully commensurate with the extensive knowledge of its vast importance and utility. The testimony of those who had visited the settlements at Liberia formed a considerable portion of this report, and was highly encouraging—representing the improvement of the settlers in art, science, agriculture and religion, as far beyond the anticipation of its most zealous friends. The report, in conclusion, stated the increasing interests which the people of America have in the success of this christian enterprise, and its high mission yet to be continued support.

Hon. B. F. Butler moved that the report be printed, and sustained the resolution in a very feeling and eloquent address. Another resolution was offered by rev. Mr. Gurley, in reference to the increasing disposition of masters to emancipate, and the consequent necessity of increasing effort and liberality.

R. Gurley, esq. secretary of the parent Colonization society, supported this resolution at length, and with great power. The proceedings closed with an appropriate hymn.

AGRICULTURAL SOCIETY OF THE UNITED STATES. At the annual meeting of the society, held at Washington on the 5th May, 1842, at the parlours of office, in the city of Washington, the following officers were elected for the ensuing year, viz:

Hon. JAMES M. GARNET, Virginia, *president.*
J. F. CALLAN, D. C. *recording secretary.*
OLIVER WHITTLESEY, Ohio, *corresponding sec'y.*
EDWARD DYER, *treasurer.*

BOARD OF CONTROL.

Hon. H. L. Ellsworth, D. C.
Hon. Elisha Whittlesey, Ohio.
John A. Smith, D. C.
John S. Skinner, D. C.
William J. Stone, D. C.

VICE PRESIDENTS.

Maine,	Hon. George Evans.
New Hampshire,	Hon. Isaac Hill.
Massachusetts,	B. V. French.
Connecticut,	Dr. Eli Ives.
Rhode Island,	Governor Fenner.
Vermont,	William Lewis.
New York,	J. B. Nott.
New Jersey,	E. S. Green.
Pennsylvania,	Hon. G. M. Keim.
Delaware,	Dr. J. W. Thompson.
Maryland,	Thomas Emory.
Virginia,	Ed. Ruffin.
North Carolina,	Hon. D. Doherty.
South Carolina,	Wade Hampton.
Georgia,	Hon. Wilson Lumpkin.
Alabama,	Hon. Dixon H. Lewis.
Louisiana,	Hon. Alexander Mouton.
Arkansas,	Hon. A. Yell.
Tennessee,	F. H. Gordon.
Mississippi,	Hon. R. J. Walker.
Kentucky,	Chilton Allen.
Missouri,	Hon. L. F. Linn.
Illinois,	Thomas L. Hinde.
Indiana,	Solon Robinson.
Michigan,	Hon. J. C. Crary.
Ohio,	Hon. John Hastings.
Dist. of Columbia,	Amos Kendall.
Florida,	Hon. C. F. Mercer.
Iowa,	Timothy Davis.
Wisconsin,	Henry Dodge.

The vice presidents of Virginia, District of Columbia, Maryland, Pennsylvania and Delaware, are *ex officio*, members of the board of control.

J. F. CALLAN, *rec. sec.*

ANNIVERSARY OF THE AMERICAN TEMPERANCE UNION. The fifth anniversary of the American Temperance Union was held at the Broadway Tabernacle, in New York, on the evening of the 4th inst. and a more interesting meeting, it is said, was never before had in that city. At an early hour, the spacious building, in which it was held, by far the largest in the city, capable of accommodating 4,000 persons, was filled to overflowing; and it is believed that 3,000 persons went away unable to gain admittance.

The hon. Theodore Frelinghuysen, chancellor of the university, took the chair at 7 o'clock precisely. The chair having sung a temperance anthem composed for the occasion, the rev. Dr. Cox opened the exercises with a very beautiful and appropriate prayer.

An abstract of the fifth annual report of the executive committee was then read by the secretary, rev. John Marsh. The report gives a detailed account of the operations of the union since the adjournment of the convention held at Saratoga on the 5th July last. The number of signatures obtained to the pledge of total abstinence from all intoxicating liquors in the country since that period, is 500,000.

Of this number 30,000 are in Kentucky, 6,000 in Ohio, and through the great west more than 200,000, of whom many were in Illinois, 20,000 are a reformed drunkard, and every fourth man a reformed tippler. In Maine are 50,000, of whom 5,000 are reformed drunkards. In Boston more than 20,000 during the winter have signed the pledge, of whom 13,000 are Washingtonians—reformed drunkards. In the city of New York 16,000 have reformed. In Central and Western New York, 50,000; in Philadelphia, 30,000; in Pittsburgh, 10,000. And the whole number of reformed drunkards in the United States is above 50,000; and of reformed tippler and moderate tippler there are twice as many.

The report contains a very minute account of the origin of the temperance movement made by the six original founders of the Washington Temperance society of Baltimore, and affirmed the great triumph of temperance principles in every part of our large and populous country, mainly to their extraordinary exertions.

It is stated in this document that all the distilleries have been stopped in Philadelphia, all in Brooklyn, in Waterville, &c. so that where 12 gallons of whiskey were manufactured one year ago, not a drop now made. It speaks of the efforts of the American Temperance Union (among other societies) which has issued 120,000 Journals, 550,000, Youths' Address, 4,000 Temperance Almanacs and 10,000 hymn books.

The report containing the above information at large, a number of statistical tables, and numerous other facts connected with the cause, will be printed and circulated freely throughout the union.

At about half-past eight o'clock, the president introduced to the audience the hon. Joseph C. Hubshall, who was greeted with a prolonged and enthusiastic peal of applause. When it had subsided, he commenced an address which occupied the attention of one hour and a half, and which was listened to with the deepest attention.

The Congressional Temperance society, formed at Washington, numbers eighty members, and there is a similar society in the executive department. In fact, they have adopted the very means to make converts, and the cause will continue to flourish.

[*Baltimore Amer.*

LANDING OF THE PILGRIMS.

TO THE EDITORS OF THE AMERICAN.

Gentlemen—Your readers will no doubt be anxious to hear something of the late pilgrim celebration. In order therefore to satisfy their curiosity, I have hastily sketched the following account:

In the first place, let me give honor to whom honor is due. We are indebted to the Philodemic Society of Georgetown college, and to the enterprising president of that institution, for recalling to our minds the just claims upon us of our pilgrim fathers, and for rousing us to the obligation of celebrating their virtues and commemorating their deeds. They first suggested the design, and they too were mainly instrumental in the execution of it.

On Monday afternoon left the city in company with some forty or fifty others, on board the steamboat Columbus, being preceded by the Patuxent with about two hundred more, among whom were the Calvert Benefitial Society.

A clear and delightful evening enhanced, if possible, the beauties of our water scenery, and the hours passed as swiftly and joyously as our noble boat skimmed the surface of the waters.

After sunset, we passed the mouth of the Severn, and as in the distance, in the gray light of the evening, I saw the red state house standing proudly and boldly up, methought that the goodly pile smiled on our pilgrimage to the sacred spot which had for seventy years preceded it as the honored seat of Maryland legislation.

About four o'clock we were roused from our slumbers by the discharge of her steam by the boat, and found ourselves at the mouth of St. Inigoes creek—The Columbia and Patuxent lay on either side of us, the former with the faculty and students of Georgetown College and citizens of the district, and both beautifully illuminated.

We must have passed the mouth of the St. Mary's river about three o'clock, and did not see the old island of St. Clement on which Calvert and Father White first landed and planted the emblem of peace and salvation. This landing took place on the 25th of March, the Feast of the Annunciation, 1634—and several days elapsed before the size of the island, some four or five hundred acres, and now a mere sand bank, admonished them of the necessity of selecting a more desirable place to be the site of a colony.

At eight o'clock we landed and proceeded in St. Inigoes, the plantation of the Jesuits, where we were most cordially received by the Rev. Mr. CARANDY, and refreshments tendered to us. The dwelling house in St. Inigoes seems to be a very old mansion, and to have been several times repaired. In one of its rooms was pointed out a remarkable table, supposed to have been brought by the first settlers. It is very large, of oval form, of black walnut, perhaps 12 feet by 8, with large leaves and claw feet. Whatever may be its history, it certainly speaks of olden times. In the yard were shown four cannon recovered from the river a short time since, on the spot of the old fortress which protected the plantation of St. Inigoes, and are undoubtedly the same which were mounted on its ramparts. One of them has been presented to the state by this society.

At nine o'clock we formed in procession and marched to the church, about a mile distant, where pontifical mass was sung by the celebrated Bishop reverend archbishop, and a beautiful and pathetic address delivered by the estimable and beloved bishop of Boston.

Around the church are the graves of some of the pilgrim fathers, and of more than one of the early governors. The church is situated on a beautiful eminence, and the whole scene excited feelings worthy of the sacred ground on which we trod.

After mass the procession returned to the steamboats, which proceeded up the St. Mary's river about three miles, to the site of the old city of St. Mary's. Here we were received by the deafening shouts of assembled thousands. The shore and the lovely hill behind, and as far as the eye could see, were covered with people, and the shout of joy, and floating banners and lively music, the wave of the handkerchief, told us we were welcome to the city of our fathers. It was a glorious sight. On land the were thousands of anxious spectators—on the waters were the three steamboats in the midst of some 15 or 20 vessels, disembarking their crowds, whilst some of the holy psalms were sung in loud and sonorous chair by the reverend clergy.

What a proud day for Old Maryland. One would think that such a scene would have brought forth from their resting places the shades of the departed dead, to hover with kindred pride and joy over those they saw around them.

The procession was formed on the shore by G. H. S. KEY, chief marshal of the day—the Philodemic Society in the van, and followed by the clergy and the other strangers. A second welcome was tendered us by the citizens of the county on the top of the hill, after which two banners were presented to the Philodemic Society, one by the ladies of St. Mary's, and the other by the ladies of the Cathedral. Mr. CARSON presented the former on behalf of the ladies of St. Mary's, and the latter was presented by Miss EMILY J. HARPER, accompanied by a neat and very beautiful address, which was responded to by one of the gentlemen of the society. The rev. Mr. RYAN, whose eminent services in our city had been referred to in the address of the fair representative of the ladies of the Cathedral, replied in his accustomed happy and eloquent manner.

The grand procession was then formed and marched over a neighbouring hill to visit the ruins, or rather foundation of the old governor's house.

All the distinguished gentlemen from the lower counties were there—many from Virginia, and some from the District, among whom I recognized General SEATON, the mayor of Washington, and Messrs. WM. COST JOHNSON, JOHN P. KENNEDY, and GEN. WASHINGTON CUSTIS. There must have been four or five thousand persons on the ground.

On the return of the procession we all assembled to hear the oration of Mr. WM. GEO. READ, under an old English mulberry, one of the few sad relics, where a rostrum had been constructed.

Mr. KENNEDY was made president of the day, assisted by messrs. HEARD, MILLS, WM. C. JOHNSON and others as vice presidents.

The rev. Dr. RYAN, chaplain of the day, pronounced a most eloquent prayer, and was succeeded by Mr. WM. GEO. READ.

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The oration gratified the most sanguine anticipations of his warmest friends. It was eloquent—abounding with striking views and moral ideas, and in some places glowingly pathetic. One cot twice the tear sprung to his manly eye and found a sympathy in the audience. This oration will I think do a great good, and I hope it will be widely disseminated. It does infinite credit to its author. After the oration a plentiful repast was spread, for the refreshment of the company, which was most fully appreciated.

At the close of the evening Mr. Curtis, assisted by several scientific gentlemen, sung an ode composed by himself for the occasion to the tune of the Star Spangled Banner, and the whole crowd joined in the chorus. The effect was magnificent, I assure you. The ode was very good, and its venerable author has consented to have it published.

At six o'clock we embarked, and a most beautiful night it was so near some two or three thousand persons assorted to the steamboats in swift batteaux, and gladder yet was the sight of 15 or 20 vessels crowded with joyous and pleasant faces, spreading their canvass to the propitious breeze and beautifully skimming over the waters. No unpleasant occurrence marred the pleasure of the day, but every thing proved fortunate.

I hope this happy commencement of a long neglected duty will encourage us to make an annual visit to the graves of our pilgrim fathers, and thus learn to imitate their virtues and emulate their example.

COMMERCE.

THE PRINCIPLE OF PROTECTION.

REPORT TO THE HOME INDUSTRY CONVENTION.

Thursday, April 7th, 1842.

Mr. H. Greeley, from the committee appointed to consider the general interest of manufactures and of American labor, and the necessity of protection, reported:

The several productive interests of the country, whether agricultural, manufacturing or commercial, being otherwise referred to the enlightened committees, it seemed the more appropriate duty of your committee to consider generally and abstractly the principles and grounds of protection.

Protection is the foundation of all government, primary object, of all rightful government. To protect each other against the felonious practices of the swindler, the burglar, the assassin, or the more formidable assaults of barbarian hordes, of ambitious chieftains, of invading armies, the members of a community unite to bear the burthens and submit to the restrictions of natural right incidental to the existence of government. Each individual, on his part, incurs the obligations, submits to the restrictions, and assumes the burthen of citizenship, on the implied but palpable contract of the government to protect him in the full enjoyment of those rights reserved to him under the social compact; in the undisturbed and absolute use of the products of his own labor and skill, and in the right to employ advantageously all his faculties in the acquirement of an adequate subsistence.

Very few have ever denied to government the right and duty of protecting its people from overt acts of aggression and violence. That an invading foe should be resisted, a law-breaking villain arrested and confined, or a counterfeiting, murderous band checked or resisted, are propositions so plain that no writer of note on government has doubted or demurred to them.

Now it cannot be seriously, considerately denied, that a nation may be injured as certainly and vitally by the policy of a rival as by its arms. An order in council, an act of legislation, may cripple the commerce and blight the industry of a distant nation, when open hostility would have been wholly unavailing. The navigation act of Great Britain did more to destroy the commercial importance of Holland than all the fleets that ever issued from Portsmouth and Plymouth. History is full of examples of the decline and destruction of nations from causes which they failed clearly to recognise, but which later and clear-sighted observers have readily detected in the grasping policy and deep-laid plans of a subtle and determined rival.

Your committee, therefore, hold it self-evident that it is as clearly and fully the duty of a government to guard its citizens against the insidious influences of hostile foreign policy, as against the more direct and manly assaults of foreign armies. And they insist that a wise and paternal government will as carefully guard, as unslumpingly watch, against the machinations of foreign cabinets as the shock of hostile fleets and battalions.

To illustrate this position, let us adduce a case such as has substantially happened at least once in the history of our own country. Let us suppose that the great mass of our people are satisfactorily engaged in agricultural pursuits, and that they obtain their manufactured goods by an exchange of their surplus wheat for the fabrics wrought in Great Britain.—No duty, or a very moderate one, for revenue merely, is charged on either side. At length, however, Great Britain resolves to produce all her own grain, and to this end imposes a heavy, a prohibitory duty, on its importation from abroad. By this act our farmers are left without a market for their produce, its price depreciating, and it remains a drug on their hands. British fabrics are still pouring into our ports, are sold for *ready dollars* than it would cost to produce them here, and thus fill all the channels of trade. What is the duty thereby imposed on our government? Free trade affirms that it should do nothing, but simply await till the inevitable bankruptcy of our business classes, the withdrawal of our specie and the degradation or destruction of our circulating medium, shall have reduced the price of American labor, and with it all results of labor, so far that the manufactures we need can be produced here at as low a money price as in England. This is what is implied by leaving trade to regulate itself! But we insist that it is neither a wise nor a stable adjustment of the difficulty. It is not wise, for it involves our people in an infinity of suffering, stagnation and pecuniary loss; it is unstable, for the first gleam of prosperity in our land—if such gleam could be under that policy—would draw hither cargo after cargo of British goods, and ensure a repetition of our disasters. Now the true and legitimate policy of our government, as it appears most obvious to us, is to meet the aggressive policy of our rival at the outset —to countervail duty by duty, restriction by restriction—to protect and encourage manufactures as fast and far as Great Britain at our expense shall favor her agriculture—and thus to preserve our people from the bottomless pit of paper money and bankruptcy, extend the sphere of their industry, and lay deep and enduring the base of a substantial national independence of all foreign policy whatever.

Let us offer another illustration. Let Great Britain, about two hundred years ago, passed her navigation act, allowing goods to be imported into her ports in British vessels at a lower rate of duty than the same goods could be imported in foreign vessels. This simple act of aggressive fostering her own commerce is the foundation of her long career of overwhelming commercial and marine ascendancy—an ascendancy that would have been utterly impossible by such extent if the other nations of Europe had at once perceived the absolute necessity of countervailing this advantage. They did not, however, and the consequence is seen in the decline of their commerce and marine to the verge of extinction, and in the elevation of their once humble rival to the proud station of mistress of the seas. Under the blighting effect of this grasping policy our own commerce languished during the whole term of our peaceful existence as a confederation.

But when the terms of a 'more perfect union' had been agreed on, and a congress assembled clothed with power to watch over and protect the interests of our people, we learn that the first act was, after laying of the express protection and encouragement of manufactures on our own soil, by a duty on the importation of foreign goods, and the act was intended to countervail the navigation act of Great Britain, by enacting that a corresponding discrimination should be made between the import hither of dutiable articles in British and American vessels—to be waived in behalf of the ships of all nations which did not discriminate against our own. This immediately brought Britain to terms. She consented to admit American vessels to her ports on the same terms with her own, upon our doing the same, and this arrangement remains still in effect. But for this timely and efficient countervailing of the British navigation act, American commerce in our own vessels would be as that of Holland now is—and that of Venice has long been. Protection has secured to us a genuine freedom and independence, where one-sided free trade would have soon stripped us of any trade at all.

For many years no man has dreamed of or asked for the repeal of our countervailing or protective navigation act, while thousands fiercely clamor against all other protective imposts! On what principle is this distinction made? Are our free trade importers and ship owners unwilling to submit their own business to the policy they would impose on the internal industry of the country? Do they cling to protection for their own interests, yet deny it to those of all other classes? These are questions which should not longer remain unanswered.

But the principle of protection is impregnably entrenched in other considerations than those of defence against positive foreign aggression. We maintain that there is obvious policy, wise economy, and true, far-seeing statesmanship in that view of protection which regards it in itself, and without respect to the course of other nations, as a means of fostering into healthful vigor new branches of industry and increasing in the general product of the country. We disclaim all aggressive protection—all legislation or policy whose aim shall be to enable American producers to undersell those of other nations abroad. We demand simply that the toiling mass of our own goodly land may be enabled to sit in peace beneath their own vine and fig tree secure in their several employments, and finding a just reward and solidarity for their industry in ministering to each other's wants and enjoyments to mutual advantage. We seek to build up no policy like that of Great Britain to make our own country the ridiculo of the nations, the maker, refiner, trafficker and carrier for all other countries. We do not want other nations constrained by policy or craft to bring their bread to be baked in our ovens, any more than to carry our leaves to theirs. We ask no policy like Britain's which shall bring hither the gold and gems of all climes and kindreds, and yet then up on our shores, in a land hence so absolutely hostile to that grasping selfishness which seeks to secure and perpetuate in its own hands a monopoly of the trade and manufactures of the world. We ask we continue to resist it, and counsel our countrymen to see that it be steadfastly counteracted, so far as it affects ourselves. Those, therefore, who argue against defensive protection from the effects of British policy in the decision of British labor, wholly mistake the nature and essence of the controversy. That depression is a part of our case—at is the imperative, unpreventable result of British monopoly should be attacked and overthrown, as injurious to the great laboring mass even of Britons as well as others. It is for this reason that we, while the restrictive policy of England is felt as an intolerable burthen by her own working people, the countervailing acts of Germany and the other nations of continental Europe are regarded by their people as essential to their individual welfare no less than to national independence and prosperity.

We cannot, therefore, but regard the assertion that proper protection to labor will not promote the interests of the laboring classes here, because what are called protective duties have an unfavorable effect in England, as addressed to the ignorance rather than the understanding of those whom it is employed to influence. There is nothing like analogy in the cases—the seeming resemblance is one of sound, not of sense. Those who study it are careful to keep it as far from the light as possible.

Let us endeavor, by an illustration, to place this important truth in a yet clearer light, and demonstrate at the same time the wisdom and necessity of genuine protection. We will take the case of Great Britain, a country of boundless wealth, experience and skill in mechanical operations and arts, great and established facilities for all branches of manufactures, and abundance of cheap labor; on the other hand we will set our own states of Michigan, Illinois, and Illinois—states yet mainly agricultural, imperfectly subdued and tilled, with labor scarce and in demand, and a soil yielding abundantly all the fruits of the earth. If Britain were sufficiently to take from these states their grain in exchange for her cloths and wares, it would seem at first blush their manifest interest to procure of her their supplies of manufactures, by depending upon her might than obtain their goods far fewer dollars than by encouraging their production on their own soil. But experience abundantly demonstrates that, in order that our cloths of England at the cheaper money prices at which they, being of trifling bulk, could undoubtedly be transported and sold, our western farmers must sell their grain at such prices as would place it in competition with the grain of all other countries. Estimating the average price of wheat throughout many and Poland, by reason of the far greater extent of the devious, varied, and for months of each year interrupted transportation to England. Allowing that the average price of wheat in England would

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be a dollar and a quarter, its average price throughout the west could not certainly exceed fifty cents, and would often fall below twenty-five. Admitting, therefore, that the money cost of producing the cloth on their own soil would for a time be twenty-five per cent. more, the simple question to be decided by the farmers of the west is, whether they will pay five dollars a yard for cloth in wheat at a dollar a bushel, or buy it at four dollars a yard and pay in wheat at thirty cents a bushel. The answer could not long detain any one who had mastered the simple rules of arithmetic.

Or, we may state the question in another form:—which is cheaper—to send flour from Peoria and Chicago to Leeds and Sheffield for cloth, paying four barrels out of six for transportation—or to invite the cloth-makers to our own soil, and there pay them flour barrels instead of two for the cloth, and yet save two of the six to the farmer who raised the grain and buys the cloth? It is most manifest to your committee that the policy which keeps the cloth-makers on one continent and the grain-growers in the heart of another, is one of flagrant improvidence and waste—a wanton throwing away of the enormous cost of reciprocal transportation—reducing greatly the essential reward of labor on either hand, and thus depressing the condition of the laborer. How should this conclusion be voided?

Your committee, therefore, do not advocate the protective policy as advantageous to our own people merely, but as all who in the world, from the free bread—who by honest industry add to the sum of human products and comforts. So far as may be necessary to the home production of all articles essential to subsistence and well-being, and to which production their exists no natural obstacle of climate or soil, we hold the protective policy to be the true and obvious policy of all nations, and conducive as well to the general as to their individual good. We hold such protection to be dictated by a wise economy as well as a true independence. Whatever articles are far-fetched are proverbially vindictive; and, if inevitable necessity dictates this, and commercial rapacity aggravates it. Very many articles are now daily charged to the consumer at least six times the cost that was paid to the producer. But this can only take place to any extent where the producer and consumer are widely separated from each other—usually by oceans or sentiments. Let so enormous and diversify home production until every thing to which our position is genial shall be produced on our own wide-spreaded territory and fertile soil, and this enormous disparity will cease.

In support of the views here adduced, we may add that even the free trade authorities of England do not contend an abandonment of protection, but only case analogous to ours. Adam Smith, the great oracle of that faith, expressly approves and justifies the British navigation act, which is not merely exclusively protective, but aggressively so; and Mr. J. Deacon Hume, whose evidence before the last free trade committee of parliament, is so widely quoted and so sweeping against the protective system, in that same evidence insists that the free labor of Jamaica should not be left to a naked competition with the annually recruited slave labor of Cuba; "I concede," says he, "that this process is *taken entirely out of the category of free trade.* We need not indulge in any comment.

Your committee have refrained from pressing the argument that the multiplying and varying of the pursuits of industry in our own country must invitably afford fitting and congenial employment to far greater variety of talents, capacities, and faculties, than would otherwise be absorbed in them, and thus vastly increase the product, wealth and happiness of the people—and that those fabrics of which the domestic production has been forced by heavier quote protective duties have always been afforded at cheaper and cheaper rates, until they vastly undersold the foreign competitor. Neither have they taken occasion to show, as they might easily have done, that many articles which can be produced here as cheaply, even by the dollar standard, as elsewhere, still need a moderate duty to protect them them against the fluctuation of European markets, a glut of the foreign production, or the desperate efforts of a foreign rivalry, which understands that by breaking down our home manufacture it may secure to itself a monopoly of our market for years, and thus reward itself for an outlay of thousands by a profit of hundreds of thousands. Neither have we dwelt on the importance of preserving the industry and currency of our country from a degrading and ruinous dependence on the fluctuations of the stock exchanges of London, the machinations of a few commercial capitalists in the dark purlieus of the Bourse of Paris or the Bank of England. All these considerations will doubtless be exhibited in the reports of those committees to which the respective topics more properly belong. But without extending further illustrations, we would respectfully submit that the principles of protection appear to us those of true political economy, far-seeing wisdom, and practical statesmanship; their spirit and tendency consistent with universal benevolence and good will; and their observance and enforcement in our legislation and policy essential to national independence and general well being.

All which is respectfully submitted.

HORACE GREELEY,
GERRANT FORD NEWELL,
S. EARL HOWARD,
H. D. MAXWELL.

COPY RIGHT LAW.

TO THE EDITORS OF THE NATIONAL INTELLIGENCER.

Niagara Falls, April 30, 1840.

Messrs. Gales & Seaton: I found awaiting me on my arrival at this place, which is, certain letters from England, of which the following are copies. I ask the favor of you that you will publish them in your columns; and I do so in order that the people of America may understand that the sentiments I have expressed on all public occasions, since I have been in these United States, in reference to a law of international copyright are not my individual sentiments, but are, without any qualification, abatement, or reserve, the opinions of the great body of British authors, represented by the distinguished men whose signatures are attached to these documents.

That they are also the opinions of the native writers of America they have sufficiently shown in their earnest petitions to the legislature upon this subject.

I would beg to lay particular stress upon the letter from Mr. Carlyle; not only because the plain and manly truth is calculated, I should conceive, to arrest attention and respect in any country, and most of all in this, but because his creed in this respect is, without the abatement of one jot or tittle, mine. I have, I hope, thought, felt, and, and never will consider, this question in any other light than as of plain right or wrong, justice or injustice. I am, sir, your faithful servant,

CHARLES DICKENS.

TO THE AMERICAN PEOPLE.

We, the undersigned, in transmitting to one of our most zealous friends in the United States, memorial for an international copyright between the United States and Great Britain, are willing that our claims should be considered apart from our interests in urging this measure, which we feel, being united to us by a common ancestry, speaking the same language, and indebted to the same hereditary sources for models in literature and authority in language, we trust, that it is only that a prayer which asks, for labors not less useful to America than Great Britain, those rewards which can only be proportionate to the emolument in which by Americans the labors may be held, will need little argument to advance it with the legislature and people of the U. States; provided that no counterbalancing disadvantage can be proved to arise from the concession.

Independently of grace or generosity to ourselves, we conclude that the question of international copyright can only be viewed by enlightened Americans, first, as affecting the interests of American authors; secondly, as influencing those of the American reading public.

With regard to the first: We respectfully submit that a greater curse cannot be inflicted on American authors, nor a more serious injury on American literature, than a state of law which admits gratuitously the works of British authors in the same language. It is impossible than an American writer can hope for an adequate remuneration in any branch of literature, so long as he knows that the British publishers with a declaration that they can publish the best English works without paying a farthing for the copyrights. The necessary consequence must be, that the energy of American genius, which promises remarkable in every other department of human intellect, will be greatly chilled and oppressed in the general departments of literature. Against all possible exertion of native authors is arrayed a wholesale system of competition, existing only by means of piracy and smuggling. And we are convinced that the ultimate consequence of inundating the American market with English works, for which no remuneration is paid to the authors, must be the extinction of American literature as an adequate, independent, and honorable profession.

With regard to the second: The only interest the American people can have is in the supply of English works in as cheap a form as at present; and there can be no doubt that this would continue to be the case were a copyright established. Works are sold at a low or a high price, not in proportion as there is a copyright or not, but in proportion as they can obtain a larger or smaller community of readers. The noble culture of the American people, which forms a reading public almost commensurate with the entire population, renders it the obvious interest of every author (and every publisher) to adapt his price to the means of all his readers; and we venture to predict that, were an international copyright established, not one popular English work would be sold in the United States at a higher price than at present. So far, if this be true, the American public will be no losers. But will they be no gainers if they have removed from their own writers and pressed by the great impediment to a purely national literature?

We do not pause to inquire if there be any separate or disjunctional interests against us in this great question, because we venture to trust that, in a country the institutions of which are based on foundations so broad, the minor or selfish interests which cannot be supported by simple justice are not suffered to prevail, and also because we cannot conceive that concession to our prayer could disturb or invade one solitary vested right.

On the contrary, in our sanguine anticipations from a legislature willing to be just to others, and honorably jealous of the fame of the people it represents, in arts and letters no less than in arms and commerce, we look forward with pleasure to the new and firm bond that the law we pray for must establish between our American brotherhood and ourselves. Such a law must instantly and obviously bind the large body of our writers to peace and amity with a public they may then justly consider as their own. And whatever tends to connect the intelligence of one country with that of another must exert a deeper and more permanent influence than they who superficially regard this question as one of mere pecuniary profit to English authors can foresee, upon the tranquillity and civilization of the world.

Edward Lytton Bulwer, *Henry Hallam,*
Thomas Campbell, *Sydney Smith,*
Alfred Tennyson, *H. H. Milman,*
T. N. Talfourd, *Samuel Rogers,*
Thomas Hood, *John Forster,*
Leigh Hunt, *Barry Cornwall,*

London, March 28, 1842.

Dear Dickens: The deep interest we take in the efforts you have been making for the cause of international copyright impels us to express to you our earnest sympathy with your course, and our cordial wishes for its success. Our feeling, like your own, is not prompted merely by the desire that authors on this side of the Atlantic should obtain some palpable reward for their industry from the mighty public who enjoy its fruits, but is exalted by the conviction that on the issue depends the question whether the intellect of America shall speedily be embodied in a literature worthy of its new-born powers, or shall be permitted to languish under disadvantages which may long deprive the world of the full development of its greatness. Assured that in promoting this object you will make the best return for the generous appreciation which your genius has received from our transatlantic brethren, and which we have learned with grateful and unmingled delight.

We are your obliged and faithful servants,

Edward Lytton Bulwer, *Henry Hallam,*
Thomas Campbell, *Sydney Smith,*
Alfred Tennyson, *H. H. Milman,*
T. N. Talfourd, *Samuel Rogers,*
Thomas Hood, *John Forster,*
Leigh Hunt, *Barry Cornwall.*

To Charles Dickens, Esq., United States.

Temptemo, (for London,) March 26, 1842.

My Dear Sir: We learn by the papers that you everywhere in America stir up the question of international copyright, and thereby awaken huge discussions in which all sides were triumphant unless for you. I am asked my opinion of the matter, and requested to write it down in words.

Several years ago, if memory err not, I was one of many English writers who, under the auspices of Miss Martineau, did sign a petition to congress praying for an international copyright between the two nations, which, properly, are not two nations, but one, indivisible by parliament, congress, or any kind of human law or diplomacy, being already united by heaven's act of parliament and the everlasting law of nature and fact. To that opinion I will adhere, and am like to continue adhering.

In discussion of the matter before any congress or parliament, manifold considerations and argumentations will necessarily arise, which to me are not interesting, nor essential for helping me to a decision.

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They respect the time and manner in which the thing should be, not at all whether the thing should be or not. In an ancient book, reverenced, I should hope, on both sides of the ocean, it was thousands of years ago written down in the most decisive and explicit manner, "Thou shalt not steal." That thou belongest to a different "nation," and canst steal without being certainly hanged for it, gives thee no permission to steal. Thou shalt not steal in one zone! So it is written down for nations and for men in the law book of the Maker of this universe. Nay, poor Jeremy Bentham and others step forward to demonstrate that it is actually our true convenience and expediency not to steal, which I, for my share, on the great scale and on the small, and in all conceivable scales and shapes, do also firmly believe to be. For example, if nations abstained from stealing, what need were there of fighting, with its butcheringsand burnings, decidedly the most expensive thing in this world? How much more two nations, which, as I said, are but one nation, knit in a thousand ways by nature and practical intercourse, indivisible whatever elements of the great Saxon-pow, to which in all honorable ways be long life!

When Mr. Robert Roy McGregor lived in the district of Menteith, on the highland frontier, two centuries ago, for his part, found it more convenient to supply himself with beef by stealing it alive from the adjacent glens than by buying it killed in the Stirling butchers' market. It was Mr. Roy who supplying himself with beef in those days, this of stealing it. In many a little "congress" in the district of Menteith there was debating, doubt it not, and much specious argumentation this way and that, before they could ascertain that, really and truly, buying was the best way to get your beef, which, however, in the long run, they, in the end, always did find it indisputably to be, and accordingly they hold by it to this day.

Wishing you a pleasant voyage, and a swift and safe return, I remain always, my dear sir, yours, very sincerely, THOMAS CARLYLE.

To Charles Dickens, Esq., in the United States.

COPYRIGHT LAW.—The subject of *international copyright law* has been discussed between the American minister in London and the British secretary for foreign affairs. A project for a law was submitted by Lord Palmerston, as the basis of the desired arrangement. It was to the following effect:

1. That from the —— day of ——, the authors of the books first published in the United Kingdom of Great Britain and Ireland, or any other part of the British dominions, shall have the sole liberty of printing and reprinting such books within the territories of the United States of America, during the term of —— from the first publication thereof in the territories of the United States; and if the author be living at the expiration of the said term, then during the remainder of the life of the author; and every such author shall have all other privileges, rights, remedies, and protection, to which the subjects of her Britannic majesty are entitled in respect of the first published in the dominions of her Britannic majesty.

III. But no person shall be entitled to the benefit of this treaty, in the dominions or territories of either of the high contracting parties, until all the regulations in force in the dominions or territories where the same shall be sought to be enforced, in regard to the registration of books first published in a foreign country, and in regard to the delivery of a copy of such book, have been duly observed. *Balt. Amer.*

OREGON TERRITORY.

From Hunt's Merchants' Magazine.

It was long after the discovery of this continent by Christopher Columbus, before it became known in its full extent to the civilized portion of mankind.—In the year 1513, Vasco Nunez de Balboa, who was at that time the governor of a colony of Spain, located at Da ien, on the coast of the Atlantic ocean, while directing a march across the mountains in that country, found his progress interrupted by an immense sea stretching off into the western horizon. The publication of this discovery led at once to the conjecture that this was the great Southern ocean, the search for which had so long inspired and baffled the zeal of navigators. From its juxtaposition to the Atlantic, it was supposed that the two seas were connected with each other, and the sum thereafter was to discover the spot where their waters intermingled. It was calculated by the Spanish adventurers that this point must be somewhere in the neighborhood of the isthmus of Darien, and their researches were mostly directed towards that region. In the mean while Fernando Magellan, a distinguished Portuguese navigator, having in vain importuned his own government, lent himself to the service of Spain; and in the year 1519, sailed on a voyage to the East Indies, through the strait which now bears his name. This important discovery was regarded as demonstrating the practicability of entering the Pacific ocean. But the route which it opened to the East Indies was found to be long and perilous, and the advantages resulting, hardly compensated for the difficulties encountered in prosecuting the trade through this line of communication. A still more interesting and important discovery was made in the year 1517, which revealed to the adventurer's mind the opulence and flourishing empire of Mexico. It was subsequently conquered by Hernan Cortez, who marched to its capital, dethroned its monarch, struck terror into the minds of his subjects, and brought the independent kingdom to the dominion of Spain. Having firmly established his authority, he immediately commenced exploring the seas and country adjacent. The splendid and fortunate enterprises having discovered that the interior country was unoccupied by any powerful tribes, and that the two great oceans were within very easy reach, he sent out, at different times, his expeditions towards the northwest, whither he penetrated as far as the southern entrance to the peninsula of California, which he supposed to be an island. Hurtado, Mendoza, Ulloa, Coronado and others, successively pushed on these researches until their discoveries included the whole of New Spain. They accomplished no further; nor attempted, nor cared, than to explode the idea of the existence of the magnificent and opulent cities of Cibola, which had so long fascinated and bewildered the imaginations of adventurers. Their descriptions given of their voyages and discoveries, are very obscure and imperfect.—They were generally written by persons who were unacquainted with the geography of the earth, who knew nothing of the advantages derived to navigation from astronomical observations, and who seem to have paid no regard to latitude or longitude. These circumstances have given rise to a great degree of uncertainty in their statements, and render it almost impossible to determine the localities of the places they pretend to describe, or identify the objects they mention. We are left almost entirely to conjecture in supplying these deficiencies, till we come down to the narratives given of the voyages of Juan de Fuca, in the year 1592 which appear to have been made in the north as Vancouver's island, inasmuch as his description of what was then supposed to be the northern extremity is perfectly and accurately with those subsequently given of the strait which separate that island from the main land. He passed through these straits, and, with an air of triumph, turned his course again to the south, and sailed for the capital of Mexico. The representation that this grand discovery had been made, and that the country beyond was inhabited by civilized and Christian nations, induced the Spanish government to institute a more particular investigation of the subject. An expedition was accordingly fitted out for this purpose, under the direction of Sebastian Vizcaino, which sailed from Acapulco on the 5th May, 1602. After having reached the western side of California, and surveyed and examined the coast of the adjacent adjoining, Vizcaino proceeded still further northward, and is said to have entered the mouth of a large river, in about the 42—43d deg. of latitude; which has never been found by any other navigator. The expedition returned to Spain, where, upon relating the success of his adventures, he obtained from Philip III., orders for carrying out some plans previously projected for establishing trading settlements on the coast. His death, which occurred in Mexico, in 1606, prevented the execution of these designs, and suspended the adventures of the Spaniards in that region for a period of about one hundred and sixty years. The subsequent most important and interesting discoveries connected with this portion of our continent, were made by Russia, in about the beginning of the eighteenth century. The conquests which she had obtained over Kamschatcha, and the country which intervened between that and Europe, inspired the desire still further to extend her dominions. Ambitious to establish the sway of his sceptre beyond those barriers, the Czar became anxious to discover whether the waters which laved the shores of Kamschatcha communicated directly with those of the Pacific ocean. To the result of the several expeditions fitted out for this purpose, under the direction successively of Behring, Tchicoff, and Spangberg, is Russia indebted for her possessions in North America. These were followed by the government of Great Britain, which thereafter became deeply interested in the controversy respecting the existence of a northwest passage between the two oceans. She despatched two several expeditions for the purpose of solving the question, one of which was directed to Baffin's bay, under Clarke, and the other to the Pacific, under capt. Cook. We derive from the narratives of capt. Cook the most complete and accurate account of the northwest coast of America that had yet been given. He was succeeded by Meares in 1788, and Vancouver in 1792, who were sent out by the same government. To the discoveries of these navigators the government of Spain ordered their ships to the countries watered by the Columbia; the justice of which will be hereafter developed. But we are indebted to the more daring and active enterprise of our own New England traders, for those more full and accurate accounts of the territory and resources of the Oregon, which render it an object of interesting speculation at the present day. In the year 1791 several vessels arrived in the waters of the North Pacific ocean, among which was the Columbia, under the command of captain Gray from Boston. This adventurer had visited that place before visited these seas in the years 1787-8, under the direction of a company of merchants of that city, formed with a view to participate in the advantages of the fur trade of that region. He then made many important observations and discoveries, and extensively unlolded the commercial capabilities and resources of the country.—He sailed from Boston on his second voyage in May, 1790; and reached the coast of North America in the year following, a little northward of cape Mendocino, and sailed along the coast toward Nootka. In about latitude 46 deg. 10 min. north Gray discovered an inlet, which he attempted to enter. But the outflowing current was so strong as to baffle all his efforts to gain the entrance. Nothing daunted he spent the day in endeavoring to do so. He at length pursued his voyage northward, and on the fifth of June he anchored in the harbor of Clyoquot, near Nootka. From this place he sailed for Japan, passed Vancouver's island, and on the 13th of August he observed an opening under the parallel of 54½ deg., which he entered, and sailed to the distance of about twenty miles in a northeasterly direction. The channel was discovered to be exceedingly broad and deep, and the stream seemed to extend far beyond the distance already traversed in the same direction. He returned again to Clyoquot without pursuing the adventure any further, and under the persuasion that this was the *Rio de los Reyes*, which was represented to be the route through which admiral Fonte pursued his way to the Atlantic in 1640. It has been since called the Portland canal. Capt. Gray wintered at Clyoquot, in a fortification which he built and called Fort Defiance. He also built and launched a schooner, which he called "The Enterprise," and which was the first vessel ever built on these shores. In the month of August, in this same year, capt. Kendrick, (who had accompanied captain Gray in his first expedition, and had remained in these seas with the Sorelle, while Gray returned to Boston,) sailed, and anchored in Nootka sound. Having reason to apprehend hostilities from the Spaniards, and supposing that an expedition would visit all the northwestern extremity of the harbor, he determined to make his escape to the sea in that direction. In this he was successful, and he named the channel thus discovered Meares's passage, in honor of the adventurer, and called fort Defiance. He also here built and launched a schooner, which he called "The Enterprise," and which was the first vessel ever built on these shores. In the month of August, in this same year, capt. Kendrick, (who had accompanied captain Gray in his first expedition, and had remained in these seas with the Sorelle, while Gray returned to Boston,) sailed, and anchored in Nootka sound. 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fortunate and favorable circumstances of wind and weather. So minutely has this extensive coast been inspected, that the fact has been constantly seen to hold on its shores from the mast head; and it was but in a few small intervals only, where our distance proved its being visible from the dark. It must be considered as a very singular circumstance, that in so great an extent of sea coast, we should not *until now* have seen the appearance of any opening in its shores, which presented any certain prospect of landing in safety; the whole coast presenting a compact, solid, and nearly straight barrier against the sea—The river mentioned by Mr. Gray, should, from the latitude he assigned to it, have existed in the bay south of cape Disappointment. This we *passed* in the forenoon of the 27th, and, as I then observed, if any inlet or river *should be found* it must be a very intricate one, and inaccessible to vessels of our burthen, owing to the reefs and broken water which then appeared in its neighborhood. Mr. Gray stated that he had been several days attempting to enter it; which at length he was unable to effect on account of a very strong outset. This is a phenomenon difficult to account for, as in most cases, where there are outlets of such strength on a sea-coast, there are corresponding tides setting in. Be that, however, as it may, I was thoroughly convinced, as were also most persons of observation on board, that we could not possibly have passed any safe, navigable opening, harbor, or place of security for shipping, on this coast, from cape Mendocino in the promontory of Classet, (cape Flattery,) nor had we reason to alter our opinions, notwithstanding that theoretical geographers have thought proper to insert in that space the existence of areas of the new communities, ling with a mediterranean sea and extensive rivers, with sain and convenient ports." Whatever may have been the motives which prevented Vancouver from placing any reliance on the assertions of Capt. Gray, it is evident at least from this extract, that no discoveries of the kind had been made upon this coast by the English navigators, at the time, Captain Gray, however, was not confinated to leave the matter thus undecided. After parting with Vancouver he proceeded southward along the coast till the 7th May, when the record in his log-book proceeds as follows.

4 M. Being within six miles of the land, saw an inlet in the sea, which had a very good appearance at a harbor; lowered away the jolly boat, and went in search of an anchoring place, the ship standing to and fro, with a say strong weather current. At 4 P. M. the boat returned, having found a place where the ship could anchor with safety—made a sail on the ship—stood in for the shore. We soon saw from our mast head, a passage in between the sand bars. At half past five we hove anchor, and then northeast by east, having from four to eight fathoms, sandy bottom; and as we drew in nearer between the bars, had from ten to thirteen fathoms, having a very strong tide or ebb to stem. Many canoes alongside. *At 5 P. M.* came to in five fathoms water, sandy bottom. A calm harbor, well sheltered from the sea by long sand bars and spits. Our latitude observed this day was 46 deg. 58 min. north.

May 10th. Fresh breezes and pleasant weather—many canoes alongside. At 8 A. M. the pinnace left us. *At 1 P. M.* began to unmoor; took up the bow bower anchor, and hove short on the small bower anchor. At half past four, being high water, hove up the anchor, and came to sail, and a beating down the harbor.

May 11th At half past seven we were out clear of the bars, and directed our course to the northward along shore. At 8 P. M. the entrance of Bullinch's harbor bore north, distance four miles; the southern extremity of the land bore south-southeast half east, and the northern north northwest. Sent up the main top gallant yard and set all sail. *At 4 P. M* saw the entrance of our desired port bearing east southeast, distance six leagues; in steerinsmen, and hauled our wind in shore. At 8 P. M., being a little to windward of the entrance of the harbor, bore away and run in east-northeast between the breakers, having from five to seven fathoms at low water. When we were over the bar, we found this to be a large river of fresh water, up which we steered. Many canoes came alongside. At 1 P. M. came to with the small bower in ten fathoms, black and white sand. The entrance between the bars bore west-southwest, distant one mile. The north side of the river a half mile distant from the ship, the south side of the same two and a half miles distant. A village on the north side of the river, west by north, distant three quarters of a mile. Vast numbers of natives came alongside. People employed in pumping the salt water out of our water-casks in order to fill with fresh, while the ship floated in. So ends.

May 12. Fresh winds and rainy weather. Many natives along-side. Hove up the best bower-anchor. Seamen and tradesmen at their various departments.

May 14. Fresh gales and cloudy; many natives alongside. At noon weighed anchor to sail, standing up the river not broad by east we found the channel very narrow. At 4 P. M. we had sailed upwards of twelve or fifteen miles, when the channel was so very narrow that it was almost impossible to keep in it, having from three to eighteen fathoms water, sandy bottom. At half past four the ship took ground, but she did not stay long before she came off, without any assistance. We hacked the ship about, and hove three fathoms, and let go the small bower, and moored the ship with hedge and hawser. The jolly-boat was sent to sound the channel out, but found it not navigable any further up; so of course we must have taken the wrong channel. So ends, with rainy weather; many natives alongside.

Tuesday, May 15. Light airs and pleasant weather; many natives along-side. Seamen came alongside. At 10 A. M. unmoored and dropped down with the tide to a better anchoring place. Smiths and other tradesmen constantly employed. In the afternoon capt. Gray and Mr. Boit went in the jolly boat, went on shore to take a short view of the country.

May 16 Light airs and cloudy. At 4 P. M. hove up the anchor and towed down about three miles, with the last of the ebb tide. Anchored in five fathoms, sandy bottom, the jolly-boat sounding the channel—At 10 A. M. a fresh breeze came up the river. With the first of the flood tide we got under way and went down the river. At 1, (from being very squally,) we came to, about two miles from the village, (Chinook,) which bore west southwest; many natives alongside. Fresh gales and squally.

May 17. Fresh winds and squally; many canoes alongside. Calkers calking the pinnace. Seamen paying the ship's sides with tar; painter painting ship, smiths and carpenters at their departments.

May 18. Pleasant weather. At four in the morning began to heave a head; at half past eight to sail, standing down the river with the ebb-tide; at seven being about two miles from the village, we came to in five fathoms, sandy bottom. The entrance between the bars bore southwest by west, distance three miles. The north point of the harbor bore northwest, distant two miles. The south point southwest, distant three and a half miles. At noon a breeze sprung up from the eastward—took up the anchor and came to sail, but the wind blowing very fluttering squally, came to with the hedge and hawser—moored out fifty fathoms. Noon pleasant. Latitude observed 46 deg. 17 min. south. At one came to sail with the best of flowing tide, and drifted down broadside, with light airs and strong tide. At three quarters past, a fresh wind came from the northward; wore ship and stood into the river again. At four came to in six fathoms. Good holding ground about six or seven miles up—Many canoes alongside.

May 19. Fresh wind and clear weather. Early a number of canoes came alongside. Seamen and tradesmen employed in their various departments.

May 20. Gentle breezes and pleasant weather. At one, P. M. (being full sea,) took up the anchor and made sail, standing down the river. At two the wind left us, we hove the ship to, with a very strong tide, which set on the breakers. It was now not possible to get out without a breeze to shoot her across the bar, we therefore hove into stays, up in three and a half fathoms, the tide running five knots. At three quarters past two, a fresh wind came in from seaward. We immediately came to sail, and beat over the bar, having from five to seven fathoms water in the channel. At five, P. M., we were out clear of all the bars, and in twenty fathoms water.—A breeze came from the southward. We bore away to the northward; set all sail to the best advantage. At eight, cape Hancock bore southeast, distant three leagues; the northern extremity of the land in sight bore north by west. At eleven, in steering and lay gallant sails. Midnight, light airs.

May 21. At six, A. M., the nearest land in sight bore east-southeast, distant eight leagues. At seven, up gallant sails, and set the main top gallant sail, steering sails fore and aft. Noon, pleasant, agreeable weather. The entrance to Bullinch's harbor bore southeast by east-half east, distant five leagues.

Below is given the history, as Capt. Gray informed upon it the mass of his ship, the Columbia. The southern side of its entrance he named cape Adams, and the north side cape Hancock. This point had been previously named cape Disappointment, by captain Meares, in 1788, as indicative of the point where his own researches terminated, without any successful result. The territory watered by this river and its tributaries, has since been called the Oregon territory, from a tradition, said to have prevailed among the Indians near lake Superior, of the existence of a mighty river, issuing in that vicinity, and emptying its waters into the Pacific and which was supposed to be the Columbia. But to this expedition of Gray we must refer its first discovery, and the first accurate and satisfactory account which we have of this part of the coast of the north Pacific. In the month of October in the same year, captain Broughton was despatched by Vancouver, and succeeded in effecting an entrance up the same river to the distance of about 72 miles. The expedition of captain Broughton, with the narrative given of his adventures by Mr. Boggs, in 1788, are made the basis of the claim of Great Britain, government in the history of Oregon. In order to give a clear exposition of the nature of this claim, we need but quote a brief extract from the narrative of Meares, and compare it with those of Vancouver and Gray, already cited. Sailing in a southerly direction from about latitude 46 deg. and 47 min. he rounded a promontory, after which he says—"Cape Lapey, as we had imagined, opened to our view, in the most a very promontory, and into which we steered with every encouraging expectation. The high land that bounded the boundary of the bay ceased at a great distance, and a flat, level country occupied the intervening space; the bay itself took rather a westerly direction. As we steered in, the water shoaled to nine, eight, and seven fathoms, when the breakers were seen from the deck, right ahead; and from the mast head they were observed to extend across the bay. We therefore hauled our wind and stood out to the south-southwest, to see if there was any channel, or if we could discover any port. The name of cape Disappointment was given to the promontory, and the bay received the name of *Deception bay*. By an astronomical observation, it lies in the latitude of 46 deg 10 min. south, and in the compass longitude of 235 deg. Minute, east. We saw no more water, except that there is no such river as that of Saint Roc exists, as laid down in the Spanish charts." It appears, therefore, that captain Meares made no discovery of any entrance into the river, as Vancouver supposed to him to have been satisfactorily disproved by his own observations of the coast. Vancouver's narrative of his adventures, and discoveries, is made at the descriptions of all previous adventurers, as the idle and unfounded "assertions of theoretical geographers," and claims, with an evident air of self-gratulation, that his discoveries have demonstrated the falsity of the supposition. He avers, that he had *actually explored this part of the coast, under the most fortunate circumstances of weather, and opportunities of time*, and then positively insists upon the impossibility of examining or even approaching its shores. With these facts and circumstances before us, it cannot be questioned, that the claim of Great Britain, to the honor of having first penetrated the waters of the Columbia, and that, consequently, the claim of the United States to the right of it, is in Great Britain. The question of right, however, is still mooted, though measures are now in progress which may eventuate in securing to the United States its undisputed possession.

From this period the shores of the North Pacific gradually became more and more familiar to all navigators. Voyages in trade and exploration were pursued until the year 1796, when the declaration of war between Great Britain and Spain withdrew the attention of those nations from the subject, and they betook themselves to such more important pursuits and interests at home, to care for the progress of discovery in these seas. For nearly twenty years after this date the trade between the coast and China was carried on solely by United States vessels, or under our own flag. The East India company prohibited the trade to the English merchants, and Russia was prevented from sending from the port of Cronstadt, so that few other than American ships dealed on the waters of the North Pacific. The commerce was prosecuted by vessels from the United States, or from Europe, to this coast, which were laden with sugar, spirits, wine, tobacco, gunpowder, iron, fire-arms, and various coarse articles of woollen manufacture. These were here exchanged for furs with the native, or at the Russian settlements, and were transported hence to China, where their proceeds were invested in specie, and in such articles as suited for our own or European markets. Up to this time no settlement had been made on the coast by the United States, and but little was known of the resources of the interior country. The vast and unexplored valley of Columbia which thronged around its shores for the purposes of traffic, and the imperfect and confused accounts which they gave of the enchanting country, were calculated to be neither the fancy of the adventurer and give an unlimited range to the wildest vagaries. But as the imagination wandered over the immense territory lying between the coast of the Pacific and the banks of the Mississippi, the mind grew more credulous of its suggestions. Science with her abstruse calculations, philosophy with her thousand speculations, and curiosity with her endless conjectures were busy, restless, and unsatisfied, but the hope of gain and aggrandizement alone stimulated the enterprise which

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first penetrated those unbroken solitudes, and attempted to explore those unknown regions. In the years 1788–92, Alexander Mackenzie was employed for this purpose by the North West Company, for trading association of Canada, whose settlements had already extended nearly to the fifty-ninth parallel, about 800 miles beyond Lake Superior. Mackenzie spent some time in exploring a river which was then supposed to be the Columbia, but which has since been discovered to empty its waters into the Strait of Fuca, and is called *Fraser's river*. The result of his expeditions was given to the public, in London, in 1802, together with a sketch of the Canada fur trade, accompanied with suggestions as to the most advisable means, regulating the intercourse between that part of America and China, so as to secure to Great Britain its commercial advantages, which, it was represented, were entirely under the control of "adventurers from the United States."

We allude to these expeditions of Mackenzie, merely as originating that spirit of enterprise and inquiry which drew the attention of civilized nations to portions of our continent. In January, 1803, the then President of the United States addressed a confidential message to congress, recommending the immediate adoption of measures to explore the Missouri. Meriwaether Lewis and William Clarke were subsequently commissioned to execute the proposed undertaking. They were instructed "to explore the river Missouri and its principal branches to their sources, and then to seek and trace to its termination in the Pacific, some stream, whether the Columbia, the Oregon, the Colorado, or any other, which may offer the most direct and practicable water communication across the continent, for the purposes of commerce." On the 14th of May, 1804, Messrs Lewis and Clarke, in pursuance of their instructions, entered their bark on the waters of the Missouri. The course of this river was then scarcely known; its shores were occupied by numerous and hostile tribes of Indians, while many difficulties and privations, arising from other sources, embarrassed their progress. Towards the end of October, however, they had reached about 1600 miles from the mouth of the river, where they remained until April, 1805 — In the summer succeeding they arrived at its headwaters, which, with their crew, passed the Rocky Mountains. After a tedious march over the great dividing ridge, a new and inviting scene of adventure opened before them. We can hardly conceive of any thing equal to the delight they must have experienced, as they descended from these rugged heights to a plain of country wholly unknown to the world which they had left behind them, and where the hand of wilderness was now for the first time gazed upon by the eye of civilized man. They must have trod its soil with a sacred awe as they penetrated its deep solitudes, and hesitated long, lest the echoes of their footfall, to disturb the serenity which had for ages reigned over its quiet waters. On the 7th of October they fell in with a stream upon which they embarked in their canoes. Down along on its gentle current, they were wafted into a nobler river, stretching and widening in its course, and swelling with the waters of many beautiful tributaries, till it bore them onward into the broad bosom of the Pacific ocean. The stream on which they at first embarked was discovered to be a branch of the Columbia river, which they named Lewis river. A few days after they reached its confluence with another great branch, which they called Clarke river. These two united to form the Columbia, through which, on the 17th of November, they arrived at cape Disappointment, the northern side of its entrance into the Pacific, and about 1000 miles from the place of their departure. They formed an encampment near the mouth of the Columbia which they called *Fort Clatsop*, where they spend the succeeding winter. They found the native already too well acquainted with the presence of white men to be disturbed by their appearance among them, and easily supplied themselves with the necessary appliances for comfort and subsistence. On the 14th of March, 1806, they commenced their return. They rowed their canoes up the Columbia till they reached its falls, about 125 miles from its mouth; whence they proceeded by land to gether by land till they reached the Rocky Mountains. Here they divided into two parties, one of which struck directly eastward for the Missouri, while the other took a southerly direction toward the Yellow Stone, through which they reached the Missouri.— The two parties met again at a short distance below the point where these two streams are united, and arrived at St. Louis on the 23d of September following. The narrative of these two skillful and scientific adventurers furnishes the first accurate knowledge we have of the territory of Oregon. It was not published till the year 1814. But long before this period the results of their researches had become generally known, and had caused both the English and American merchants to take a lively and more active interest in the vast resources which were thus opened to the speculations of commercial enterprise. The first attempt to establish a settlement in the territory was made by *the Missouri fur company* of St. Louis, in 1809. This company had been formed on the Upper Missouri, and one on the head-waters of the Lewis river, beyond the Rocky Mountains, for the purpose of establishing a regular trade, which is said to have been the first settlement ever made by white men in the territory watered by the Columbia and its tributaries. The project however met with much opposition from the Indians, in the vicinity, and lingered in a feeble condition till the year 1810, when it was abandoned.

At this time the *Pacific fur company* was established in the city of New York, under the auspices and control of John Jacob Astor, a German merchant, possessing an immense capital, and great commercial sagacity. The principal object of this settlement at the mouth of the Columbia, which should be the grand depository for furs collected at minor posts to be established at various points along the shores of the Pacific, the branches of the Columbia, and the head-waters of the Missouri. Ships were to be sent annually from New York to this grand depot, where they were to deliver the goods which had been laden with the furs, with which they were to proceed to China, where these were to be exchanged at a high rate for silks, and other articles of merchandise destined to the New York market. This splendid project was no sooner conceived by Mr. Astor, than, availing himself of his ample means, he at once undertook the carrying into executing. In September, 1810, he dispatched a party on board of the ship Tonquin, which sailed from New York for the Columbia, under the direction of Captain Thorn. Soon after the arrival at the mouth of the Columbia, in March, 1811, the Tonquin sailed towards the north in search of furs, leaving the adventurers to erect the fort, the principal depot, on the south side of the Columbia, about eight miles from its mouth, which, in compliment to the principal patron and projector of this scheme, was called Astoria. The ship was soon command furnishing the necessary materials, commodious buildings were erected, gardens were planted, and every thing was prepared for the coming crew to entertain with the natives to such a sooner as to conciliate their prejudices, and before the summer passed away Astoria presented all the appearances of a thriving and prosperous settlement.

In the spring of the succeeding year they were joined by the other party, which, under the direction of Messrs. Mr. Hunt and P. Ross Cox, had taken the route across the continent They took their departure from St. Louis in January, 1811. Entering the Missouri, they adventurously and cautiously pushed their way through the Indian country, which they passing under towering bluffs, and anon through level plains, which stretched far away into the horizon, till they reached the Grand Bend of the river, where they pursued their journey by land to the Rocky Mountains. Passing over the ridge, in about latitude 46°, they came to the Salmon, a branch of the Lewis River, where they made two their canoes, and reached Astoria in the spring of 1812. Soon after their arrival, intelligence was received that the Tonquin, with her whole crew, had been destroyed by the Indians near Nootka Sound. The various sources of vexation and discouragement experienced from the hostile dispositions of the natives, and the losses and misfortunes to which the colony was exposed, one might indeed have daunted a less efficient spirit — But his large pecuniary resources enabled Mr. Astor to overcome these hindrances; and it is difficult to say to what extent his plans might have been consummated, had they not been frustrated by more formidable obstacles. Upon the declaration of war between the United States and Great Britain, *all the establishments, furs, and property* of the Pacific fur company were transferred to the North West company; Astoria was taken possession of in the name of his Britannic majesty, and "rebaptized by the name of fort George."

Such was the termination of the truly splendid project of Mr. Astor, conceived, as we have seen, by events and circumstances which were beyond his calculation or control. It must be observed, however, that a very large proportion of those associated with him, and employed in this enterprise, were British subjects. They were bound by no ties of birth, citizenship, or sympathy, to American interests; and on discovering the hostile attitude in which they would be placed to their native sovereign in defending these settlements, they readily withdrew and ranked themselves on the side of Great Britain. This fatal result cannot but be a subject of deep regret, inasmuch as the maintenance of the post till after the war, would have insured the success of the project, and secured to the United States all the advantages arising from an undisputed possession of the territory watered by the Columbia river and its branches. Although Astoria was subsequently delivered to the "*re occupation of the United States*," under the direction of the government of Great Britain, in 1818, she still maintained that she had a right to extend her jurisdiction over the territory, and insisted that the settlement made at Astoria was an encroachment on our part. The question has since undergone much discussion in the diplomatic correspondence carried on between the two nations, and is hardly yet definitely adjusted.

Upon the failure of the scheme of Mr. Astor, the North West company, and subsequently the Hudson's bay company, severally established their settlements in this region, by the tenure of the territory, removed the principal posts from the mouth of the river, and established it at Vancouver, on the Wallamet, about 20 miles from its confluence with the Columbia. Of the adventurers, nothing more of enterprising adventurers in this region, till the year 1823, when general Ashley, of St. Louis, fitted out an expedition for the country beyond the Rocky Mountains. The daring exploit's of this enterprising adventurer have been the frequent theme of admiration on the western frontier. He had previously established trading posts on this side of the mountains, by his individual enterprise. He now crossed the mountains, between the sources of the Platte and the Colorado, near the 42d degree of latitude, and succeeded in collecting a large quantity of furs, which he transported to St. Louis. In the following year he sent out a large band of trappers and hunters, and in the space of three years, collected from a amounting to about $150,000 in value. In 1827, sixty men were sent out under his direction, who marched as far as *lake Youla*, beyond the mountains; and, in less than eight months, returned laden with a rich cargo of furs. In these expeditions pack-horses were used to transport the goods. Mr. Ashley at length sold out his establishments and interest in the fur trade to a association formed at St. Louis, called *the Rocky Mountain fur company*, who established a regular trade with the countries of the Colorado and the Columbia rivers. This company set out in a large wagon, in the spring of 1832, with the following account of which we quote, as it will give an accurate idea of the course now generally pursued, and of the manner in which fur adventure in the country beyond the mountains: "On the 20th of April we set out from St. Louis, with eighty-one men, all mounted on mules; ten wagons, each drawn by five mules, and twenty-four pack-horses (light carriages or carts,) each drawn by one mule. Our route was nearly due west to the western limits of the state of Missouri, and thence along the Santa Fe trail, about 40 miles from which the course was for some degrees north of west, across the waters of the Kansas, and up the Great Plains to the Rocky Mountains, and to the head of Wallamet, where we intended to follow the mountains. This took us until the 16th of July, and was as far as we wished the wagons to go, as the furs to be brought to them were to be collected at this place, which is, or was this year, (1839,) the great rendezvous of the persons engaged in that business. Here the wagons could easily have crossed the Rocky Mountains, but being what is called the Southern Pass, had it been desirable for them to do so; which it was not, for the reason stated. For our support, at leaving the Missouri settlements, until we should get into the buffalo country, we drove twelve head of cattle besides a milch cow. Eight of these only being required for use before we got to the buffaloes, the others were used for the benefit of Wind river. We began to fall in with the buffaloes on the Platte, about 350 miles from the white settlements; and from that time lived on buffaloes, the quantity being infinitely beyond what we needed. On the 4th of August, the wagons being in the mean time loaded with the furs which had been previously taken, we set out on our return to the Wallamet. All the high country of the mountains then in view were white with snow; but the passes, and valleys, and all the level country were green with grass. Our route back was over the same ground we came, except the mountains, and, as we left St. Louis on the 10th of October, bringing back the ten wagons, the drabbers being left behind; four of the cows, and the milch cow, were also brought back to the settlements in Missouri, as we did not need them for provision. Our men were all healthy during the whole time; we suffered nothing by the Indians, and had no accident but the death of one man, being buried under a bank of earth that fell upon him, and another being crippled at the same time. Of the mules we lost but one by fatigue, and two horses stolen by the Kansas Indians; the grass being, along the whole route, going and coming, sufficient for the support of horses and mules. The usual weight in the wagons was about one thousand seven hundred pounds. The usual progress of the wagons was from fifteen to twenty five miles per day. The country being almost all open, level, and prairie, the chief obstructions were ravines and creeks, the banks of

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which required cutting down; and for this purpose a few pioneers were generally kept ahead of the caravan. This is the first time that wagons ever went to the Rocky Mountains, and the ease and safety with which it was done prove the facility of communicating overland with the Pacific ocean; the route from the *Southern Pass*, where the wagons stopped, to the great falls of the Columbia, being easier and better than on this side of the mountains, and sufficient for horses and mules, but a scarcity of game for the support of man."

The North American fur company, at the head of which was Mr. Astor, had hitherto confined its operations principally to the neighborhood of the great lakes, the head-waters of the Mississippi, and the lower parts of the Missouri rivers. In the year 1822, it became united with another company, under the name of *the Columbia fur company*, when its operations were extended to the head-waters of the Missouri, and beyond the sources of the Yellow Stone. The more enterprising and successful operations of the traders at St. Louis, now stimulated their company to push their expeditions beyond the Rocky Mountains. They confined themselves, however, exclusively to the objects of trade about the waters of the Columbia, and seldom penetrated into the interior of the country. In 1832, captain Bonneville, of the United States army, then stationed at one of the posts on our western frontier, having obtained a furlough, with some assistance from the city of New York, left Missouri for the Oregon territory. He was accompanied with a band of about one hundred men, twenty wagons, and a number of mules and horses, laden with goods, and the necessary provisions, and utensils for hunting and trapping. He was the first who crossed the Rocky Mountains with wagons. Pursuing the usual route along the course of the Platte, he arrived at the mountains so early in the season, as to furnish the opportunity of pursuing his enterprise under the most favorable circumstances. Descending into the vale on the opposite side, he reached Lewis river near its source. He planted a station near the Colorado, where his party were employed in trading, hunting, and trapping. Captain Bonneville made several excursions over the country, and did not appear that he reached as far as the Pacific.—After an absence of about two years, he returned again to St. Louis with the usual honors accorded to the country he had visited. At about this time, (1834,) a plan was projected by Mr. Nathaniel Wyeth, of Massachusetts, to establish a direct trade between the ports of New England and the waters of the Columbia. In prosecution of his plan, he sent a vessel to the coast, and himself made two expeditions across the continent. He erected a trading fort on the confluence of the *Portneuf* and *Lewis* rivers, in the southeast corner of Oregon, which he called *fort Hall*; and another at the entrance of the *Wallamet* into the Columbia, on the Pacific, about 100 miles from the ocean. His plan was similar to that of Mr. Astor. Having observed that the waters in this region abounded in salmon, he thought that the supply of these would be ample enough to meet all the expenses of an expedition, thus leaving a clear profit on the furs. We are indebted to the narrative of Mr. Wyeth for the same interesting and accurate account which has yet been furnished us of the nature, capabilities, and resources of Oregon. His plan for founding settlements was well conceived, and had dawning operations bid fair to establish an enterprising American colony upon the coast of the North Pacific. The ample supplies which could have been procured to meet the demands of the rapidly increasing population, must have led to an increase of its population, and its consequent permanency and prosperity. But the hopes which had inspired our countrymen, were blasted by the hostility of the Hudson's bay company. The existence of this company has always been adverse to colonization in Oregon, and but one settlement has been made under its auspices, west of the Rocky Mountains. This is on the Wallamet, and is composed of low Canadians who have intermarried with the natives, and families of the half-breeds. The buildings and appliances are subordinate to the new and interests of the company, and no inducements are held out to encourage a better class of settlers.

There is however another class of settlers, (it we may be permitted to call them such,) whose operations are not unwonthy our interested attention.—The spirit of christian philanthropy suggested the first expedition to this territory which was unconnected with any objects of trade or gain. A small band were sent out for missionary purposes by the American Baptist society in 1832. These were followed, in 1835, by another party, under the direction of the Methodist Episcopal society, which planted a station on the banks of the Wallamet, about seventy miles from its mouth. Since that time their number has been gradually increasing. It is stated in a recent report of this society, that on the ninth of October, 1839, a company of fifty persons, including adults and minors, male and female, left New York for Oregon. These included six missionaries with their wives and children; one physician, wife and child; a missionary steward, wife and two children; two farmers, wives and children; a cabinet maker; two carpenters, and a blacksmith, their wives and children; and five single female teachers. On their arrival at the station on the Wallamet, the number of settlers amounted to about sixty-eight persons. In addition, it is stated in the report, was well stocked with cattle, under a fine state of cultivation, and had already become productive as to furnish the mission family with abundance." The American board have stations at Kamiah, in the country of the Nez Perces Indians, on We Kookooshe, a branch of the Lewis river; at Walanpu, on the Walla Walla, near the mouth of the Columbia, and also on the Clean Water river, at the latter of which a printing press is in successful operation. It is said, in their last annual report, that "an annual supply has been sent to the mission family at Clear Water, and a grainmill at Waulepu." Accessions have recently been made to all of these several settlements by enlistments from New York and other places, and they are generally represented to be in a very thriving and prosperous condition.

We cannot but regard these settlements as the precursors of immense, and, we hope, the future prosperity and condition of this territory. It is now a serious question how far its possession and settlement may be made subservient to the interests of our future. The extent to which it has been carried on, and the unceasing activity with which it has been pursued, have caused the disappearance of most of the animals of value, which were an object of enterprise. The Hudson's bay company have found it necessary to restrain the trade, at certain seasons, in order to prevent their entire extinction; and the time is probably not far distant, when some other mode of employing capital in that region must be resorted to, while what is now known of the resources of the country, would little hope of a very speedy return to any other than what has been hitherto the usual mode of investment. The further investigations of science may perhaps give greater accuracy to existing descriptions of the country, but it can develope no new sources of wealth or aggrandizement. The general characteristic features of the country are well understood. Its mountains, its rivers, its rivers have been explored, and its mountains have been sealed by the chemist, the botanist, the geologist, the hunter, and the trapper, and the lover of romance and adventure has delighted to dwell on the sublimities of its natural scenery. We must now regard it as presenting no other allurements to the adventurer than such as may be found in a rich soil, a mild temperature and salubrious climate, and vast commercial capabilities. The ordinary occupations of commerce, agriculture, trade, and manufactures, will inevitably, hereafter, pass thither, will yield at once ample, and in time an affluent recompense. And what more could be desired? What more (aside from the religious principle) has much heart was it that encouraged our forefathers to encounter the sturdy forests and rigorous climate of New England? What more was it that has covered the banks of the Ohio with populous towns, and made the valley of the Mississippi to teem with a flourishing and happy population? What more was it that has made our whole country the abode of prosperity, civilization, and refinement? They are accustomed to estimate the progress of mankind by the slow and languid growth of ancient nations, rare suite at the prediction; but let the existing difficulties be overcome, let the interposition of the general government settle the claims of the United States in this territory; let it render the way thither easy and accessible, by establishing permanent posts at convenient distances on the route; let it establish a military post at the mouth of the Columbia to protect the lives, the property, and the interests of its citizens, and Oregon will soon be covered with permanent settlements, the history of whose growth and prosperity shall at least equal that of any of the states now composing our republic.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

MAY 12. Mr. *Calhoun*, presented a memorial from the chamber of commerce of Charleston praying that no exchange may be made in the great southern mail route between Boston and New Orleans:

This memorial of the chamber of commerce of the city of Charleston to the honorable the senate and house of representatives, in congress assembled, respectfully represents—

That it has been reported that an effort is now making in congress, to change the route of the great mail between Boston and New Orleans, from the railway and steamboat conveyances via Virginia, the Carolinas, Georgia, and Alabama, to that of the Mississippi. That a proposition to that effect, has been made by a company, which has received the favorable consideration of the postmaster general, to transport the great mail from the extreme eastern section of the union, via Washington and Pittsburg, or Wheeling, and by steamers on the Mississippi to New Orleans; thus excluding the whole southern and Atlantic states and cities from the circulation of that intelligence, *rapid* and *certain*, which is so essential to the life and animation of the commerce of the whole country. The chamber of commerce are at a loss to comprehend, in a territory so extended as that of the United States, embracing twenty-four states, and almost as many latitudes and longitudes, what is understood to be the main mail route between Maine and Louisiana.—The four great sections of the union—eastern, middle, southern, and western, are but parts of one community, through which, as in the human system, by means of a healthy circulation, the energies and many veins are necessary. The certain and rapid communication of intelligence from the east to the west, and from the south to the north, is of an equal importance to our common country, and it is the function of the postmaster general, so to arrange these channel ways of intelligence as to secure the most harmonious circulation throughout the whole accommodating all, and showing preference to none. Whatever may be the conflicts of rivalry and enterprise in the different sections of the country; (and they after all, do not exist, but rather impart animation to commerce;) there should be none in the public conveyance of intelligence, which should be equal to commerce, and to the welfare of the union. The chamber of commerce of Charleston are unable therefore, to comprehend, how the importance and necessity, which they readily admit, of a great mail from the eastern to the southwestern extremity of the United States, via the valley of the Mississippi, should be made become in conflict with, or to supercede another great mail, of equal importance, and of equally as important, via the middle, and the south Atlantic states through Alabama and Mississippi to New Orleans. The rail roads which have already been constructed in the direction of the south, and which, together with the steamers on the bays and rivers, filling up the connecting links of communication, already afford the most certain and the most rapid conveyance for the mail to the great emporium on the Mississippi, and when those rail roads in Alabama, Tennessee, Georgia, and the Carolinas, now in progress, are completed, it would be hard to compete with the southern in speed, security, and certainty. No seasons can affect it; while on the Ohio, the alternations in its spring and autumn floods; and the ice of winter, are liable to stop, and seriously impede present impediments, which must render the transportation of the mail in that direction, for many months, (perhaps, and probably, not to be depended upon.) It is the opinion, however, of this chamber, and they submit it for consideration, with very great deference, to those who will have to decide on it, that a plan of connecting the south and southwest through the co-operation of the naval and post office departments, by which the preparations for sea coast and maritime defences, may be made subservient to the transportation and protection of the mail, and which may be so arranged as to make both the great channel ways of communication, via the Mississippi and south Atlantic rail road lines and harmonise, for a certain distance, on a common route.

The secretary of the navy in his report, has recommended war steamers for the purposes of defence on the Mississippi, and well as on the Mississippi river. These boats may be so constructed, and so employed, as to answer the double object of conveying the mail in peace, and of extending protection in war. The service in time of peace will maintain these steamers at the least cost to the government; and by being at all times, in active service, a school of instruction, to acquire a knowledge of the machinery, and the best mode of manouvring that class of vessels of war will be afforded to the officers and crew that may man them. Should these views meet with the concurrence of the general government the chamber of commerce would invite attention to the route via the rail road, through Virginia, the Carolinas, Georgia and Alabama, to Memphis on the Mississippi. From Boston to Washington, 450 miles from Washington, there are already 650 miles of rail road completed, and in successful operation, and the larger portion of the remaining distance is in progress and part now under contract. The connecting links for steamers are 1st. between Washington city and Potomac creek; or, Annapolis and Portsmouth as the government may prefer; 2d. Between Wilmington in North Carolina, and Charleston, South Carolina; and 3rd. between Memphis and New Orleans; and if these gaps in the railway communication, are filled by well planned steamers adapted to the navigation,

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this route may not only be made in the shortest time, and with great exactitude, but the government will have always ready for service a home squadron of war steamers prepared to repel aggression on the Chesapeake, on the coasts of the Carolinas and Georgia, and on the Mississippi. This mail route will not supercede the one proposed by the Mississippi; on the contrary, it may be made to harmonize with it, as the smaller class of boats which would be necessary for the upper Mississippi, and its tributaries, might be made to unite with the war steamers at Memphis, and from thence by a common route all the mails be transported to New Orleans. At no season of the year could the intercourse by this route be interrupted. The steamers from Memphis may be of the larger class, and made equal to the defence of the whole western division of the union: as the protection of the mouth of the Mississippi, contributes security to the whole valley. A naval station and arsenal at Memphis, and a continuous rail road from thence to Charleston would extend to the Atlantic all the advantages of protection now enjoyed by the states on the lower Mississippi, as by this communication the militia of the west may concentrate with the same facility, and within the same period on the frontiers of Carolina, Georgia and Louisiana.

All of which is respectfully submitted by order and in behalf of the Charleston chamber of commerce.

(Signed) KER BOYCE, *president.*

(Attest) WILLIAM B. HERIOT, *secretary.*

Mr. *Colhoun* presented also a memorial from capt. L. Morris, asking the aid of government in the construction and equipment of a steam vessel to be engaged in the transportation of the mail from Charleston to Havana, in the Island of Cuba.

Mr. *Lane* moved to postpone the first orders with a view to take up the bill to refund the fine imposed on Gen. Jackson in 1815.

The bill was then taken up and debated until a late hour by Messrs. *Linn, Berrien, Walker, Benton, Crittenden, Buchanan, King, Preston, Conrad, Woodbury,* and others, when the senate adjourned.

MAY 13. Mr. *Buchanan* presented a memorial from watchmakers and jewellers of Philadelphia, asking that the duties on those articles may not be diminished.

Also the proceedings of a large and enthusiastic meeting of citizens of Philadelphia, which had adopted bold resolutions in relation to the controversy in Rhode Island, and sympathizing with the suffrage party.

By Mr. *Crittenden:* From citizens of Illinois, expressing a desire to remove to the territory of Oregon, and asking grants of land and other aid to enable them to make a settlement in that territory, and that the laws and general protection may be extended to them.

Also, from manufacturers of pearl buttons in the city of Philadelphia, asking to be protected in their manufacture.

Mr. *Berrien* presented from the judiciary committee, the apportionment bill from the house with amendments of the committee inserting 50,000 instead of 50,179.

This and other amendments proposed were ordered to be printed.

Mr. *Merrick* submitted a resolution to the effect that all communications made in relation to nominations should be considered confidential.

The resolution was ordered to lie over under the rule.

Mr. *McRoberts* gave notice that, when the resolution came up, he should move to amend it by striking out all after the word *Resolved*, and inserting the following:

"That in all cases of nominations made by the president to the senate for the appointment of officers of the United States, the senate will proceed to consider and decide on said nominations with open doors."

On motion of Mr. *Evans*, the senate took up the appropriation bill, and concurred with the house in several of their amendments, and insisted on their own amendments in other.

The senate insisted on their amendments in relation to fees of the district attorneys, clerks of courts martial, &c., also, in that relating to the custom house in New York.

These amendments were severally debated until half past 5 o'clock, Messrs *Evans, Huntington, Wright, King, Sevier, Woodbury, Berrien, Conrad,* and others participating in the debate.

A motion was then made to adjourn, and, at a quarter before six o'clock, the senate adjourned.

MAY 14. A memorial for repair of the sea wall at St. Augustine was referred, private bills acted upon and after the transaction of executive business the senate adjourned.

MAY 16. Various petitions from citizens of the state of New York for a revision of the tariff were presented.

Mr. *Benton* introduced a bill to provide for the armed occupation and settlement of the unsettled parts of East Florida.

Mr. *Tappan* introduced a bill to provide for publishing an account of the discoveries made be the exploring expedition under the command of Lieut. Wilkes, of the United States navy.

The senate then proceeded to take up the private business on the calendar, the first in order being the bill directing warrants to issue for the bounty land due to the heirs of the late services of Major General Dearborn, Brigadier General Armand, and Major General de la Colombe. This bill was debated at considerable length by Messrs. *Preston, Huntington* and *Sevier*, in favor of the bill, and by Messrs. *Wright, Allen, King, Tappan, Clayton,* and others, against the bill. It was ordered to be recommitted to the committee on revolutionary claims, by yeas 28, nays 12

The senate proceeded to the consideration of executive business; and after some time spent therein, the doors were opened, and

Mr. *Evans*, from the committee of conference on the part of the senate, made a report which was concurred in.

The senate again entered into executive business after the transaction of which they adjourned.

MAY 17. After presentation of several petitions, and of reports upon private claims, &c., Mr. *Allen* moved to take up the resolution submitted by him on the 18th April last, requesting the president to communicate to the senate all information in his possession relative to proceedings which have taken place, or are in contemplation, in the state of Rhode Island, with a view to the establishment of a constitutional form of government, by the people thereof, and which had been laid on the table.

The resolution having been taken up and read, Mr. *Huntington* thought the subject unsettled. It had been laid on the table, as he supposed, definitively.

Mr. *Allen*. "Order, order."

[Cries of "order" from other quarters.]

Mr. *Huntington*. Then I shall move to lay it on the table.

Mr. *Allen*. On that motion I ask the yeas and nays.

The yeas and nays being been ordered, Mr. *King* said that the senator from Ohio had expressed a wish, the other day, to take up his resolution with a view to modify it: he should therefore vote for the motion to take up.

The yeas and nays having been taken, it was decided in the negative as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Fulton, King, Linn, McRoberts, Sevier, Smith, of Conn. Sturgeon, Tappan, Wilcox, Williams, Woodbury, Wright—14.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Colhoun, Choate, Clayton, Conrad, Crafts, Crittenden, Evans, Huntington, Mangum, Merrick, Miller, Morehead, Simmons, Smith, of Ind. Sprague, Tallmadge, Woodbridge—23.

Mr. *Allen* then rose and said, that he proposed to submit two resolutions, founded on that which the senate had refused to take up. As the senate had pursued the course it had in relation to it, he would not allow himself to believe that it would refuse to adopt these, and he would read them in his place.

Resolved, That it is the right of the people of Rhode Island to establish for themselves a constitutional form of state government, and in any particular to alter or modify it, provided its form be left republican.

Resolved, That it is not the right of the federal government to interfere in any manner with the people to prevent or discourage them from so doing; but that, on the contrary, it is the duty of the federal government to guaranty to them, as a state, such a republican form of state government that, when so established, it can be altered or modified.

Mr. *Allen* spoke at very considerable length, when he was called to order by Mr. *Preston*.

After some remarks from Messrs. *King, Calhoun,* and *Crittenden*, it appeared that the gentleman from Mr. *Simmons* should proceed in reply to Mr. *Allen;* and there being cries of go on—

Mr. *Simmons* replied to the remarks of Mr. *Allen*, after which the subject was laid on the table for the present, and the senate proceeded to the consideration of executive business, wherein it remained until a late hour, after which the senate adjourned.

MAY 18. Several petitions in relation to private claims, &c. were presented.

Mr. *Buchanan*, presented fourteen memorials from different parts of Pennsylvania, stating that the great difficulties of the times are owing to the reduction of the duties under the compromise act, and they ask a fixed and permanent tariff.

Also, two memorials from Northampton county, Pennsylvania, asking protection to home industry.

Several reports were made from committees, in relation to private claims.

Mr. *Buchanan* hoped the chairman of the committee on the judiciary would excuse him for making any suggestion in relation to the apportionment bill, but it would be recollected that the legislature of his state would meet on the 10th of June for the express purpose of making arrangements under the bill. If, therefore, the bill was not acted on early, great inconvenience and great loss would accrue from it. He hoped it might be made the special order for Monday next.

Mr. *Berrien* had no instructions from the committee on the subject; but certainly had no desire to delay action.

The bill was then made the order of the day for Monday next.

Mr. *Allen* said the resolution submitted by him yesterday was passed ever when there was a question pending to print.

Mr. *Tallmadge* moved to lay the motion to print on the table.

Mr. *Benton* asked the yeas and nays, which having been ordered, the vote stood for laying on the table, yeas 28, nays 18.

Mr. *Linn* then moved to proceed to the order of the day, being the bill to refund the fine imposed on Gen. Jackson.

Mr. *Tappan* moved an amendment which struck out the words "damages" and inserted "fines and costs."

Mr. *Linn* accepted the amendment, and spoke briefly in favor of the bill.

Mr. *Henderson* moved an amendment, providing that nothing in the act should be so construed as to give any expression by congress as to the illegality of the proceedings of the judge inflicting the fine, but as an additional expression of the estimation in which they held the services of Gen. Jackson in the defence of New Orleans and the services rendered by him and his companions in arms on that occasion.

Mr. *Berrien* moved an amendment to the amendment, which he subsequently withdrew, and then offered one to the effect that nothing in the act shall be so construed as to give an expression of opinion as to the want of patriotism or fidelity of the citizens of New Orleans.

Mr. *Henderson* accepted the amendment; and the debate was continued by Messrs. *Conrad, Barrow* and *Henderson* in favor of the amendment, and by Messrs. *Sevier, Archer, King* and *Wright* against it.

Mr. *Allen* rose to address the senate; but, it being after four o'clock, Mr. *Linn* moved an adjournment, which motion prevailed.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, MAY 11. The house again resumed in committee the civil and diplomatic appropriation bill, and discussed the item 179, appropriating 28,200 dollars for completing the New York custom house, being an amendment proposed by the senate. It was rejected by 66 nays to 61 yeas.

The next item was a senate amendment proposing $1,000 for the removal of the statue of Washington under the direction of a joint committee, which Mr. *Keim* now moved to amend by appropriating $3,500 for the construction of a suitable pedestal to be approved by the president and secretaries.

Mr. *Keim* said congress had now spent $40,000, upon the statue. If the question was whether to order the statue or not, he would be against ordering it. But here it is on our hands, standing on a structure of yellow pine posts seated over with coal dust. He was for a durable pedestal of stone, and not for leaving it like a Hindoo suttee, with a marble corpse on a funeral pile.

Mr. *Pendleton* of the committee on its removal stated that the present pedestal was but a temporary erection till the proper one should be constructed. The committee was of opinion that Mr. Greenough should be allowed to complete the whole design: its present location in the rotunda was indicated by his own letter as the most proper.

Mr. *Keim* said he believed all admitted that the statue possessed high merits, whether strict constructionists or Hitiudinarians, counties or semi-counties, whigs or democrats, and he was for completing it so that we might look on it with pride and pleasure. The house had spent much time discussing the custom house and fortifications, but this statue was a moral fortification and a national altar. He was not for allowing its pedestal to be made by Mr. Greenough without competition, as such was not the contract.

Mr. *Adams* said that if he had any knowledge of the just and honorable feelings of Mr. Greenough, he would prefer an order withdrawing the entire compensation already made him for his labor on the statue to having a competition set up between him and another artist for the completion and finishing of the work by the addition of its pedestal. He would not vote him as many units as congress had voted him thousands, if he could entertain such a

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proposition as that proposed. He personally knew the sensation created among Mr. Greenough's friends, months ago, when there was a rumor of this project of competition, and it was such he believed, and he participated in it, that they would prefer seeing the statue share the fate which had fallen upon another statue of the same man by an artist of equally transcendant talents, [he was understood to allude to Canova's, which was burned in the Pantheon at Raleigh,] to having him exposed to an indignity so mortifying as the failing in of another to finish what he had begun. Mr. A. had no intention of derogating from the merit of any artist who had been in the view of the mover of this amendment, or of other gentlemen; but he hoped Mr. Greenough would be allowed to complete the work, and that he for this further labor he would be properly compensated.

Mr. *Ingersoll* said that when the statue arrived from Italy congress had not been in session, and the secretary of the navy had felt himself bound to take charge of it till congress should determine its disposition. He had it brought from the navy yard and placed in the centre of the rotunda, a spot previously proposed to receive so great a weight by its solid masonry below. The secretary also, had gone a step further, and had given directions (not irrevocable) to the sculptor Brown to prepare the ground for the pedestal. Mr. Petrich had now entered into a contract to make the preparatory arrangements for its complete use. This would in no way interfere with Mr. Greenough's rights. Mr. Petrich was a German by birth, had been a student under Thorwaldsen, and every one would remember the statue of the fisherman's daughter at his studio, in the city. He was a man of education; Thorwaldsen was so illiterate as not even to be able to read and write; but his inspiration put him on a level with Chantry and Canova. The proofs of Mr. Petrich's skill had been exhibited chiefly through the countenance and under the munificent patronage of his honorable colleague who had indeed like a true nobleman, a gentleman long distinguished for his love of the fine arts, and the noble liberality with which he encouraged them. He saw not why, as genius and talents belonged to no particular clime, a native of a foreigner might not be invited to produce the design for a great public work with as much propriety as a native.

Mr. *Wise* wished to inquire of the committee who had charge of this statue, whether the pedestal was not, in stateliness, a part of the statue—and whether Mr. Greenough was not bound to complete it as such for the compensation already allowed him?

Mr. *Pendleton* said that the committee had nothing to do with that question. Their sole duty was as to the location of the statue.

Mr. *Wise* said that it was a necessary part of the statue, or it was not; and Mr. Greenough was bound to furnish it as such, or he was not. But Mr. W. had a further inquiry to put, viz: whether the statue itself had yet been formally and officially accepted by the government of the United States?

[Mr. *Pendleton* made the same response as before.] Mr. W. said he thought that ought to have been a preliminary inquiry, before any thing further was done. Was it the wish of this government that an image, a personification such as this, should be erected in the rotunda of the capitol of the U. States, or that a statue of George Washington should be placed there? Mr. W. did not profess to be a man of any taste at all, yet about as good a judgment and judgment in the fine arts; but, speaking as an American citizen, he must say that that was not the conception of George Washington which had any place in his mind.

He had been told, by those who had far higher claims to speak on subjects like this, that to look upon that piece of sculpture was to feel a chill run in one's veins. All Mr. W. could say was, that it never had had any such effect upon him: possibly because he never had looked long enough upon it at any one time. He must confess it had on him much the same effect as it had produced on a gentleman of Maryland, one of the olden time, a gentleman of the old school, who having heard so much said of this statue, mounted his horse and rode a long distance purposely to look at it: having hitched his horse before the capitol, he mounted the steps and entered the rotunda, where, after looking at the statue for a few seconds, turned from it, as he said the father of his country would do, who was the most modest of men. What was it but a plagiarism from the heathen mythology to represent a Christian hero a Jupiter Tonans, or Jupiter Stator, in place of an American hero and sager a naked statue of George Washington? of a man whose skin had probably never been looked upon by any living. It might possibly suit modern Roman taste, but certainly it did not the American taste. Then there was that inscription on the base—*tumularem* istud." A Latin inscription on Washington! Never had there so noble and so just an eulogium been pronounced upon the man as that now common in the mouth of every American: "First in war—first in peace—first in the hearts of his countrymen." That would have been the motto for American ears; and not a Latin inscription, and that bad Latin to boot: yes, bad Latin written in Italy!

Mr. *Wise* said he would vote to spend no more on this statue till he first knew whether it had been accepted by the government.

Mr. *Filmore* said he presumed there was very little doubt of that.

After some criticisms on the use of the imperfect tense "*faciebat*" for "*fecit*," Mr. *Wise* said he had submitted a transcript of the entire inscription to one of the most accomplished men in this country, who replied that it would not bear criticism.

There was scarce one of the specimens of sculpture or painting in the rotundo which had not been dubbed with some disgraceful epithet or been made the subject of some impertinent criticism. The Indians, when looking at the representations of their fellow aborigines, had observed with much caustic shrewdness, that the first over the door of entrance, represented the old world coming to the new, and the new welcoming the old and giving it corn; but in the next was the representation of a treaty, in which the Indian was represented as the chief who saved Smith saved by Pocahontas from death; and in the very next panel was Boon murdering two Indians! "We give you corn, you give us of our lands; we save your life, you take ours." A pretty faithful history of our dealing with the native tribes! Then as to the painting of the Declaration of Independence, they had a representation of John Randolph's nark name of "the shin-piece." And who could forget the bitter criticism of Burgess, on the representation of Boon, "that it very truly represented our dealing with the Indians, for it was a shin-piece, even a place to die upon. (The whole ground in that panel being occupied by the body of the Indian already bayoneted, as it was then the office of Boon to lie on the body of his countryman.) What would he have said of this statue of Washington?

A countryman, entering the rotundo by the library door, and seeing the back of the statue, would most naturally ask who it was? and looking at the inscription would say to himself *Simul Accum*. Who is Simul Accum? [A laugh.] But the next word [*istud*] would puzzle him, and perhaps induce him to be offensive. Mr. W's objection to the statue was that it was not American—it was not Christian; it belonged to another age and country. Mr. W. made some remarks here, which we could not hear, but heard as if holding up the clouds, a position better suited to "the cloud-compelling Jove," and to the gracious representation of his wife and child, which some Irishman had mistaken for a harp. He also very *sharply* criticised the left shin, and seemed no better pleased with the naked feet and the sandals. When standing at right angles to the statue, he was at the idea it presented! Not that of one seated on a throne—that would not be tolerated here; some had thought it was a garden chair, but Mr. W. should say it was something else that they were sitting on—a throne belonging to an unmentionable temple.

Mr. W. said he knew all this was dangerous ground to take; he was no artist—on the contrary, in works of art he was a mere Goth, according to the voice "never a truer word."] He spoke from the untutored taste of nature and of an American citizen, who had been taught from his cradle to venerate every thing little or great, which pertained to the greatest man that ever lived. He preferred seeing Washington as Houdon had represented him in the statue in the capitol at Richmond, in the plain coat and military boots, with epaulets, and a sword by his side. Persico, the sculptor, had told him this anecdote. When he had visited Richmond he had gone to see the statue. Now Persico, being an Italian, gesticulated with all the extravagance of a Frenchman; and as he stood looking at it in admiration of the beautiful head, expressing by gestures his abhorrence of the dress and figure, and his wish that the head could be cut off and preserved, while the rest was destroyed. A Virginia sentinel, who was always on guard in the space before the statue, seeing a foreigner making signs to show his wish to cut off Washington's head, very unceremoniously stepped up to him, saying: "There's the door, sir." So, in regard to this statue of Greenough's, if the head could be preserved, Mr. W. would vote to throw the body into the Potomac, to hide it from the eyes of all the world, lest the world should think that that was this people's conception of their nation's father.

Mr. *Morgan* called for the reading of Mr. Greenough's letter in relation to the pedestal and location of this statue, and it was read accordingly.

The question was then taken on the amendment of Mr. Adams, and decided in the negative.

The senate's amendment was then agreed to.

The house then progressed until they came to the amendment proposed by the senate to strike out the appropriation "for outfit of a charge d'affaires to the republic of New Grenada $4,500," and insert "for outfits of charge des affaires to Sweden, Belgium, and New Grenada, $4,500, *half outfit* to charge d'affaires to Holland $15,750."

Mr. *Adams* moved to amend this by giving a full outfit to the charge to Holland, (Mr. Hughes). Mr. A. could see no reason for appointments being reduced from a full outfit. He believed it was a deviation from what was the universal practice in the case of the transfer of ministers from one country to another. A case had been into a history of what had been the practice of the government in the days of President Washington under the act of July 1790, which was to be now repealed. He remarked on the full recognition, in the phraseology of that act, of the power conferred on the president of the United States by the constitution to appoint and commission ministers abroad. The act limited the salary of a minister to $9,000, exclusive of outfit; of a charge to $4,500, and a secretary to $1,350. In the early construction given to this act the outfit was conceded to the minister of the president, and during the administration of General Washington and his successor, when a minister was transferred, he was allowed but half an outfit. Mr. A. gave an account of the operation of this rule in his own case, when minister at Hague, and subsequently appointed minister plenipotentiary to Portugal, (in which case he was allowed half an outfit), and when minister to Prussia, in which case he got no outfit whatever. This continued till the case of Mr. Murray, who was sent minister at the Hague, was sent to negotiate a treaty with France: he had been allowed but half an outfit; but was dissatisfied, and on his return claimed a full outfit as of right, which claim was allowed by Mr. Jefferson.

From that day to this the practice had regularly been to allow, in cases of transfer, full outfit. Mr. Hughes had as strong, if not a stronger claim to this allowance than Mr. Murray had in his day.

His right was as good on equitable grounds as on the ground of precedent. He had served for ten or twelve years in other foreign stations, and had always shown himself a faithful public servant, as Mr. A. had no doubt he ever would so long as he was entrusted with public duty. In point of justice and fairness he was entitled to a full outfit. It was but fair and reasonable to set off half the military allowance granted in all other cases. This gentleman had been at the Hague before. In 1829 Mr. A. had received a particular request, under the hand of the king of Holland himself, that Mr. Hughes, then a charge, might be raised to the rank of a full minister. This was at a time when the friendship of the king of Holland was of more consequence to the United States than it ever had been before, or was likely ever to be again; that monarch having been appointed umpire between the United States and Great Britain on the question of the northeastern boundary. In consequence of the request of the king (was indeed made officially, but in a way which had equal force with him) Mr. A. had nominated Mr. Hughes to the senate for the appointment of full minister, but it was during the last session of his administration.

The senate took care to reserve for his successor the consideration of the propriety of the proposed appointment, and acting on it only in his nominations, or on very few. Gen. Jackson did not nominate Mr. Hughes to the senate, the northeastern boundary was submitted to the king of Holland, as minister, all knew what the consequence had been. Without varying a word to the disparagement of the minister, sent, Mr. A. would only remark that he was a holy unacquainted with the language, and of course his personal intercourse at the court must have been very narrow and confined; and he had not, in the personal feelings of the king, that powerful source of influence which Mr. Hughes might have wielded for the benefit of this country at that important juncture.

Mr. A. reminded the house that he had manifested a disposition to reduce the number of our missions abroad; but, after a conference between the committee on foreign affairs and the secretary of state, they had concluded to support the estimates from the department without reduction. The expenditures for foreign intercourse were among those which had experienced the least increase of any from the foundation of the government till now. The salaries were the same that they had been since 1793. The universal experience of all engaged in foreign service was that the allowance was too small; it placed our ministers abroad on a footing

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practically inferior to those with whom they had constantly to associate. So impressed had the committee on foreign affairs been with this fact, that they had introduced a bill increasing the salaries of ministers abroad 50 per cent. or more.

The effect of the present system was, either that ministers left their post and returned home to recruit their circumstances, and, if so, more outfits had to be paid, or that the appointments were held only by men of fortune who could afford to expend the requisite amount, to render them respected, out of their personal purse.

Mr. *Jones*, of Virginia, opposed the amendment. As to the force of precedent, that, it appeared according to the gentleman's own statement, went both ways. In his own case, under Washington, but half the outfit had been allowed, and this continued down to the days of Jefferson; yet then the outfit had been the other way. Now the house could not be governed by precedent both ways.

Mr. *Adams* supported the amendment. Constituted as the society of courts was known to be, an important negotiation might be frustrated for want of the means to give those entertainments, and perform those other influential acts, which were in use by others. There was much in the appearance of a minister; much was done at the dinner table towards augmenting his influence. Let not gentlemen smile at such an assertion. Mr. H. would refer them to the highest of all authority in such a case—that of Napoleon himself, to whom Combacceres had represented the necessity of money "to pay plenty of feasts," as he said; and the emperor saw that his shrewd minister was in the right, and, though he laughed at such a picture of poor human nature, he regarded the money. When we come to send representatives of our interests to the courts of Europe, should we stand for so paltry a sum as $2,250? Mr. H. was for economy, but not such twopenny economy as this.

The committee rose and reported progress, and the house adjourned.

THURSDAY, May 12. Mr. *Boardman*, of Connecticut, reported from the select committee on bounties a bill authorising the secretary of the navy to ascertain the longitudes of the capitol and other important places in the United States.

The bill accompany the report of the secretary of the treasury on the subject of the tariff was on motion of Mr. *Fillmore* referred to the committee of ways and means.

The house then resumed in committee the consideration of the appropriation bill, and the item cutting down to a half outfit the appropriation for a minister to Netherlands.

Mr. *Ingersoll*, said that the only possible difficulty in the way of the amendment must be found in very strict construction of an act of 1810, which made it lawful to allow an outfit to a minister or charge going from the United States to a foreign country. He thought there was enough to overcome this strict construction. We have settled precedents in our favor by that object. A uniform practice of forty years is testified to by a gentleman who, during that period, has had more extensive acquaintance with the history of the government than any other man living. He does not, indeed, carry as back to the reign of the first Richard, but he reaches a time, to the contrary of which, as the lawyers say, memory of man doth not run. We have, however, what is better than official sanction and precedent combined, without which precedent and official sanction ought not perhaps to prevail—we have contemporaneous justice in favor of the motion. It is not easy to understand, upon any principle, why a distinction should be made between the case of a person removed from one court to another and that of a person originally appointed while at home. The breaking up of one establishment and the forming of another are probably alike equally expensive. If the outfit allowed is to be conveyed in a government vessel, with all his household, directly to the place of mission, the cost would probably be less when he goes from his own country than when he journeys at his own expense from the extreme north to a southern or central European court. But the truth is, that an outfit is not exactly estimated by the precise expenses of the removal. It is merely a small addition to compensation, which altogether is confessedly inadequate. The proper use of it depends upon the individual. Outfits are said to be sometimes applied to the payment of old debts, or laid by for future expenditure. In such cases they are not well bestowed. Sometimes, however, they are, as they have been by the gentleman appointed to the Hague, devoted, together with the modicum of salary which follows them, with a liberal hospitality, to the cultivation of social intercourse, and to the protection and benefit of the countrymen who may need it of their diplomatic representative. He must be a rigid economist who is able to do this without encroaching upon his private resources if he has any, or running into debt if he has not. The present minister in France and the late minister in England are instances, in many, of liberal expenditures far beyond an official income double that of the incumbency now contemplated.

But that the government chooses to remove a gentleman, after twelve years of faithful and well-appreciated services at one court, to another where his experience, talents, and general acquaintance will be more useful. In other words, the government requires his services in a different sphere. Shall it not make him the mere usual allowances for the change? Why not? His merits have been tried and approved. The new appointment demonstrates this. If it did not, the repeated testimony given on this floor by the gentleman who in another place, and with the power of appointment, is the proper and competent judge, evidence of the sincerity of his unchanged convictions by actually nominating this same gentleman to a post of higher dignity and responsibility, would be entitled to the fullest confidence. Without this powerful and authentic proof, the archives of several successive administrations might be vouched for abundant proof of his usefulness and success. Perfectly familiar with the universal language of continental Europe, acquainted with the leading men in nearly every country from the North sea to the Mediterranean, habituated to the manners of European society, accomplished in his manners and steadfast in his principles, his services have been for a long series of years of the highest value, and his transparent courts without being dazzled by their splendor. He has cultivated the most exalted associations without yielding a jot of his manliness of character, and he has accomplished his duties with honor to his place and on all occasions his own uprightness and the dignity and honor of his country. In the central position to which he is now, the foreign and home administration to remove him, his peculiar qualities will be of peculiar value; and it is to be hoped that the extremely moderate behest of an ordinary outfit will not be denied him.

The motion of Mr. *Adams* was then decided by ayes 67, nays 63. So the amendment to the amendment of the senate was adopted.

The amendment of the senate, inserting "for contingent expenses of all the missions abroad, $30,000," being under consideration, Mr. *Wise* moved to amend the amendment by striking, "and for compensation to commercial agents on the western coast of Africa, $5,000. Mr. W. said that the proceedings of the Colonization Society during the last week was the basis upon which he would bind his amendment in support of the amendment. These proceedings being already before the country, he did not feel disposed to trespass upon the committee.

Mr. *Underwood* said that during the sittings of the Colonization Convention, which had just terminated, Dr. Hall, a gentleman of fine reputation, who, as agent for the state of Maryland, was instrumental in planting her colony on that coast, had given them the very important information in respect to the trade carried on with the natives. It was an increasing trade, and destined to become very important, not only to this country but the whole world. The English perceived the advantages likely to result from it, and were making efforts to engross it. Their expedition up the Niger had its commercial operations. The British system gave their traders great advantage over ours. Their ships and their commercial agents were constantly upon the coast, and were never seen. British traders were in the habit of depositing cargoes upon credit, receiving a stipulation from the king or headman of the trade that it should be paid for in six or twelve months. Such engagements were punctually complied with at the end of the time; when the ship returned, left another cargo upon a like engagement, and received the pay of the first, and the payment of the second first. This punctuality on the part of the natives was secured through commercial agents and their men-of-war upon the coast. In consequence of America having no commercial agents there, and her national ships being scarcely or never seen, the trade of their traders were not respected. They were afraid to deal with the natives upon credit, were confined in their operations to a very limited exchange of articles; and saw the trade passing into the hands of their rivals in consequence of government protection. The great articles of necessity which entered into the African trade were productions of the U. States, and could be furnished at a cheaper rate than those of a similar kind supplied by English traders. Englishmen were dependent on the productions of the United States for a supply of those articles which enabled them to carry on their trade with the African tribes. No trader could do any thing in Africa without the articles of tobacco, gunpowder and coarse cotton goods. The first of these was a great American staple, and a cargo composed of the whole could be sent from the U. States to Africa cheaper than from England.

Mr. U. trusted the amendment would prevail, and that the government would take measures to place their traders upon a footing equally favorable with those of Great Britain. If the slave trade was to be arrested, it must be done by sending and exchanging such articles as the negro wants for the productions of his country, for the cultivation of his own country; by teaching him that he can supply the coarse necessaries of life which are all that he aspires to obtain, by giving some commodity in exchange for them other than a human being. The savage barbarians of that ill-fated continent make war upon each other, more for the purpose of procuring articles of dress and other productions of civilized countries than for any scheme of policy, of revenge, or of glory. Let them supply the wants of their rude and uncultivated natures by teaching them to trade in something besides their own flesh and blood, and the horrid slave trade will terminate, and not until then.

Thereupon the question was taken, and the amendment of Mr. *Wise* was agreed to.

After discussing other items, the committee rose and reported the bill and its amendments to the house. The house then concurred in the amendment for a full outfit to the charge of Holland by a vote of 88 to 72, and also concurred in all the amendments reported.

Mr. *Wise* reported a communication addressed to him by request of the committee of the defence of the gulf of Mexico; also a letter from Colonel Henderson, in relation to the bill for the increase of the marine corps. Both were referred. The house then adjourned.

FRIDAY, May 13. Mr. *Triplett*, on leave given, offered the following resolution:

Resolved, That the subject of providing for the contingent expenses of the foreign intercourse of the government of the United States be referred to the committee on foreign affairs, with instructions to report by bill or otherwise as soon as may be.

The resolution was adopted.

Mr. *Fillmore* rose and said that he had received communications from the navy and the war departments, stating that the amount of the appropriations for both departments was exhausted; and, according to the latest information received from the navy department, on the 25th of April, it appeared that drafts on that department had been protested. Under these circumstances he felt bound to ask the house to take up the naval appropriation bill. For that purpose, he moved that the house now resolve itself into committee of the whole on the state of the union.

The house accordingly resolved itself into committee and took up the bill for naval appropriations, Mr. *Clifford*, of Maine, in the chair.

A motion submitted by Mr. *Merriweather*, of Geo. to reduce the appropriations about one million of dollars. Mr. M. gave his reasons very briefly for recommending the proposed. They were that the appropriations for the service this year exceeded those of any former years.

Mr. *Fillmore* stated that the revenue bill was not considered before these appropriation bills, and seemed to impute blame to the committee of ways and means for not demanding action first upon the revenue measure, in order that the house might understand what would be the means to base the expenditure upon.

Mr. *Fillmore* vindicated the committee of ways and means from the charges of delay. They had only received the report of the secretary of the treasury on Monday last, and that report was far from full. More was to come, and the secretary of the treasury was exerting himself to get the proper information before congress. The embarrassments of the government and of the treasury had left the head of that department no time to give the house the information required. The subject of the tariff, moreover, had been referred to the committee on manufactures, that had reported a bill and were anxious to have the house act upon it.

Mr. *Fillmore* said also that the tariff could not be considered before the army and navy bills. These bills were provisions for past expenditures and for protested drafts. These two bills ought not to consume more than one week, and he hoped the house would then take up the tariff bill and dispose of it.

Mr. *Johnson* said there was great fear that he was glad the subject had been referred to in order that the attention of the country might be turned to it.

Mr. *Tillinghast*, of Rhode Island, vindicated the committee of manufactures from imputations of delay, and declared that they had been most industriously employed early and late. Six weeks since they had reported to the house, and their bill was now before the committee of the whole.

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Mr. Johnson insisted that this bill was one of protection, and the committee of ways and means should report one of revenue.

We should have had a revenue bill from the committee of ways and means long ago. He protested against heavy appropriations, without some revenue bill in advance. He judged from the remarks of the gentleman from Georgia, (*Mr. Merriwether*), that he would be in favor of the appropriation if provision were made in it for a dry dock at the south. (*Mr. M.* said that one local considerations should not influence his vote.)

Mr. Johnson would vote with cheerfulness for the establishment of a dry dock in some portion of the south, whether in Georgia, Florida, South Carolina, Alabama or Mississippi. He should leave it to the wisdom of those who had charge of the subject, to select the most judicious and eligible situation. If no other gentleman moved an amendment for this purpose, he should make the motion. That such an establishment was important, was obvious to those who had given the subject the most careful consideration. A gentleman now in his eye, who was well acquainted with the subject, informed him that round the coast of Florida there was not any harbor into which our vessels could enter to avoid a storm or the perils of the deep. He referred, as influencing his mind to the support of this measure, to the reason given by the gentleman from Virginia, (*Mr. Wise*), that the British government had erected their great naval depot from Halifax to Bermuda, where they were now employing a vast force, and making it a perfect Gibraltar, which would secure to them our southern Atlantic cities. He would have that coast strongly defended; not that he apprehended there was immediate cause of alarm as to a war with England, but for the purpose of being prepared to meet the hour of peril and danger when it should come. For the dignity of our nation, and for facilitating negotiations in times of peace, it was necessary that our southern coast should be well secured. In voting for this bill, he did it with a belief that some wise system of revenue would be brought forward early, and carried through successfully. He did not mean to be very critical, but his object in reference to the committee of ways and means, was to stimulate their energies a little to bring forward a bill for the adoption of a general system of revenue.

Mr. Cooper made a few remarks indicative of his intention to oppose the vastly increasing expenditures in this, amongst other items of the government account—an expenditure he said, which was rapidly progressing to a point exceeding any in the history of the country.

On motion of *Mr. John T. Mason*, the committee rose and reported progress.

A message was received from the president and the house adjourned.

SATURDAY, MAY 14. The *speaker* announced the following select committees, (ordered on motion of *Mr. Thompson*, of Indiana), on "the circumstances attending the finishing and furnishing the New York custom house;" *Mr. Thompson*, of Indiana, *Mr. Stuart*, of Virginia, *Mr. Owsley*, of Kentucky, *Mr. Turney*, of Tennessee, and *Mr. Shields*, of Alabama.

A resolution of inquiry offered by *Mr. Graham*, was adopted designed to procure a more equal appointment of midshipmen, and navy officers, by giving the appointment to those belonging to the several states according to their several claims, based upon their population.

Mr. Dodge, of Wiskonsan, asked leave to offer the following resolution:

Whereas by an act of congress, approved April 20, 1836, entitled "an act establishing the territorial government of Wiskonsan," it was provided that twenty thousand dollars be given to the said territory, which shall be applied by the government and legislative assembly to defray the expenses of erecting public buildings at the seat of government: and by the act of congress, approved June 18, 1838, the further sum of twenty thousand dollars was appropriated to defray the expenses of completing the public buildings aforesaid: *And whereas*, the forty thousand dollars so appropriated by congress was paid over to James D. Doty, as a treasury of a board of commissioners appointed by the legislature of the territory to superintend the erection of said public buildings, who has denied all authority on the part of said territory to require him, the said Doty, to account to said territory for the unexpended portion of the money so appropriated by congress, and claims to be accountable only to the treasury of the U. States, with which he pretends to have settled for said money, and to have deposited a balance; now, therefore,

Resolved, That the secretary of the treasury be directed to communicate to the house of representatives all the information in his possession touching the payment to James D. Doty of the said sum of forty thousand dollars, and its expenditure; showing whether said sum was chargeable to, or was charged to, the territory of Wiskonsan, or to James D. Doty, whether said Doty was accountable for said money to the United States or to said territory; and if the former, then that the said secretary communicate to the house all statements which may at any time have been made with the said Doty relating to the expenditure of said forty thousand dollars, or any part thereof; together with certified copies of all vouchers or other papers in anywise connected with such settlements.

The motion of *Mr. Howard*, the latter part of the preamble from the words "who has denied" to the word "that he" was stricken out. The question being upon adopting the resolution, *Mr. Adams* moved to lay it upon the table. Negatived; yeas 56, nays 128. The resolution was then adopted.

The civil and diplomatic bill was then received from the senate insisting on certain amendments to which the house had disagreed. After consideration the house again insisted on their amendment appropriating $40,000 for the Boston custom house which the senate had increased to $100,000, also insisted on disagreeing to the appropriation of $28,000 for completing the New York custom house; recedd from the appropriation of $5,000 for a commercial agent on the coast of Africa, to which the senate had disagreed, and then appointed a committee of three to confer on the disagreeing votes of the two houses. The house then adjourned.

MONDAY, MAY 16. On motion of *Mr. Levy*, the house took up the message of the president of the United States (page 174), on the subject of the termination of active operation in Florida.

Mr. Levy addressed the house, and protested against the course proposed in the message as abandoning the object of the seven years struggle, and leaving the country in the hands of the enemy, and also against the cry of peace when there was no peace. He thought the purpose of the message was to make a grand flourish and announcement of the termination of the war. The plan, the message proposed, had been communicated officially to him by the war department in a letter dated April 26. The instructions of the secretary to the commanding general, and the message had for their basis a recommendation of Col. Worth, dated 14th Feb. ult. That recommendation was laid at that time deliberated upon and rejected. Why then this change of purpose now? Mr. L. then proceeded to show that the Indians still infested nearly every part of Florida, and had during the last month committed numerous outrages at spots remote from each other. Mr. L. was opposed to leaving them quietly in the country, and to the measures recommended by the message.

Mr. Cushing disclaimed against dignifying the hostilities in Florida, with the appellation of a war.

Mr. Levy stated that the attorney general pronounced it a war on a demand made by Gen. Jesup, in 1837.

Mr. Cushing vindicated the president's message, and pointed out what it did recommend for the protection of Florida. It was but a selection of measures different from those the gentleman would recommend, but having the same object in view.

The message was then referred to the committee on territories, and ordered to be printed.

The committee of conference on the general appropriation bill then made a report, and by a vote of 93 to 77, adopted the compromise of $75,000 for the Boston custom house, also $28,000 for the N. York custom house.

The house then resumed in committee the consideration of the navy appropriation bill.

When the committee rose on Friday evening, item No. 1, was under consideration, in the following words:

"For pay of commissioned, warrant, and petty officers and seamen, $3,195,432 23."

Which said item *Mr. Meriwether* had moved to amend, by striking out "$3,195,432 23," and inserting "$2,335,000." And the pending question was on the amendment.

Mr. Habersham advocated the propriety of having a home squadron; steam boats were particularly needed from Charleston to St. Mary's, where there was but a single fortification.

Mr. Reynolds ridiculed the idea of the necessity of a home squadron. He compared it to humbug. His friend said this was wanting for defence. For defence! Against whom? against England? Why, there was no danger of any war with England: nobody thought of such a thing. And as to a few pirates, he supposed his friend would not insist that a squadron, with so many men, and such wear and tear of vessels, was to be kept up and paid to defend that individual's constituents against a half dozen or so of pirates. There was nothing to defend them against. To be sure, if the nation was at war, we should want a home squadron and a foreign squadron too; but we were at peace with all the world save some seventy or eighty Seminole Indians, and the pirates so much dreaded by that honorable individual were not very numerous or very formidable he believed. That worthy individual he was sure was not afraid of them. He slept every night with his doors open, and did not dread their attacks seemingly at all. The honorable gentlemen from Georgia was at perfect peace with all creation. Was the gentleman afraid of the Seminoles? The war with them it seemed was over, or at least there was no contest but that between the president and the delegate from Florida.

The honorable gentleman then noticed the fart, and he said he was sorry to do so, not on his own account so much as on that of his constituents, that the apprentices in our navy were placed in a situation that they could not rise out of, do what they would. His constituents never would consent to such a thing as this. He hoped the power lay in the army about West Point—the cadets got all the appointments. Was this according to the doctrine of the constitution, which declared that all men were born free and equal? Some might think that these apprentices were but a small subject for a speech, but they were a small subject he was proud to speak about; and he was proud, too, that a colleague of his had introduced a resolution giving an equal chance in the navy to all the states. It might be right enough to put in poor boys as apprentices in the navy; but, because they were poor lads, were they to be put in a situation out of which, be their merit ever so great, they could not rise all their lives? Ought not all persons in public service to be permitted to rise by merit? He was for giving merit. Many of the honorable and worthy friends whom he saw round him in that house had risen by merit from comparatively obscure situations. To refuse sailors the same right would be apt to introdure among them a kind of agly feeling. They all felt a little ugly themselves when they were defeated at an election, and something of the kind might be in the breast of three poor apprentice boys.

Then there was another thing which ought to be looked into, and that was, the correction of some of the abuses in the navy department.

After adverting to that subject, Mr. R. yielded, and the committee rose. A message was then received from the senate insisting on disagreeing in the appropriation bill, and the house adjourned.

TUESDAY, MAY 17. *Mr. W. C. Johnson* submitted a resolution providing for a final adjournment on the 15th June next. By a vote of 94 to 56, the house refused to suspend the rules in order to consider it.

The house then resumed in committee (*Mr. Clifford*, of Maine in the chair,) the bill on naval appropriations.

Mr. Reynolds, of Illinois, was opposed to the appropriations recommended.

Mr. Mallory advocated liberal expenditures for the navy, and vindicated his state (Virginia) from the imputation of having an undue proportion of the offices in the army and navy.

The discussion was continued by *Mr. Triplett*, (who was in favor of a reform in the expenditures of the naval department, of increasing the seaman's wages, and opposed to some of the provisions of the bill), and by *Mr. Cushing*.

The further consideration of the bill was postponed until to-morrow.

On motion of *Mr. Wise* the committee proceeded to the consideration of a bill authorising the appointment of a board for the preparation of rules and laws for the regulation and government of the navy, and after sometime discussing the same, the committee rose, and the house adjourned.

WEDNESDAY, MAY 18. The house resumed in committee the consideration of the bill making appropriations for the navy.

Mr. Sprigg spoke in favor of the amendment and against the bill.

Mr. Mason, of Ohio, was willing to vote for the bill but would be unwilling to see appropriations increased further as they had been the few past years. It would involve heavy expenses and tax beyond what he would be willing to see the people pay. He dissented from the project of the secretary of increasing the navy to half that of the largest power of Europe.

[A communication was received from the president announcing his signature to the bill making appropriations for the civil and diplomatic expenses of the government.]

The naval appropriation bill was farther discussed by Messrs. *Everett*, *Gorian*, *Mason*, *Pendleton*, *Gamble* and *Fillmore*, and the committee rose and

The house adjourned.

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CHRONICLE.

Abolition and dissenion. The N. Y. Journal of Commerce of Tuesday says: "The American anti-slavery society, at their business meeting in this city last week, had under discussion the expediency of dissolving the Union in case they could not succeed in abolishing slavery. The subject was finally laid on the table."

Loss of camels in Afghanistan. The "Handbook of India," published in October, 1840, says, "from the commencement of the Afghanistan campaign in 1838, to the present time, the number killed, stolen or strayed, is upwards of fifty-five thousand. The average value of each may be taken at eighty rupees, which makes this single item of war expenditure above forty-five lacs of rupees, or four hundred and fifty thousand pounds."

Artists. The American residents at Rome, and visiters in that city, have subscribed the sum of 20 thousand dollars to constitute a fund for establishment of a school for American artists.

Aqueduct. The Lower Mohawk aqueduct, which conveys the Erie canal across the Mohawk, a few miles from Albany, is said to be the largest in America. It stands on twenty-six arches, each thirty-seven and a half feet span. The entire length is 1,140 feet; breadth forty feet. It was finished on the 20th ult, and cost $315,000.

Canadas. The parliament of the province of Canada has been further prorogued to the 18th of June, but not to meet for the despatch of business, so that the prorogation will be continued.

Mr. Clay by invitation of the citizens of Lexington, Ken., will partake of a public dinner at that place on 9th June next.

Cotton seed for India. The Savannah Republican, says, "as we passed along the wharf, we saw two hundred and fifty neat, iron bound casks, each of which would contain about two bushels, going on board the ship Aurelius—and, on inquiry, we learned they all contained cotton seed, except fifteen, which were filled with unginned Sea Island cotton. The seed was both Upland and Sea Island: and the shippers, Messrs. A. Low & Co., informed us that it was ordered for the East India market; it would be re-shipped at Liverpool—and would probably be nearly a year reaching its destination."

Cotton in India. The report of the agricultural society of India had made its appearance just prior to the despatch of the journals received by the last overland mail, but unaccompanied by the papers which are read at the usual meetings, and which illustrate the progress made in the various operations of cultivation. It however, states that the chief objects which have engaged the attention of the society, during the year 1841, were the condition of rice cultivation in Bengal, and the benefits likely to result from the introduction of Carolina rice, and the interchange of the Barasat grain with other districts of Bengal; the establishment of hop cultivation in India, and the production of ripe hops at Bangalore; the planting of timber trees throughout the north west provinces; and the receipt and distribution of a large supply of American cotton seed, to the extent of 82 maunds, which are stated to have been despatched to almost every district in Hindostan, as well as to the neighboring countries. At the nursery of the society the greatest attention has been bestowed on the culture of the sugar cane, of which 41,400 had been distributed through the provinces, the sum being the raising of the character and value of that product. The society, on the whole, appears to be in a flourishing condition, and the native members were increasing; the ratio at present, as compared with Europeans, was, however, as 1 to 15.

Immediately below the abstract of the report of the agricultural society, in the India papers, is the account of the failure of the cotton experiment at Surat, where it will be remembered it was commenced under the three American planters whom the court of directors procured, at so heavy an expense, in order to improve the cotton cultivation of India. The ill-success attending the experiment seems to have arisen from the bad management of the general superintendent, the chief collector of the district, who appears to have been a person but little adapted for the overlooking of an experiment so important in its character, connected as it is with the manufactures of the mother country.

Despatches. Alexis Eustaphieve, esqr. consul general from Russia, bearer of despatches to Washington, and lady, arrived at New York on Monday evening in the ship Quebec, from London.

Deaths. The 36th regiment, which embarked for England, a few days since, at St. John, N. B., has been absent from home twelve years, and out of 700 who constituted the regiment when it left England, *only forty* lived to return.

Emigrants. To New York in April 1841, were 3,207; in April 1842, 6,952.

Georgia. *Sumpter county.* The Columbus Times of 6th inst. reports a lawless outbreak on the 2d inst. in Sumpter county, at the meeting of the superior court. A crowd destroyed the court papers, forcibly carried off the deputy sheriff, prevented public sales, but failed to prevent the judge from holding his court.

Holmes. In the U. S. circuit court at Philadelphia, Alex. Holmes was sentenced to fine of $20, and to hard labor in penitentiary 6 months.

Capt. Andrew Lewis. The Cincinnati Gazette mentions that the remains of Captain Andrew Lewis, late of the 3d regiment of U. S. infantry, were interred with military and monarse honors on the 3d instant, at Newport, Kentucky.

Iowa newspapers. There are now published in the territory of Iowa, nine weekly newspapers.—The same number of weekly newspapers are published in the territory of Wisconsin. [Sun.

Naval. The Vandalia, sloop of war, commander Ramsey, sailed from Norfolk for the coast of Africa on 13th inst.

Lt. George Adams has been suspended for two years on the charges lately preferred against him.

New Jersey. The Van Buren democratic state convention, which was to have taken place at Trenton, early in June next, has been postponed until the 7th day of September next.

The fortifications of Paris. These stupendous works are considerably advanced. The wall is about thirty feet high. In front is a ditch fifteen feet deep, and fifty or sixty feet wide. The earth displaced in digging the ditch is thrown into the interior of the wall and forms an embankment equal to it in height. The embankment is made flat at the top, and thus furnishes a level surface giving ample room for placing cannon or soldiers. Independent of the great wall, there are seven detached forts on various heights around the city. These works are estimated to cost four hundred millions of francs,

Passengers. Among the passengers who arrived at New Orleans on the 5th inst, was the hon. W. S. Murphy, late U. S charge d'affaires at Guatemala.

Mr. M. was a passenger on board H. M. ship, Illustrious, Adams, and was taken on board the rocket ship Kentucky, from Boston bound to N. Orleans in the Gulf of Mexico.

Paisley emigrants. The British government has ordered into large pay, the Duchess of Argyle and the Lady Gifford, to be chartered for the Paisley unemployed weavers, to sail from Greenock for New Zealand about the beginning of June, and a government agent has been appointed to organize the expedition. [Sun.

The Reeside case. In the case of James Reeside vs. the United States, on a motion for a new trial, Judge Baldwin gave his opinion, overruling the motion, and directing judgment to be entered on the verdict. The sum awarded to Mr. Reeside by the verdict, we believe, was about $188,000.

Benjamin Rathbun. Gov. Seward of N. York has a second time refused the applications urged on him for the pardon of this individual.

Rhode Island revolutionists. *The overt act!!!* The New York papers of Wednesday evening, 18th inst. furnish us with some later items from Providence, than are contained under the head of States of the Union.

The Providence Journal of the 17th, 3 P. M. says, "Mr. Dorr remains at the house of Barrington Anthony. The house is guarded by soldiers, and a cannon is placed by the side of it. At about 1 o'clock the signal of alarm was given, and according to orders, some two or three hundred men assembled. A few minutes then were spent in the alarm was given in consequence of a report that the sheriff was about to arrest Dorr. The crowd was very much excited. Barrington Anthony addressed them, and declared that Dorr should never be taken from that house alive. A voice in the crowd demanded to be led on to the attack of the arsenal, and several responded to it; but the orator cautioned them against committing any "overt act."

In the course of the afternoon of the 17th, the Dorr party took possession of *two four pound pieces of artillery belonging to the state.* A letter dated at the Cadet armory, Providence, 6½ o'clock, P. M. 17th, published in the N. Y. American, says: "We are in open rebellion here, an outbreak is expected every moment. I am drafted in the Cadet company. The suffrage military have just taken possession of the state's cannon; they are now going to take the arsenal. The crisis has come. We are all in arms.—No time to write.

I am at the cars—they are off in a moment. Just before writing this I was in the private council of Governor King; there is a list of 1,000 men who have pledged themselves to come out at a moment's notice—they are now issuing the orders. The military are coming in from all parts of the state. The Dorr troops are collecting, and in less than 48 hours the question will be settled.

Bishop Soule, representative of the Methodist Episcopal church of the U. States, to the Wesleyan conference which assembles in London next month, left on 14th from New York.

Silk. The amount of raw silk which was raised in the United States during the last year, is estimated by the commissioner of patents to be about 30,000 pounds—which, at $5 per pound, the value which is placed upon it, will make the sum of $150,000.

Temperance. The Maryland State temperance convention held their meeting at Baltimore at St. John's church during the past week, commencing their session on Tuesday. A resolution of thanksgiving for the unexampled prosperity of the cause for the past year was unannounced adopted.

In New Orleans there are three hundred and twenty-three grog shops, of all characters, which pay one hundred and ninety-eight thousand dollars for licenses. The Bee estimates their cost to the city at two millions two hundred thousand dollars. What a vast amount of money thrown away.

Texas. States to May 3d, have been received at New Orleans. The people of Yucatan, it is stated, are determined, to carry on the war against Mexico, at every hazard, and have granted extraordinary powers to their president, in case of invasion. Mr. Lisbeck, one of the Santa Fe prisoners who escaped from Mexico, arrived in New Orleans. Santa Anna, the story goes, has embodied 35,000 troops for Texas and Yucatan, and purchased two merchant vessels at Vera Cruz for transports. The money for these expenses has been obtained from the church; all property held by them in *mort main*, estimated at $15,000,000, has been given to Santa Anna to prosecute the war against Texas. He has also made a forced loan of 8,000 doubloons, from the priests of Puebla. In the meantime, the war movements of Texas appear to have come to a stand still, though General Houston, it is stated, is firmly bent upon carrying into execution his designs of invading Mexico. He has issued a proclamation, repudiating the agents of certain committees of vigilance and safety," who are employed in soliciting contributions, and desires that all further supplies for Texas may henceforth be placed in the hands of the government agents and reported to the principal Texas agent at New Orleans, with duplicates for the secretary of war at Houston.

Gen. Houston announces to the committee at Galveston, that he is engaged in organizing an expedition against Mexico. Gen. Hamilton, in a letter published in the last Charleston Mercury, is in favor of the invasion—but estimates the number of troops necessary to accomplish the object at about 25,000.

Santa Fe. The Western Missourian of the 23d ult. says: "A large company of Americans and Spaniards are now encamped near this town, and will leave for Santa Fe about the 1st May. The Americans are under the superintendence of Messrs. Alvarez, (C. S.) Gamble, Wetherd, Kelley, and Huffman; the Spaniards under that of seignors Armigo, Ortuere, and Perea. They take with them, over $150,000 worth of English and Eastern coast goods. They have 62 waggons, and about 600 mules.

"The trade has been opened earlier this year on account of the forwardness of the spring. There is now an abundance of pasture to be obtained on the prairies for the mules."

Virginia legislature. The house of delegates will stand, 84 Van Burenites and 50 whigs—the senate, 20 Van Burenites, and 12 whigs—Van Buren majority on joint ballot, 42.

The hon. Daniel Webster arrived at Boston on Saturday last.

Wheat crop of 1842. News from all parts of the country present the most flattering accounts of its luxuriance and promising abundance.

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NILES' NATIONAL REGISTER.

FIFTH SERIES.—No. 13.—VOL. XII.] BALTIMORE, MAY 28, 1842. [VOL. LXII.—WHOLE No. 1,600.

THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

The steamship Acadia left Liverpool the 4th, and arrived at Boston on the 21st inst. The dates are fifteen days later than by prior arrivals, they add little to previous information. Affairs remain quiet in Europe.

The steamer Columbia arrived at Liverpool from Halifax on the 19th ult. The packet ship Independence, with Washington Irving, our minister to Spain reached Liverpool on the 2d inst. from N. York.

GREAT BRITAIN.

There has been nothing of particular moment in domestic or foreign, political or commercial affairs during the past fortnight, with the exception of some disturbances amongst the workmen in the mining and manufacturing districts, which have originated in the attempt to reduce the amount of the wages of their labor in consequence of the depressed state of trade, or in their idea that a reduction will be proposed and effected, in anticipation that the cost of the prime articles of subsistence will be lessened as soon as the new tariff comes into operation. No serious consequences have ensued, and there is reason to believe that what did transpire has been very much magnified by the caterers for the press. Quiet, we are happy to say, has been completely restored.

In the British parliament the public business goes on steadily, notwithstanding the efforts of the opposition; the premier is daily complimented with addresses from public bodies connected with the mercantile interests in the large seaports, and the great measures of the government become every hour more and more assured of success. The corn importation bill was agreed to in the house of peers by a majority of more than one hundred on each great division, and in the house of commons there have been decisive majorities in favor of the income tax bill.

The spirit of the opposition has almost wholly evaporated, and the tariff of sir R. Peel will shortly be a part of the commercial code of the country. The income tax bill contains 188 clauses, 68 of which were disposed of in committee on one evening.

The number of unemployed poor at Paisley, according to the last accounts made up, was 13,327; being an increase upon the last previous account. A large number of men belonging to other regiments, have volunteered for the regiments, particularly the 10th, which are under orders for India. Their love of "glory" must be very strong indeed.

The steamship Dutchess of Sutherland was lost on the 25th, by running upon the Maplin Sands, near the Nore. No lives lost. She was one of the largest steamships trading between London and Scotland.

Nearly a whole family of children near Belfast in Ireland, had been eaten up by hogs, who, ferocious with hunger, had broken into the cabin where they were sleeping.

The accounts from the manufacturing districts were still gloomy, though there had, apparently, been some little improvement in the general state of trade.

An extensive meeting of merchants and others connected with the East and West Indies, the Peninsula, and the Mediterranean, is about to be held in London to memorialize the government and take such other steps as may be necessary in order to have the mails to and from those places embarked and landed at Southampton instead of Falmouth.

FRANCE.

From a communication made to the budget committee it appears that the expense of constructing the new harbor at Algiers will amount to from 20 to 25 millions of francs.

The papers comment on the late message to congress of president Tyler, in a manner which leads to the inference, that they would gladly witness a breaking out of hostilities between England and America.

SPAIN.

Accounts from the Philippine Islands, published by the correspondent, under date 15th January last, announced that the military authorities had adopted the most violent measures to repress the revolt at Tabayas and that 1,400 persons had already fallen victims to the sanguinary decree of captain general Orara.

At Madrid, on the 13th ultimo some disturbances broke out in consequence of a coalition of the operatives, owing to want of work and dearness of bread.

A Cadiz Journal gives an afflicting account of the sufferings of that city from extreme drought. Water is so scarce that a small barrel is not to be obtained for two reals, and all articles of food have been so scarce and dear, that the population is in danger of sinking from hunger as well as thirst.

A letter from Cadiz states that such an immense quantity of contraband goods had been landed there as the oldest inhabitant does not further ever having witnessed. A large English brig was seen several days in the offing, and one evening anchored in the bay. The next day the inhabitants beheld 5,400 bales of prohibited goods in the heart of the town.

ALGIERS.

Accounts from Algiers state that Abdel Kader having crossed the Tafna on the 11th ult. for the purpose of attacking General Bedeau, as he was falling back upon Tirnea, on account of the badness of the weather, a combat ensued, in which the Emir's cavalry were put to flight. Some of Abdel Kader's troops were slain, amongst them two influential chiefs; but the important success of the day was the capture of the Sheriff Sidi Eunaza, considered as the right hand man of the Emir.

TURKEY.

Private letter from Athens of the 10th ult. state that a misunderstanding of no small kind between Turkey had subsided, and that the people were reconciled to the idea of leaving the settlement of their differences with the porte to the European powers.

According to accounts from Salonica, of the 25th March, the reinforcements intended for Syria were on the point of sailing for that destination. Abasiaga, who was appointed their commander-in-chief, was to embark in a few days, at Volo, with the first column consisting of 2,000 men, and his brother will shortly follow him with another corps of 1,000.

INDIA AND CHINA

The French government received an express from their consul at Malta, announcing the arrival there, on the 25th ult. of the Great Liverpool, with intelligence from India and China. Her dates are to the 1st of March from Bombay, the 18th of February from Candahar, the 21st of the same month from Jellahabad, and the 14th of February from China.

The British in China have captured three other towns, Yapoo, Taikee and Tunghova, which are situate within a circle, extending from 20 to 40 miles round Ningpo.

Sir Henry Pottinger, who arrived at Hong Kong on the 1st February, had abandoned the intention of attacking Canton. He was concentrating all his forces with the view of directing them on Pekin, and had refused to negotiate with the commissioners sent to him by the emperor, being determined not to treat but with the sovereign directly.

In Afghanistan, General Pollock seems to have given up all idea of forcing the Kyber Pass until he should have received the reinforcements he expected, or unless Gen. Sale, whose position was one hanged, desired his assistance. The latter had 10,000 men at Ghuznee and Khelat-i-Ghizee the British still hold the same position. The Afghans surrounded Candahar with numerous forces, and Major gen. Nott was preparing to repulse them.

Lord Ellenborough, who reached Calcutta Feb. 28, was immediately proclaimed governor-general of India.

From various apparently unexceptionably sources we have learned that the female captives in Afghanistan, for whose fate great apprehension was naturally felt, have been kindly treated. The widow of sir W. Macnaughten has written to this effect.

ITEMS. The quarterly average of the Bank of England for April 30, 1842, gives £25,528,000 in liabilities and £28,486,000 in assets.

The intelligence of the invasion of Texas received in London on April 22d, caused a check in the speculation of Mexican stocks and a decline of 3½ to 3¾. The death of the Spanish capitalist, M. Apsuda, and Rothschild of Spanish finance had caused a decline of the Spanish stocks.

On May 12th, a grand pageant is to come off, and their majesties as Edward and Philippa will receive the liege homage of the nobility in the costume of that period. The Dutchess of Cambridge adopts the character of Anne of Britanny, the countess of Jersey assumes the costume of the Medici.

The number of emigrants freighted for America from Limerick alone this season is 3,032.

Deaths. Earl Ludlow died at his seat near Bedford aged 63. He had served in the American war. General Scott, the oldest officer of the British army, aged 97; the earl of Shannon, aged 71.

In reply to Mr. O'Connell, in the house of commons, sir Robert Peel stated, that the British minister at Mexico was not aware of the contents of the letter which he conveyed to the president of the Mexican republic for General Hamilton, offering sums of money to purchase the independence of Texas and to bribe the officers of the Mexican government. As soon as he learned the nature of the communication, the Mexican minister wrote to the secretary of state for foreign affairs, expressing his regret that he should have been made the medium of the transmission.

The princess de Nemours was delivered of a son on the 28th of April, who was named the Count d'Eu.

The French papers announce the death of marshals Clausel and Moncey, who have been important personages in the history of France, of Mr. Humann, the minister of France, who was found lifeless in his study, a pen in his hand, and the sentence which he had been writing unfinished. He died of apoplexy. He has been succeeded in the cabinet by Mr. Lacave Laplagne, whose appointment gave great satisfaction on the Bourse and the French funds accordingly improved. The famous Eglise de la Madeleine was consecrated on the 30th.

Aguado, the great Spanish banker, died from an attack of apoplexy, at Gijon in the Asturias, on the 12th ult. He was 56 years old, and leaves a property of upwards of £2,000,000 to be divided among his three sons.

A Bordeaux journal states that the late M. Aguado bequeathed by his will to his parish church of Notre Dame de Lorette, in Paris, the magnificent Magdalen, in marble, by Canova, which he purchased for 63,000f. three years ago, at the sale of the gallery of the Marquis de Sommaravia.

Discovery of islands in the Pacific Ocean. The Cape of Good Hope papers notice the discovery, by an English whaler, of several islands in the Pacific Ocean, previously unknown. They were eight in number, of some extent, fertile, and inhabited. The appearance of the natives and the canoes, &c. were totally different from any others in that neighborhood.

The correspondent of the Courier des Etats Unis states that the Russian minister at London, Brunow, has advised Mr. Everett that America may expect no countenance and support from the cabinet of St. Petersburg in her projects of opposition against the rights of visitation and search, Russia having determined as far as she could to repress the trade. M. Brunow added that the French government had interior difficulties on the question, but that it was united with the other powers, and that the European concert would be in reality and in all its plenitude on this question, and that the adjournment of the ratification was but a delay simply and no more. The *Presse* remarks that there is not a minister in France who knows not, that in ratifying the treaty of December 20, he would be preparing an act of accusation for himself. Four vessels arrived at Toulon on April 26 from the Levant and are holding themselves in readiness for a demonstration before Tangiers, where the flag of the American consulate there had been hauled down by its insulted consul. The aid of the Moorish emperor to Abdel Kader is the occasion of the French visit.

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NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Land officers. Alexander W. Jones, register, Edwardsville, Illinois, vice Samuel H. Thompson, deceased.

Archer G. Herndon, receiver of public moneys at Springfield, Illinois, vice John Taylor, whose commission has expired.

Custom house officer. Augustus W. Walker, collector, at St. Augustine, Florida, vice John Rodman.

Indian officers. James L. Dawson, for Ira Crooks, in the place of James Logan, whose term of office has expired.

Thomas H. Blake, of Indiana, to be commissioner of the general land office, in the place of E. M. Huntington, resigned.

Joseph Grafton, surveyor of the revenue at Boston, (Mass.) vice John McNeil, whose commission has expired.

OUR CONSUL AT MOROCCO. The London Morning Chronicle contains the following outline of the proceedings of the government of Morocco, in reference to our late consul at Tangier.

The French papers speak of a serious difference between the government of Morocco and the American consul at Tangiers, Mr. Carr. Some days ago recalled, and was about to take his departure, when the Moorish authorities refused to permit his departure till the emperor had given an order to that effect.

Mr. Carr sought to embark in despite of obstruction, but was prevented and maltreated. He complained to the emperor of the officers, who, instead of dismissing or reprimanding them, merely sent a permission to Mr. Carr to depart, taking with him all the good and all the ill he had received. The American fleet, it was said, were about to take vengeance for the affront.

Mr. Carr left Tangiers on April 7, accompanied to the wharf by all the foreign consuls.

STATES OF THE UNION.

MAINE.

MESSAGE OF THE GOVERNOR.

To the Senate and House of Representatives:

I herewith lay before you an official communication from the hon. Daniel Webster, secretary of state for the United States, under date of the 11th of April last, relating to the northeastern boundary; by which it will be perceived that "Lord Ashburton, a minister plenipotentiary and special, from Great Britain, has arrived at the seat of government of the United States, charged with full powers from his sovereign to negotiate and settle the different matters in discussion between the two governments." And that, in regard to the boundary question, he has officially announced to the government at Washington that he has authority to treat for a conventional line, or line by agreement, on such terms and conditions, and with such mutual considerations and equivalents, as may be thought just and equitable; and that he is ready to enter upon a negotiation for a conventional line, so soon as the general government shall say it is authorised and ready on its part to commence such negotiation.

Under these circumstances, the president of the United States has invited the co-operation of the governments of Maine and Massachusetts in an endeavor to terminate this long-pending controversy.

The communication states further, "that, without the concurrence of the two states, whose rights are more immediately concerned," "the duty of the general government will be to adopt no new course, but to hasten the pending negotiations as fast as possible." And it is subsequently added that "the government has agreed to make it (the boundary question) matter of reference and arbitration, and it must fulfil that agreement unless another mode of settling the controversy should be resorted to with the hope of producing a speedier decision."

The question presented for your consideration is not a party question, but, is, emphatically, a state question; one in which the whole people are interested, and on which their opinions and wishes should be truly reflected. The subject of the boundary has ever appeared to me to constitute a common ground from which party policy and party strifes should be sedulously excluded, and on which no other contention or rivalry should be witnessed than that which naturally springs from an ardent zeal in the cause of the state. That the question immediately before you is not free from embarrassment and difficulties is manifest, and it is equally clear that a calm, dispassionate consideration only, can lead to satisfactory results.

When we regard the clearness of our title to the territory in controversy; the frivolous and unfounded pretensions of the British claim; the long and vexatious delay that has been designedly affected; the frequent invasion and occupation of our territory; the devastation of our forests; the arrest and imprisonment of our citizens; there is danger that an honest indignant feeling may lead us to look many important considerations necessary to a discreet and sound decision.

It is due, therefore, to the subject, that we view it in other lights. If an alternative now contemplated, it seems, by the general government, is a submission of the question to another arbitration, against this I have heretofore remonstrated. I believe, will continue to remonstrate. We cannot perceive the difference, so far as authority is concerned, between doing a thing directly and indirectly. If the general government has no power to cede directly any portion of this state, neither has it the power to accomplish the same thing through the forms of an arbitration. But right or wrong in our position, neither Maine nor Massachusetts may be hereafter in maintaining it; we see, as a matter of fact, that the general government is determined to attempt the exercise of a power, and thus once more jeopard our territory, unless some other mode of adjustment be agreed upon. That this should be seriously considered, in coming to a decision, is obvious.

The president then proposes, it is stated, "that the governments of Maine and Massachusetts should severally appoint a commissioner or commissioners, authorized to confer with the commissioner of the general government upon a conventional line, or line by agreement, with its terms, conditions, considerations, and equivalents, with an understanding that such line will be agreed upon without the assent of such commissioners.

It is further stated, that, in view of the fact that the British minister is absent, and its stay in the United States is not expected to be long; "that more than four months of the session of congress has already passed," "it is apprehended, perhaps, being necessary, if, happily, a treaty should be concluded; "the importance of the subject," and a "firm conviction in the mind of the president that the interests of both countries, as well as the interests of the two states more immediately concerned, require a prompt effort to bring this dispute to an end, constrain him to express an earnest hope that the executive of this state will recommend to legislature and submit the subject to their grave and candid deliberation."

With this request, I have deemed it my duty to comply; and now submit for your consideration the matters presented in the communication aforesaid.

This step has not been taken without mature deliberation. The expense of an extra session, the busy season of the year, the danger of divided and distracted councils, as well as other considerations bearing upon the point, have not been overlooked. But weighty as they are, if the interests seemed to me, that I should not have been justified in refusing to give the people an opportunity, through their representatives, to entertain and decide a question of so much importance as the one now presented. And whatever might have been my individual opinions as to the ultimate action that should be had, the duty of convening the legislature seemed to have been regarded as no less imperative; this duty being distinct from and independent of that devolving upon the legislature when convened. The responsibility of further action now rests with you, by whom, I have no doubt, it will be met and discharged with that calmness, prudence, and deliberation, required no less by your own high reputation than fidelity to your constituents.

Whatever may be the claim, however, of the general government as to its power through indirection, it does not claim the power of ceding, directly, any portion of our territory, or of directly agreeing to any other line of boundary than that described in the treaty of 1783. Yielding to the correctness of our position in this respect, the general government now asks this state for authority thus to settle the existing controversy, and invites her co-operation in effecting that object.

The British government also is now prepared to propose, for so I am disposed to regard the matter, what may be thought to be "a just and equitable equivalent" for a portion of that which she has heretofore claimed as her own. If this is not going as far as some may deem the honor of the state requires, it certainly is far less objectionable than most that we have been accustomed to receive from that quarter.

If any thing less than this is intended, I am persuaded that nothing will be accomplished in the way of an adjustment. If it is to be said, as has been said, that the treaty line must necessarily be agreed upon, or that the case is so involved in doubt and difficulty that the only equitable way of resolving it is by "splitting the difference," and dividing the territory in some agreed proportions, such propositions, if not regarded as absolutely insulting, would not, I am confident, be favorably listened to by a single citizen of the state. The treaty line we know to be a practicable one; our claim to the whole territory embraced within that line, we know to be just; and after the course that has been pursued in regard to it, we have a reasonable right to be shaken, that we could not honorably relinquish a part to obtain an undisputed right to the remainder. But if Great Britain is prepared to honestly yield the point of title, and offer us a fair equivalent, in other territory, privileges of navigation, &c. for a portion of this territory, as I am at present disposed to believe, I do not see why this vexed question may not thus be put for ever at rest. And it is difficult to perceive how Maine, in thus consulting her interest, would compromise her honor.

Entertaining these views, I am free to say, that I think favorably of the appointment of commissioners by the legislature, with such powers as a just view of the case would seem to require; and not wishing to avoid my share of responsibility, I cheerfully recommend that course.

It may be that I have formed a too favorable opinion of the present disposition of the British government, and that a totally unreasonable, and, of course, unacceptable proposition will be made to us. What then? Would it necessarily follow that we had erred in appointing commissioners, and placing ourselves in an attitude to learn what the proposition would be? We shall, to be sure, have incurred the expense of an extra session of the legislature, but we shall have shown to our sister states and the world, that, having a just cause, we are disposed to adopt a liberal and fair course in conducting it; and that although strenuous and ardent in the maintenance of our rights, we were not obsinately bent on a course tending to increase irritation, or bring about hostilities between the two countries. Let what would be the result, Maine would stand, as she has heretofore stood, blameless.

But it may be objected that the government of the state has heretofore decided this question, and refused to invest the general government with a power similar to that now proposed. I apprehend, however, that on recurrence to the proceedings referred to, it will be found that the proposition was then understood to be, that the executive of the United States should be entrusted with an unlimited power of fixing a new and conventional line; and that we were not to wait for propositions from the British government, but were to volunteer them on our part.

Governor Kent, in his special message to the legislature of March 14, 1838, says: "The grave and important question therefore presented to your consideration, it seems to me, was fully perceive by the documents referred to, is, whether you will clothe the executive of the United States with the unlimited power of fixing a new and conventional line." And again: "If a direct proposition had come to us, through the general government, for a specific line of boundary, yielding to us territory or privileges of irrigation equivalent to the unsettled territory to which we might cede to them, it would certainly have presented the question to us in a different aspect. But the question now is, as I understand it, whether we shall take the lead in abandoning the treaty and volunteer propositions for a new line."

The proposition then presented, as understood by the governor and legislature, was entirely different from the one now to be considered; and, of course, the resolve adopted by the legislature at that time cannot justly be regarded as committing the present legislature on this point, or in any degree impeding its free course of action.

I cannot close this communication without respectfully reminding you that this session has been called for a specific object, and expressing an earnest hope that your deliberations will be confined to that object; and that as much despatch will be made as may be consistent with due deliberation, thereby paying a respectful regard to the strong expectations of the people on the score of economy.

JOHN FAIRFIELD.

Council Chamber, May 18, 1842.

RHODE ISLAND.

MONDAY, MAY 16. Governor Dorr issued his proclamation of war against the United States, and hav-

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ing proceeded to the house of Burlington Anthony, a guard of soldiers was stationed there to protect him from arrest, with a cannon at the side of the house.

TUESDAY, MAY 17. At 10 o'clock an alarm of errest occasioned the firing of signal guns and an array of his forces, and later in the afternoon they were possession of two 4 pounders belonging to the state but used by militia of Providence, making in all in their service five pieces. The report of an intended attack upon the arsenal was spread. This was a stone building of thick walls, under charge of a man who is both cool and brave, (Col. Leonard Blodgett,) with force enough at hand to manage his post, "and contained 5,000 muskets, four pieces of artillery, and an abundant supply of ammunition.

At night a large number of suffrage men from the north part of the state reached Dorr's head quarters. His forces marched to take the arsenal.

The citizens determined to turn out and protect the property, which they did yet. Governor King having ordered out the militia which could be depended on. The night went through. Dorr and his military demanded the arsenal; they were told that it would be defended against them. This was about 2 o'clock in the morning. Their cannon were brought to bear; *but the attack was not made.*

King issued a proclamation at night calling upon the citizens to arm themselves.

WEDNESDAY, MAY 18. It was ordered in council that Dorr must be taken, if possible, to-day. With this view Gov. King despatched expresses into all parts of the state, and sent a steamboat to Newport, Bristol, and Warren, to bring his friends from those places. The boat arrived in the morning, and brought a large body of men, who were joined with their friends and prepared for the field of battle. This morning aid came likewise to Gov. Dorr's ranks, and the prospect was that a bloody fight must occur. The suffrage men were divided as of the charter to close their shops, and take a stand in the ranks. It was generally complied with.

Nine o'clock, A. M. More citizens under Gov. King have just marched over the bridge. They are all armed to the teeth. Bodies of suffrage men have likewise passed over. There is a report flying about that an effort is to be made to take the Dorrites at 11 o'clock. This is a critical moment for both parties; the streets wear the aspect of a holyday in morning; they are crowded with men, some with muskets in hurry, to the scene of action, others roaming about, mere idle spectators. A guard has been placed on the bridge by Gov. King, and at one of the doors of the market house. They prevent all from travelling either way, unless their business is stated or known. There is a body of armed citizens drawn up in military array in the square. They belong to the landholders.

Half past nine o'clock. We have just heard from the scene of strife; it seems that on the appearance of the military around Mr. Anthony's house this morning, that gentlemen came out and invited to the multitude that Gov. Dorr had gone into the country.

The body of citizens under Gov. King and Col. Blodget had marched up at once with the view of driving of the suffrage folks, without molestation, and surrounded Mr. Anthony's house. A detachment then went into the house, and, on searching, Gov. Dorr could nowhere be found. He had, it was reported, left town. We hear that a number of the landholders have gone in pursuit of him, with orders to take him wherever he could be found. The leaders on the part of the suffrage party had dismissed their men, and advised them to retire peacefully from the ground. A large body retired in compliance with this request. Others were on the ground in large number, and around the cannons, on the arrival of the body of citizens under Gov. King.

Many in the ranks of the suffrage men cried out "fire;" but there was no attempt in reality to obstruct the passage of Gov. King's men in surrounding the house and taking possession of the ground. The landholders, under the direction of the marshals of the United States, are taking guns and arms from all of the suffrage men as they pass through the streets on their way home. As the body under Gov. King passed the market, the bystanders gave three cheers. We observed in the ranks some of our most prominent men.

Half past one. Gov. King and his friends have just returned from Mr. Anthony's house. All has been adjusted. It seems a few of the suffrage men would not leave the cannon. After some considerable parleying, they finally told Gov. King and his friends that they would take the guns back to the places from which they took them, but that they would not have them, without resistance, taken from them.

The troops under Gov. King have all been drawn up in the market square, within the past few moments. Col. Blodget briefly and pertinently thanked each company under his command for its soldierlike conduct, and for their promptness in their armories. It is said Mr. Dorr has taken the Worcester road. Many think he will be overtaken by the body that has gone in pursuit. Thank God, all ends well, and our city is spared from bloodshed.

Colonel Blodget, the same who was in command at the arsenal had command of the force marched for the arrest of Dorr. At 11 o'clock, a handbill was circulated containing the resignation of the following, "officers under the people's constitution" who state therein that they "did not contemplate carrying the constitution into effect against the power of the general government," viz.

Hezekiah Willard, Benjamin Arnold, jr. William M. Webster, Frederick T. Stanford, Sam'l H. Wales, Perez Simmons, Eli Brown, Welcome Angell, John A. Howland, W. Coleman, J. F. B. Flagg.

A portion of those signatures subsequently turned out to be impromptu, viz. Perez Flagg, Arnold and Simmons, had not signed it. It was published at the order of J. A. Howland, one of its signers.

They also disavowed having "countenanced the late movements of Dorr, but had endeavored to counteract and prevent so deplorable an act and one so destructive of the cause in which they had been engaged."

The suffrage party left with the cannon commenced throwing up breast works three feet high in the afternoon, were left in the ranks of reflection during the night, and quietly dispersed next morning.

From the New York American.

The mingled forbearance and firmness of Governor King, and the state authorities generally, under the trying circumstances in which they were placed, are shown by the event to have been wisely adopted; and we hope that this will be more generally, looking on from a distance, we were disposed to reproach them with a want of energy.

From the Providence Journal.

"The flight of Dorr, the accommodation of his violent and atrocious course, by his immediate friends and the leaders of the party which has acted with him, will remove the only impediment to a liberal extension of suffrage. Such an extension no one contends against; and we take the earliest opportunity, after the establishment of law, and the manifestation of the determination of the constitutional people to stand by the government, to record our opinion that such an extension should be made. We should go about the work, not with the embittered feelings of party spirit, but in the spirit of a common interest, and seeking a common object."

GENERAL ORDER.

Head-quarters, Providence, May 19, 1842.

The commander-in-chief has received his orders from the to the Newport Artillery, Colonel Swan, to the Bristol Artillery, Lieutenant Colonel Taylor, and to the Warren Artillery, Captain Fessenden, for the prompt manner in which they responded to the order of the 16th instant, and for the efficient aid which they rendered in dispersing the armed hand collected on Federal Hill, in opposition to the laws of this state.

The commander-in-chief also tenders his sincere thanks to the Marine Artillery, Lieutenant Colonel Nightingale, to the Providence First Light Infantry, Captain Brown, and to the National Cadets, Captain Martin, for their services in guarding the arsenal when menaced with an attack on the night of the 16th instant, and for their steady courage and efficient aid in executing the orders of yesterday, while dislodging and dispersing the insurgents upon Federal Hill.

To the Kentish Guards, Colonel Allen, the commander-in-chief also tenders his sincere thanks; and, while the difficulty of assembling the company prevented their arriving in season to appear upon the field, he acknowledges with pleasure the evidence which their earliest possible arrival gives of their readiness to support the law and authorities of the state.

The commander-in-chief congratulates the several military corps and the citizen volunteers upon the termination of these disturbances, which threatened the overthrow of the regular authorities of the laws and to endanger the peace of the state; and he rejoices that this object has been accomplished in a manner which, while it enforced a determination to maintain, at all hazards, the supremacy of the laws, was signalized by exemplary forbearance towards those who had been betrayed into a violation of their duty as citizens. By order of his excellency

SAMUEL WARD KING.
Governor and commander-in-chief.

Elisha Dyer, jr. adj't. general of Rhode Island.

Executive department, May 21, 1842.

His excellency the governor requests those citizens who have supplied themselves with muskets from the arsenal and from the city council chamber, to retain them, and see that they are fit for use, until further notice, and to hand in their names and the number of muskets in their possession, at the office of the city clerk immediately. By order of his excellency:

Thomas A. Jenckes, private secretary.

The "minute men" who are enrolling their names at the New Era office, will take the hint. Sharon, who was in Rhode Island last week, says he got told, a narrow escape from a coat of tar and feathers.

N. Y. American.

MICHIGAN.

By his excellency, John S. Barry, governor in and over the state of Michigan.

A PROCLAMATION.

Whereas the national general and state treasurer of the state of Michigan, pursuant to "an act to provide for the adjustment of the five million loan," approved February 15, A. D. 1842, have made out a statement of all moneys received by the state upon the state bonds for five millions of dollars, issued in pursuance of "an act authorising the loan of a sum not exceeding five millions of dollars," approved March 21, 1837, and upon the state bonds for two hundred thousand dollars, issued under "an act authorising a loan of one hundred thousand dollars for the relief of the Michigan and Marshallpall road company," approved April 6, 1838, and "an act authorising the loan of a sum not exceeding one hundred thousand dollars for the benefit of the Ypsilanti and Tecumseh rail road company," approved April 6, 1838, and negotiated with said five million loan, and of the interest thereon accruing to the first day of July, 1841; and whereas the said national general and state treasurer, as by said first mentioned act directed, and pursuant to the provisions of "a joint resolution in relation to the adjustment of the five million loan," approved February 17, 1842, have made out, in connexion with said statement, an estimate of damages sustained by the state from the failure of the contractors, with whom was negotiated said loans, to pay the instalments remaining unpaid: And whereas, by said statement, after deducting therefrom the said estimate of damages, as directed by said act of the above mentioned date, there remains from the state of Michigan to the holders of said bonds the sum of two millions three hundred and forty-two thousand nine hundred and sixty 34-100 dollars: and whereas the said statement and estimate, with the result, have been submitted to me as by said first mentioned act required, and the same found to be correct:

Therefore, I, John S. Barry, governor in and over the state of Michigan, in accordance with the requirements of the said first recited act, do hereby issue this proclamation, to require the holders of the bonds, issued in pursuance of the acts aforesaid, to deliver at the office of the state treasurer of the state of Michigan, two millions eight hundred fifty-seven thousand and thirty-nine 76-100 dollars of said bonds, that the same may be cancelled, being the amount now outstanding for which no consideration has been received by said state, as appears by the statement aforesaid; or the holders, at their option, may return the whole amount of said bonds to said state treasurer, and in such case new bonds will be issued for the said amount of two millions three hundred and forty-two thousand nine hundred and sixty 29-100 dollars, so found due as aforesaid, to the holders of the original bonds.

And I do hereby give further notice, that, upon the return of the unsatisfied portion of the original bonds, or upon the issue of new bonds as above set forth, the auditor general, state treasurer, and secretary of state, under the sanction of the governor, are authorized by the said act first above recited to enter into a negotiation with the holders of all or any of the then outstanding state bonds, or with such other person or persons as may purpose to become the purchaser or purchasers of said bonds, to sell and convey, in satisfaction thereof, lands and other public works belonging to the state, at the first cost, or at a fair present valuation; and also such portion as may be necessary of the public lands that will become the property of the state under the act of the congress of the United States, granting to the state of Michigan half a million of acres; but that the special conditions of such negotiation, before the same becomes binding and obligatory upon the state, must be submitted to and approved by the legislature.

In testimony whereof I have hereunto set my hand, and caused the great seal of the state to be affixed. Done at the city of Detroit the 27th day of April, in the year of our Lord, 1842, and of the Independence of the United States of America the 66th.

By the governor: JOHN S. BARRY.

R. P. ELDRIDGE, *secretary of state.*

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TARIFF.

MINORITY REPORT OF THE COMMITTEE ON MANUFACTURES.

MR. HABERSHAM, FROM THE COMMITTEE ON MANUFACTURES, MADE THE FOLLOWING REPORT:

The minority of the committee on manufactures to which was referred so much of the president's message as relates to discriminating duties and domestic manufactures, not concurring with the majority in the views presented to the house, ask leave, respectfully, to submit their own in a separate report:

The undersigned, being the minority of the committee, are impressed with the very great importance of the subject, with its delicate nature, and with the difficulties and embarrassments in which it is involved. We are aware that it is a subject of the deepest interest, not only to every section of the country, but to almost every individual citizen, and therefore demanding of us and of congress the greatest and most impartial consideration. We are also aware that whatever views we may present will encounter the severest scrutiny, and be condemned by the many who look not beyond the limits of their own county or state, nor beyond the profit or loss of a particular branch of industry.

The capital and productive labor of the United States may be divided into six great interests: the farming, the planting, the commercial, the shipping, the manufacturing, and the mechanical, as distinguished from the manufacturing: each so closely allied with and dependent upon each other, that none can be affected, beneficially or otherwise, without affecting all, to a greater or less degree. In addition to these, there is another upon which they are all dependent, not only for protection, but for the very preservation—*the revenue of the Union*—which is itself, in turn, dependent for its increase or diminution upon the prosperity or depression of each and all.

If we did not approach to the consideration of a subject so comprehensive and so delicate, and the legislation upon which must so beneficially or inscitiously, upon this great and growing country, we would be wanting in the most ordinary patriotism as well as the most common self-respect.

The almost profound peace, of nearly twenty-seven years' duration, which has succeeded the long and destructive war consequent upon the American and French revolutions, has, by giving confidence and security to industry, increased, in an extent perhaps unexampled, productions of every description necessary for the support, the comfort, and the enjoyment of man; and these, in turn, by their abundance, have multiplied to like extent the population of the population both in Europe and in North America. If this extraordinary increase of productive force had been confined to the mere ordinary labor of man, assisted alone by the science, skill, instruments, and machinery, which he had previously possessed, consumption might, and probably would, have kept pace with production, and *our country, especially*, would not have been found in its present unprecedented situation; a situation in which a superabundance of food and clothing, and of other essentials is cause of complaint and distress in the mass. The United States produce more of these than are consumed at home, and more than can be sold or exchanged abroad for other which they need. The result is, that skill, and labor, and industry, seek employment in vain, except content to receive an equivalent in the produce of their own labor. The property and the product of the labor of the debtor will not command *that* which alone his creditor will consent to receive in payment—*money*, and, in consequence, a cry of distress, almost of despair, has come up to these halls, from all parts of our common country, and our legislation is required to give relief, where we fear legislation is powerless to give it. It would almost seem as if an all-wise and merciful but just Providence had willed to punish our cupidity, and to teach us content, by chastening us with the very superabundance of his blessings.

By the aid of chemistry and mechanics, the means of improving soils have been ascertained, and their cultivation, when improved, greatly facilitated; and lime, and marl, and compost, in themselves incapable of producing vegetation, have restored the worn-out lands of the old world to far more than their probable original fertility; while the daily disappearing wildernesses of the new, hitherto unproductive, are pouring forth yearly, in addition to supply already ample, their valuable products, exceeding in quantity the most sanguine anticipations, and overstocking the markets of both hemispheres with food and the raw material for manufactures.

Prior to the period of which we have been speaking, man had been content to borrow assistance in his labors from animal power, from the stream, and the wind; the two last of which he could neither increase nor command at his place where they were needed. Not content to depend on aid so uncertain and beyond his control, he sought in the vapor and the winds and the storm for a new auxiliary; searched effects for their cause, and found in the vapor power which, with abundant materials at hand, and lying waste around, he could both create and command when and where he willed. The steam engine sprung into being, and has worked a revolution in the world more extraordinary than any previous discovery of science. On the land it has rendered the unassisted labor of one possessed equivalent to, on the water as well on the land, has almost annihilated space, and has enabled us to say "to the uttermost parts of the earth," I thou art my neighbor.

Mr. Adams, in his report from the committee on manufactures in 1832, states that, at the conclusion of the war in 1815, the mechanical inventions then in use in Great Britain alone were estimated as equivalent in the manual labor of two hundred millions of people. If that estimate was correct, how great must be the increase since that time, not in Great Britain only, but throughout the world, and in these States? That of steam power alone must far exceed the manual labor of two hundred millions of people. If twenty-five years ago production and consumption kept pace with each other, and then only gave full employment and a fair equivalent for labor and capital, what must be the excess of production, when consumption, and its effects upon labor, when it is believed to be a moderate estimate to say that two hundred millions of laborers are now called, who work without tiring, and consume nothing, but the wood and water, and themselves are powerful agents in procuring and bringing to the place of consumption? The results of such an addition to the inevitable evils, and are now being realized in a production, far beyond the wants of consumption, of provisions, the raw material, and the manufactured article; and nations are contending with each other for their mere superfluities. The consequence is, a great reduction in prices; a great diminution in the profits of capital, and consequently depreciation of all species of property; a dearth of employment for labor, both of man and beast; a fall in wages, and a corresponding appreciation in the value of money. Had the increase of the elevating machinery, or means, kept pace with the increase of production, the relative value would have been preserved; but it is believed that the quantity of gold and silver now in use for circulation, or as a basis of circulation, is diminished, and is still diminishing, not only by the increased consumption in manufactures, but by the diminution in the produce of the mines. We calculate, in the last edition of his work, published in 1841, estimates the whole annual produce of the American and European mines, including those of Russia, to be about £6,000,000 sterling, and that, at the annual produce when greatest; and he estimates the value of the precious metals annually applied to the arts in Europe and America at £3,000,000, leaving about £2,000,000 a year to be manufactured into coin—being an increase of coin for circulation bearing but a very small proportion to the increase of marketable commodities. This reduction in the product of the mines is the result of the various causes. The monopoly, by the great house of Rothschild, of the quicksilver mines of Spain, from which the principal supply of that article is obtained, has, as stated by one of the gentlemen examined before the committee, enhanced its price to an extent so great that it can only be used profitably in working the richest ores; and millions of bushels of ores of inferior quality are, as we are informed, lying worthless on the surface to which they have been drawn, because the enhanced price of quicksilver has rendered the process of extracting the metal too expensive to work them to profit. This single fact proves how necessary it is to correct monopolies, especially for purposes of revenue, to trace effects to their causes, even if it be only to ascertain that those causes are beyond the reach of our legislation. If it be true, and we think there can be no doubt of the truth, that the production of the mines has in any extent diminished by this monopoly, then, to that extent, the circulation of specie, and of *paper based upon specie*, has been diminished, its relative value to property been increased, and the relative value of all property to money diminished.

The effects of the various causes which we have endeavored to trace, we trust not tediously or wholly unprofitably, have not been seriously experienced and man were tempted by their imaginary wealth, and by the facility of obtaining loans, to an extravagant and wasteful expenditure and consumption, and a spirit of wild speculation pervaded the land. The states, catching the pervading spirit, constructed rail roads and canals upon credits abroad, and thus gave additional employment to labor, and the means of a greater consumption; to the laborer, and, consumption still keeping pace with production, the evil effects of over-production upon the value of property and labor were not perceived or felt. But there was a great portion of this spurious circulation progress of the evil of over production, in diminishing the relative value of property to money; and when the banks were multiplied, and began to loan and issue their paper freely, and without regard to their specie means for its redemption, and the circulation was thus expanded by paper money resting on no solid foundation, the market value of property and labor was estimated by its value in this bank paper, and not in gold and silver, and prices advanced; in our own country until within the last two or three years, and we fear are not yet felt in their full extent. The substitution of bank paper, *resting on a solid specie basis*, for specie, in the circulation, was a beneficial correction, and checked for a time the has been withdrawn, and others portions depreciated, from its irredeemable character and want of confidence in its convertibility into specie, property and labor are again estimated by their value in specie, and the markets of consumption have been diminished, while production is rapidly increasing, both at home and abroad.

In Europe, the superabundance of labor, both in agriculture and manufactures, has reduced its price, while high taxation upon imports has prevented a like reduction in the prices of food, and now the day laborer and the operative are forced to work at wages so low as to be barely sufficient to sustain life, and no further reduction can of course be made. But the cheapness of manufactured articles has increased as production has increased upon consumption, and the price of labor *there* can be reduced no lower, a reduction in the price of the raw material of manufactures, the production of which has increased and kept pace with the demand, has become necessary, to save the manufacturer from loss. This reduction of the raw material has, in this country, been most especially felt in the article of cotton, which furnishes more than one half of all our domestic exports. Had the price of food kept pace with the reduction in the price of labor in Great Britain, by the admission of food from abroad under moderate duties, in exchange for her manufactures, she might still have retained a large portion of the market of the world, but, unfortunately for the great mass of her population, in her eagerness to protect capitalists, whether in manufacturing agricultural or commercial employ, she forgot the mere laborer, without other capital than his bone and sinew; and the consequences is, that she presents a mass of wealth unequalled by any other nation, in the midst of the most abject poverty and want, to which one-sixth of her population is subjected. Her system of high protection to all her great interests is a system of high taxation, not only upon all those great interests, but upon the labor of poverty. Her agriculturist is taxed for the manufacturer; the manufacturer, in turn, for the agriculturist, and both are taxed for the shipping interest, which, again, is taxed for the benefit of both; and all her people, and all her interests, are taxed to benefit her colonies; who are, in turn, taxed for the benefit of the mother country. Thus there is a complete circle of taxation, that proceeds of which, after paying to her numerous tax gatherers a large amount by way of compensation, flows into the treasury of the kingdom, to sustain her might and her glory, to which the happiness and comfort of the mass of her people are sacrificed. As evidence of the effect of this system upon the laborer landholder and upon the day laborer in England, we have only to turn to any newspaper of that country, which finds its way to this. As an instance nearest at hand, we give the following extract from the Yorkshire Gazette, found in the National Intelligencer of the 19th instant:

"It is said that, by the death of the late duke of Cleveland, his elder son succeeds to £50,000 a year, or nearly $390,000; Lord William Pawlett has a legacy of £560,000, or more than $2,500,000, and Lord Harvey another of £440,000, or upwards of $2,000,000; there is a legacy of £200,000, or nearly $1,000,000, to a grandson; the Dowager has the Yorkshire estates, the house in London, and an immense amount of plate, jewelry, and furniture. A large portion of the unentailed estates in Durham goes to one of his daughters. His Grace, it is said, had £1,250,000, or about $6,000,000 in the 3½ per cent. consols, besides plate and jewelry the value of £1,000,000, or $4,800,000."

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In the same paper we find the death of the Marquis of the Hertford announced, with the remark that he died worth £2,000,000, or upwards of $9,000,000. Such estates as these may, no doubt, be found in every county in England, and some even much greater. Now, we do not mean to say that these immense estates have been altogether created by the high protection afforded to the landed interest by the high duties on foreign grain and other products of farming, but that much of the accumulation has no doubt been from that source, at the expense of the day laborer, in the increase of the cost of his food.

Now, let us review the reverse side of the picture. We extract the following, from the first paper at hand, as a recent report. The cases stated are accompanied by others of like character, and are, no doubt, true representations of thousands and tens of thousands of cases in England, Scotland, and Ireland.

"Let us peep into the report of the poor law commissioners, that we may the better understand this new doctrine, which the humanity of Great Britain is about to engraft on the law of nations.

"These commissioners visited the poor in their abodes of wretchedness, and the following are a few of the facts selected from their report:

"One witness says: 'I have counted a good laborer, and when there is employment to be had, I am seldom idle. * * * I am idle for about three months in the year, on an average. In the beginning of the summer I was idle for three weeks, one day after another. I had no provision. I sold every article in my house, rather than let my wife out; you may be sure we ate the potatoes very sparingly; at last, I sold the pot I had to boil my potatoes, and I walked out of the door myself, my wife and six children. We went of where we were not known, and begged.'

"Another says: 'I would engage to work at home every day to the year for eight pounds, without food or support of any kind.'

"Another, in answer to the question, do your family generally use milk with their potatoes, says: 'Milk, sir! I solemnly declare, before my neighbors here, that I have been lying in my bed, having blister after blister on me, and did not drink a quart of milk, but eat potatoes and salt herrings, and had no milk and cold water. A great many of us would pray the Almighty to take us off; it would be better for us than to live in our poverty and need.'"

Yet it has been said, even on this floor, not once, but often, that Great Britain has been exalted to her present state of wealth, and power, and happiness, by a system of high protection; and her perseverance in that system is held up to us as example worthy of our imitation. But we say that a system, productive of such effects upon her population, ought not to be favored by a government established as ours is, to protect and preserve the rights and happiness of all, without regard to name or sectional interests, and whose desire for power and for glory ought to result no further than may be necessary to accomplish that main object.

But the statesmen of England themselves are beginning to admit the evils of that system, and are now endeavoring to effect a cure, as far as may be in their power, by a reduction of the protective duties on many of the necessaries of life; and a bill, by the last accounts, was then pending before parliament, introduced and supported by the ministry, to reduce some of the duties which have been found most oppressive on the laboring classes, and among others, on some of the very articles which are included in the retaliatory clause of the bill reported by the majority of the committee, and now pending before this house.

But, admitting that the system of high protection maintained by Great Britain is not only necessary but beneficial to her people; which we have just seen, is denied by some of her leading statesmen, and, we believe, only sustained by those who are deeply interested in sustaining it—that is, the great landholders—is there evidence that it would be suited to our circumstances, or that it will be wise in us to persevere in it? We think not. We will say nothing of her need of immense revenue to maintain her vast dominion by sea and land, her navy and her armies, and her hosts of civil officers. We will confine ourselves to the effects of her high protective duties on her population at home, without regard to revenue.

Great Britain is confined within geographical limits scarcely exceeding, if equalling, some of our own states. Within these narrow limits twenty millions of population are crowded. A portion of her lands is only fitted for pasturage, while another portion is well adapted to agriculture. Her bowels are filled with iron, tin, copper, coal, and other materials for manufacture. Her insular situation, while it gives her all the facilities for commerce, protects her people and their property at home from disturbance and destruction from foreign enemies. Her various interests are situated in the immediate neighborhood of each other, and, in many of her counties, are all intermingled. The laborer in the field gets wages from the farmer; his wife and children are employed in the factory; the factory consumes the coal or the iron, copper or tin, of the miner; the miner in turn, consumes the products of the farm and the factory. The factory works up the wool of the grazier—and so round the whole circle of the neighborhood, which itself is but a picture of the whole island. Thus each separate business, while it diminishes competition in all the others, adds, by its consumption, to the value of the labor and property of all.

There it would seem manifest that the whole neighborhood would be benefited by the factory; and so it would, if the government did not, under the guise of protection to the labor of each, extract a heavy amount of the profits of each and of all by high taxation; not by a tax operating directly upon the manufactures or the raw material, both of which can be exported to foreign markets, and thus escape the tax, but indirectly by a tax on the food of the laborer, who at last is the sole producer. This tax is laid in the shape of high duties, which prevents foreign grain and other provisions from coming into competition with the home product, and thus, by keeping the latter at high prices, enables the laborer to demand an equivalent in high wages, in order to enable him to live; and this increase of his wages retroacts again, to neutralize the benefit which the farmer derives from the protection. A revenue raised only on foreign grain would not have produced these effects; and in such case the amount of revenue would have been increased by the increase of imports from abroad, while now, the revenue, comparatively is derived from that source, in consequence of the high duty. In illustration of what we have just said, we beg to refer to the statement of Mr. Schenck, a large proprietor of the Glenham Wool Factory, in Dutchess county, New York, a part of which is annexed to the report of the majority of the committee, to be followed by another part of which is hereto annexed, marked No. 1. We give the statement for what it is worth, without vouching for its correctness; but, as he is a deeply interested witness in favor of manufactures and high protective duties, we may be permitted to rely upon his facts in an argument against the protective system; the more especially, as Mr. S. challenges a refutation of his statement, and is said to be an old acquaintance of the committee on manufactures of 1828.

Mr. S. states the capital of the company to be $140,000. They manufacture wool into broadcloths, kerseys, &c. They consume, in the products of the neighborhood, of—

Fleece wool, 170,000 lbs. costing	$72,954 39
Soap, 11,174 lbs. costing	1,195 98
Teazles	1,545 57
Cords firewood	585 88
	76,281 80
The pay, in wages to their operatives, per annum	40,000 00
	116,281 80

Thus, continues Mr. S. by the capital of $140,000 of this single factory, a market is furnished for the products of that county of $116,000. The labor of the 170 operatives, alone, supports not less than 500 persons, and these consume, weekly, of the products of agriculture, not less than the value of $200 per week, in beef, pork, flour, butter, eggs, milk, cheese, &c. equal to 10,400 per annum. To sum up the whole, in his own words: "Thus $1,422,000 is the agricultural capital now in requisition to supply the manufacturing investment of $140,000." This supply consists of the wool, soap, teazles and firewood used in the factory, and the fodder and summer pasture for the sheep, and provender for the horses, and food for 170 operatives, with their families, estimated at 500.

Here, then, is a large expenditure, beneficial to most, if not all, of the inhabitants of the county, in a greater or less degree, in the same manner as the whole population of Great Britain are benefited by their manufactures; that is, as long as the manufacturer can find a profitable market for his products, and as long as the government abstains from heavy direct taxation, outweighing the benefits. Is it surprising that the people of Dutchess county, looking alone to the immediate benefits to themselves, without regard to the ultimate effects even on *themselves*, or to the immediate effect upon other portions of the union, should be the advocates of high protection? But let us pursue the statement of Mr. Schenck, not for the purpose of exposing its temporary benefits to the people of Dutchess county, but for the purpose of showing its ultimate results upon the interests of the whole union, and also upon the people of Dutchess county themselves.

By the statement, the duties paid to the government, on the imported articles consumed in the factory, are—

On olive oil, 3,583 gallons; present duty, 20 cents.	$716 60
Nova Scotia boal, 50 chaldrons, (1,000 to be superseded by our own.)	108 00
Indigo, (Bengal), 6,080 lbs. at 15 cents	900 00
	1,724 60
Manufactures produced, 30,396 yards broadcloth, sold in N. York from $2 to $4 50; say average $3 25	$124,494 00
35,391 yards cassimeres or kerseys, at $1 25 to $2 25; say average $1 75	61,935 00
1,241 yards jeans, at 40 cents	496 00
Home valuation, by actual sales	186,925 00
Duty on the above sum of $186,925, at 33⅓ per cent. (at which rate it is presumed the foreign article would be imported), is	$62,308 33
Duty, 20 per cent. on home valuation Whole amount of duty actually paid into the treasury, as per statement	$37,385 00
	1,724 60
Loss to the revenue by excluding the foreign article	35,660 40

As the statement does not furnish the amount of sales, it is proper to state that we have ourselves fixed the above average of sales, and that the actual sales may have exceeded or fallen short of the assumed amount of sales. The average, however, is taken from data furnished, and is probably near the truth. This factory went into operation in 1823; and Mr. S. states the average profit of the investment to be only 8 per cent. but, by Mr. S's own statement, the aggregate dividend from 1832 to 1841, both inclusive, being a period of eleven years, is 58 per cent. which, divided equally among those eleven years, is 5-3-11 per cent. as follows:

1831, dividend 10 per cent.
1832, no dividend,
1833, dividend 10 per cent.
1834, no dividend,
1835, dividend 15 per cent.
1836, no dividend,
1837, no dividend,
1838, dividend 8 per cent.
1839, dividend 8 per cent.
1840, no dividend,
1841, dividend 7 per cent.

In the seven years previous to 1831 there was no dividend, except in the year 1825, when a dividend of 5 per cent. was made; and in 1827 there was a loss of 13 per cent. One more fact from the statement, and we will proceed to draw our conclusions. It states the whole expense of the factory (including the expenses of insurance, transportation, interest, &c., amounting to $7,135, 51, and sundries not specified, amounting to $3,795 66) to be $144,556. Now, our first conclusion is, that there is error either in our average of sales or in Mr. Schenck's statement of dividend of 7 per cent. for 1841; for the sales of that year being $186,925, and the whole expenses only $144,556, the difference would be $42,369, or upwards of 30 per cent. on the capital. We call upon those who know the prices better than we do to say whether the error is, and to what extent, if any. But take Mr. S's own statement of dividends for the last 11 years, and there is an average annual profit of 5-3-11 per cent., and in 1841 of 7 per cent.; either of which, we will venture to say, is better than the average of the rice, cotton, or tobacco, or wheat growers, in any part of our country in that year; and yet Mr. S. says "less than a duty of 50 per cent. on the foreign cost of woollens will not sustain the domestic manufacturer. The majority of the committee either doubt the truth of Mr. Schenck's statement of the amount of duty necessary to sustain the manufacture, or they are willing to let the woollen factories go to ruin; for, by the bill reported, the duty is fixed at 40 per cent. and upwards; being the same as the duty on 30th June, 1841, in which year the 7 per cent. dividend was made; and about 7 per cent. less than the duty in June, 1835, in which year the 15 per cent. dividend was made; and ten per cent. less than in June, 1833, when the dividend of 10 per cent. was made, and which last was a duty of 50 per centum—the least amount now fixed by Mr. Schenck as necessary to preserve the manufacturer from ruin. If so, not the laborer in that factory, or the farmer, or the

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grazier, who supply it, be deceived by the immediate benefits themselves: they must also look to the immediate and ultimate effect upon the revenue from customs, and reflect that, if home manufactures exclude the foreign, they must reduce or destroy revenue from foreign manufactures; and that the government will be forced, of necessity, to supply revenue for its ordinary wants, to heavy taxation on tea and coffee, now admitted free, and on salt and other foreign products of common use among them; and, when these fail to supply a sufficiency income, then to a direct taxation on their lands, buildings, sheep, and capital, as is now the case in England; for revenue must be had, and to an amount daily increasing, as the country increases, for the necessary increasing expenditure of the government. The immediate benefit, then, is lost, in the certainty of the ultimate burden, which, as in England, will reduce a large mass of our people to a taxation pressing them to starvation.

Having thus endeavored to show the effects of one small factory on its immediate neighborhood, and upon revenue, we will now proceed to examine the effects of the whole product of manufactures of the union upon different portions of the country, and upon the revenue from customs. For the purpose of doing this within a limited scale, we have selected a few of the most important, both of production and consumption, believing that an exposition of the effects of these will be a fair illustration of the whole. The facts which will be here presented are for the most part taken from the returns of the late census; from the treasury reports of imports and exports, especially of the year 1840, and from the evidence taken before the committee, a part of which is annexed to the report of the majority. In stating figures we have generally omitted numbers less than 1,000 as immaterial. The results of these calculations, many of which are large, may lead to apparent discrepancies in aggregates; and it is possible, even after the utmost care, that errors may have been committed to the extent of one or two twenty thousand in large sums; but errors of thousands where the results are millions, cannot materially affect the conclusions to which we have arrived.

By reference to the returns of the sixth census, just made, it will be perceived, that in eight states, which lie together, in the northern and northeastern sections of the union, viz: New-Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, and Pennsylvania), with a free population of 6,286,000, the value of manufactures of wool is $18,840,000; while the value of the same manufacture in all the remaining states and territories, including the District of Columbia, containing a free population of 8,316,000, and a slave population of 2,486,000—in all 10,802,000—is only $1,852,000. It will be further seen, that the quantity of domestic fleece wool produced in the year 1840, in the same eight states, is 20,266,000 pounds; a part of which, according to Mr. Schenck's statement, found a market at his factory at 48 cents per pound, or, according to the statement of Mr. Cutts, was worth in Vermont, in the same year, an average of 40 cents; which last we adopt as the basis of our estimate, and at which rate the above quantity of wool was worth $8,106,000, while in all the remainder of the union the production was only 15,555,000 pounds, worth $6,214,000; showing a difference in favor of the eight states of $1,892,000. It will also appear, by reference to the report of the secretary of the treasury of the imports and exports from the 1st October, 1839, to the 30th September, 1840, (the latest report we have), that of manufactures of wool there were imported, free of duty, 2,367,000 dollars; of goods subject to ad valorem duty, $6,227,000; and of those subject to specific duty, $463,000—in all, subject to duty $6,690,000. It will further appear, that there were re-exported of the above, free of duty, $24,000; of dutiable goods not entitled to drawback, $17,500; and of goods entitled to drawback, $346,000—making, in all, of goods manufactured of wool, which were imported and paid duty, $6,344,000. The result is, that the whole import of woollens which remained in the country for consumption for that year was only $6,689,000. After a careful examination, we cannot find that there was any export of the domestic manufacture in that year. The whole domestic production, of course, remained in the country for consumption, and which, added to the foreign import not re-exported, gives for the whole consumption of the union, in that year, $29,535,000; of which $18,840,000 was the production of the eight states above named. This consumption will give, as the consumption of each individual in the U. States, about $1 70; which, from our experience, is not the average consumption of the slave population, or scarcely so, and is so small as to induce the belief that foreign woollens must have been smuggled, or that the census returns are far below the truth. We will, however, take this as the average per head. The result is, that, according to population, the eight states consume $11,754,000, while the whole residue of the union consumes $17,631,000 worth.

Having now disposed, for the present, of the subject of woollens, let us proceed in like manner to the subject of manufactures of iron. By the census returns it appears that the aggregate manufacture of cast iron in the union is 236,903 tons, and that of bar iron is 197,233 tons; of which the same eight states produce 166,613 tons of cast, and 158,515 of bar, while the remaining 70 of all the rest of the union is 120,290 tons of cast, and 38,718 of bar. By the statement of Mr. Oakley, annexed to the report of the majority, it appears that the cast iron, when converted into certain forms, is worth about $80 per ton in the home market, and bar and other wrought iron about $85 per ton, average; and he estimates the whole wrought and cast iron made in the United States in 1840 at $25,000,000. Taking his values; and referring to the census returns for data on which to found proportions of production, we believe we have below detailed the result, that the eight states produced 67 parts, or $16,750,000, while the rest of the union produced 33 parts, or $8,250,000. By the table of exports of the produce of iron, for 1840, (see 122, page 252, it appears that the whole export of the United States of the domestic products of iron was $1,104,000; leaving for home consumption, in the union, $23,896,000. The table of imports, included in the above document, page 122, it appears that the amount of manufactures of iron imported in that year, paying ad valorem duty, was $2,175,000; and those entitled to specific duty—making in all $7,221,000; of which was re-exported, entitled to drawback, $134,000, and not entitled, $57,000; leaving amount paying duty, $7,027,000; and leaving for consumption, $7,040,000, and leaving for the whole home consumption, both of domestic and foreign, $31,030,000; of which, according to the ratio of production of the eight states, and of 6 parts to the residue of the union, the former consumed, say $12,412,000, and the latter 18,618,000 dollars. This estimate, even in this article, is probably a fair one, from the well-known destructive character of the slave population.

Passing, now, from the manufactures of iron, we will proceed to those of leather; and in this article, we rely upon the census returns of 1840, though said to be far below the truth. The whole leather manufacture of the United States is stated to be in value $23,000,000; of which the eight states produce $22,126,000, while the residue of the union produces only $8,008,000. The committee of a convention of dealers in manufactured and operatives in leather, assembled in Boston in March last, reported to your committee, as will be found in the statement annexed to the report of the majority, that they estimate the annual manufacture produced in the United States "more than $50,000,000 worth annually, employing 100,000 persons." We will, however, confine ourselves to the amount stated in the census returns, because it exhibits the comparative amount of production in each state; premising that the above committee state the product of Massachusetts alone as equal to $18,000,000, or more than one-half of the whole, as shown by the census. The import of manufactures of leather into the United States in 1840, paying an ad valorem duty, was $473,091, and specific duties $29,407, and re-imported $8,000, (which re-export of $80 worth went to Texas), leaving $542,000 for consumption, paying duty. The domestic exports were, of shoes and boots, $24,000; and of saddlery, $59,517, together $273,800, and being more than half of all the import; leaving of domestic and foreign production, for home consumption in the United States, 22,853,000, or about $2 average to each person, and which, according to the ratio above adopted, of 4 parts to 6, will give for consumption to the eight states $13,261,000 and to the residue of the union $9,592,000; and as this cannot certainly be incorrect, if the whole consumption, as estimated by the manufacturers, of $50,000,000, be correct.

Passing from the manufactures of leather, we will proceed to the examination of those of cotton. By the census returns it appears that the whole value of cotton goods manufactured in the U. States is $46,350,000; of these, the eight states produce $41,380,000, and the residue of the union $4,970,000. The value of like manufactures imported into the United States in 1840 is $6,304,000; and the amount re-exported $1,103,000; leaving for home consumption the value of $5,401,000. Of the re-exportation, the value of $389,700 was entitled to drawback; which, being deducted from the whole import, leaves $5,515,000 subject to duty. The exports of the domestic manufactures were $3,549,000; which, deducted from the value of the domestic manufacture, leaves for the home consumption $42,801,000; which, added to the foreign, makes the whole consumption of the United States in 1840 equal to $48,202,000, about equal to $2 80 for each person; and, adopting the above ratio of 4 parts to 6, gives for the consumption of the eight states $19,280,000, and for that of the residue of the union the sum of $28,921,000. Now, when we recollect that cotton cloth is used as a substitute for all other cloths, for every use to which cloth can be applied, and is of more common use among the poor than any other, we do not think that $2 80 per head exceeds the consumption of any section of the country; and if we are right in this, the census estimate must be entirely below the truth, as any individual can ascertain by calculating the average consumption of his own family, be they white or black. Time will not permit us to go into similar examinations of other branches of extensive manufacture in the U. States—such as paper, refined sugar, hats, and glass; the three former of which, it is believed, are now almost, if not entirely, excluded from import by the high duty.

Having endeavored by the above statements to show the comparative production and consumption in the eight states named, with that of all the rest of the union, in the above four great articles of manufacture, and also the amount of consumption of each of those articles which pay no duty, in comparison with the amount imported which pays duty, let us now proceed to ascertain from the exports of domestic productions how those eight states stand in that regard, in proportion to the exports of the residue of the union. The whole export of domestic productions of every description, for the year 1840, was $111,655,000; of which the products of the sea, amounting to $3,198,000, may be considered almost exclusively the product of the labor of the eight states; while tobacco $6,263,000, and raw cotton $63,870,000, and rice $1,942,000, in the aggregate $75,695,000, were certainly the exclusive product of the residue of the union. Now, allowing one-half of all the balance of the exports to the eight states, which my one who will examine the summary table of exports annexed to the treasury report for 1840, above referred to, will, we believe, think is a very liberal allowance, those states export half, say $16,386,000; to which add the products of the sea, as above, $3,198,000, and we have $19,584,000 as the whole amount of their share of the foreign exports of the year 1840, while the exports of the productions of the residue of the union amounted to $92,061,000.

Taking all the estimates as above made to be correct, and we believe they approximate very nearly, if not entirely, to the truth, the following table will show the aggregate results:

TABLE.

	Production of the states named.	Consumption of the above, domestic productions.	Consumption of foreign manufactures.	Consumption of the eight states.	In the eight states, the ratio of consumption to production.	Consumption of the rest of the union.	In the rest of the union, the ratio of consumption to production.	Consumption of foreign manufactures.	In the eight states, the ratio of consumption to production.	In the rest of the union, the ratio of consumption to production.
Manufactures of Wool, Wool, Fleece, Cotton, Leather, Iron, Cotton,	$18,840,000	$11,754,000	$7,775,000	$19,529,000	103	$17,631,000	63	$6,689,000	33	67
	$1,852,000	$1,156,000	$6,344,000	$7,500,000	405	$28,921,000	1	$29,535,000	1	1
	$8,106,000	$5,060,000	$24,000	$5,084,000	62	$3,022,000	37	$5,084,000	62	37
	$6,214,000	$3,878,000	$17,500	$3,895,500	62	$2,336,500	37	$3,895,500	62	37
	$22,126,000	$13,261,000	$542,000	$13,803,000	60	$9,592,000	43	$13,803,000	60	43
	$8,008,000	$4,800,000	$273,800	$5,073,800	63	$3,273,800	40	$5,073,800	63	40
	$41,380,000	$24,828,000	$5,401,000	$30,229,000	73	$9,552,000	23	$30,229,000	73	23
	$4,970,000	$2,982,000	$5,515,000	$8,497,000	171	$5,515,000	111	$8,497,000	171	111
	$236,903 tons	142,141 tons	7,027,000	$11,169,000	47	94,762 tons	40	$11,169,000	47	40
	$166,613 tons	99,968 tons	7,040,000	$7,039,000	42	66,645 tons	40	$7,039,000	42	40
	$158,515 tons	95,109 tons	31,030,000	$31,030,000	19	63,406 tons	40	$31,030,000	19	40
	$120,290 tons	72,174 tons	18,618,000	$18,618,000	15	48,116 tons	40	$18,618,000	15	40
	$38,718 bar	23,231 tons	3,367,000	$3,367,000	87	15,487 tons	40	$3,367,000	87	40
	$25,000,000	$15,000,000	$29,535,000	$44,535,000	178	$10,000,000	40	$44,535,000	178	40

REMARK. The difference in the above tables between the aggregates of the domestic production and

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of the consumption of the domestic production is the amount of domestic products exported. We do not pretend to entire accuracy in the above calculations, but the aggregates approximate so nearly the truth, that the errors, if any, cannot affect materially the great results.

The first of these results is, that the eight states produced, in that year, (1840), $79,920,000 of the above four classes of manufactures more than all the other eighteen states, and the territories and the District; and that they, (the eight states,) consume of that amount $48,140,000, leaving the residue, after deducting the foreign exports, of $4,926,000, say $25,784,000, as the consumption of the rest of the union, of the domestic manufactures of woollens, iron, leather and cottons, of the eight states. Now, if we assume the average duties on similar articles to have been, in 1840, 35 per cent ad valorem, which no one can, we think, doubt, who will examine the table No. 3, annexed to the report of the majority, the duty on the 25,854,000 dollars, if the same amount had been imported, would have amounted to 9,083,000 dollars, while the duty actually paid into the treasury, on *all* the imports of the like four classes of manufactures, calculated on the same rate of duty, paid into the treasury only 6,825,000 dollars: Now, all the manufacturers who have been examined before the committee seem to agree that, unless the duties on those articles rise to 35 per cent as they were in 1840, they cannot live, or compete with the foreign manufacture in our own market; and is this opinion the majority of the committee seem to have concurred, by reporting a bill assessing the same amount of duties on those imports as were levied in 1840. If so, the consumers pay, in the increased price of the domestic product over the foreign, the whole duty of 35 per cent. ad valorem, (that is, $9,083,000), which whole amount is paid by the eighteen states and territories in the following proportions, according to respective population, at the ratio of 65,500, that is to say, dividing the whole into 128 parts: Ohio, Indiana, Illinois and Michigan, pay 43 parts, or $3,896,000; Delaware, Maryland and Virginia 22 parts, or $1,632,000; Kentucky and Tennessee pay 21 parts, or $1,490,000; North and South Carolina, Georgia, Alabama, Louisiana and Mississippi, 41 parts, or $3,065,000. In these estimates we have taken the two-fifths of the slave population unrepresented as equivalent to the consumption of the state of Maine, and the three territories and the District. Of this whole amount, not one dollar goes into the treasury, but the whole to the manufacturers of the eight states, as the result of the difference of price secured to them by the protective duty. This being the fact, the inquiry is presented to these eighteen states, whether, as a mere matter of profit and loss, those states, or any portion of them, gain, in the protection afforded to *their productions*, an equivalent for this amount of indirect taxation? We think not, especially when it is considered that this consumption of the foreign article, thus excluded by the domestic, would have paid into the treasury the greater part if not the whole of the $9,083,000, at no greater cost to *them*, and of a greater portion of which they would have got the benefit of the expenditure. And for this amount of duty, and the $29,994,000 of the consumption, they have actually paid in their foreign exports, *always at the time, and in the place where produced*, as will appear by the statement of foreign exports above. The distribution which we have thus made of this tax among the states, is, of course, not modified by the greater or less amount of their own domestic production of the several kinds.

As evidence that the domestic manufacture is excluding the foreign to an extent that endangers revenue altogether, except derivable from that portion of our consumption which, on account of climate or other cause cannot be supplied from home production, we refer to the leather manufacture, to show that a consumption which, by data from the census returns, exceeds $33,000,000, and, by the statements of the manufacturers before the committee, exceeds $50,000,000, only pays duty on 542,000 dollars, that being the value of the foreign import in 1840. By reference to the tables of imports for that year, we find a population of 17,000,000, we imported, of boots, shoes and slippers, 63,624 pairs; and by reference to the tables attached to the report of the secretary of the treasury of that date, we imported from 1st October, 1801, to 30th September, 1802, it will appear that, with a population of 5,306,000, there were imported 93,440 pairs. By reference to the same tables, it will also appear that, in 1840, there were imported of nails and spikes 819,000 pounds; and in 1801-2, as above, 3,446,171 pounds—a difference in favor of 1801-2 of 2,629,171 pounds. This reduction in the quantity of imports of only two articles of extensive consumption in our country will show the effect of domestic manufactures upon revenue. An investigation into other articles, of like common consumption, would, no doubt, show like results. But why waste time in further examination, when the table above shows, in a consumption of 141,000,000 dollars worth, only $21,500,000, or one-seventh, is supplied from abroad?

We have stated above that the eighteen states, with three territories and the district, pay a tax-bill of upwards of $9,000,000 to the other eight states; but, to prevent cavilling, we will reduce the amount to three-fourths of that sum—say to $6,750,000. There are those, however, who deny the existence of such tax bill, and who, with the manufacturers, who, while they admit the tax, insist that, by the additional demand which is created for the productions of the eighteen states and the territories, the benefit is equal to the tax paid into the treasury. Let us for a moment examine these two positions. The first rests upon the assertion that the competition created by the domestic manufacture has so reduced prices that the consumer is even the gainer by the high protection which first induced, and now sustains, the domestic manufacturing system. We ask if this is true? By reference to the statements annexed to the report of the majority of the committee, and the price current of London for the year 1836, which will be there found, it will appear that the price of bar iron there, in that year, was £7 10s. which, at four dollars and eighty cents to the pound sterling, is $83 60; and by another table, there to be found, it will appear that, in the year 1841, the price of the best, the Swedish bar iron was £6 15s.=$32 10. At the same time it will appear that, in Sweden, the best Swedish bar iron, which is admitted to be equal to any other bar iron made in Europe, cost £4 1s.=$53 92. The Swedish bar iron sells now in London, after paying a duty of $7 10 per ton, for $64 80. The domestic bar iron of this country sells now, and did in 1841, in the New York market, at $85 per ton, which is more than the highest priced bar iron did in London in 1836; while the best bar iron can be had in Sweden, at $53 92, and $31 00 per ton less than the consumer in the United States pays for the same or an inferior quality of the domestic article. Mr. Young, in his statement, also presented to the committee, the prices current of the English prices of bar iron in November last, and a duty of twenty per cent. bar iron could be delivered on the dock in New York at $53 37 per ton," which is $48 less than our domestic bar iron can be now purchased at the same place. All the above facts rest upon the testimony of the manufacturers themselves; and, therefore, they can not be mistaken in our assumption them to be true. They show that we pay now more for bar iron than we did thirty-five years ago, while, if the duty was reduced to twenty per cent. ad valorem, we could buy now the best Swedish at $20 per ton less than we pay now; besides which, there would be gain to the revenue of twenty per cent., or about $7 50 per ton, instead of the revenue now yielding. The consumer pays the $20 to somebody, and that somebody, it cannot be denied, is the domestic producer; and therefore he (the consumer) not only pays the $20 per ton, but he is forced to pay it by the law which imposes the high duty. In the case of bar iron, at least, while no duty is paid into the treasury, the American consumer pays a bounty of $20 per ton to the domestic manufacturer; and the domestic manufacturer, while he puts the $20 into his pocket, consoles the consumer, that, *by the discovery of the protective system, he is enjoyed a high protective duties*, he has got the article at a much lower price than he would otherwise have done; and, if he expresses a doubt, the manufacturer assures him that it is owing to the fact that, in the case that high protective duties increase the price is a mere "Virginia abstraction," and that he had better go home and inquire if he has not got his bar iron cheaper than he could have bought it thirty years ago, when the duty was only twenty per cent.; and he further tells him, by way of comfort, that all the talk about the equality of duties and imposts, provided for by the constitution, is mere stuff, and was never meant to prevent the taxing of one section of the country for the benefit of another, provided the tax was laid indirectly, and paid voluntarily, as in his case. We think we have now made it pretty clear that, in bar iron at least, the consumer has gained nothing by high protective duties. The consumer will be found to be the consumer of iron castings at $80 per ton, and him who consumes cotton cloth worth about eight cents in Europe, after the same shall have been valued at the custom house at twenty cents the square yard, and a duty of thirty per cent. on the twenty cents, or six cents added to the original cost of eight cents, as is provided by the bill reported by the majority of the committee. And we have also no manner of doubt, though we have not particularly examined the matter, that the same will be found to be the result in many other articles of common consumption specified in the bill.

Now, let us proceed to examine the truth of the position of those who admit the tax on the consumer, but insist that it is neutralized by the benefits derived from the domestic manufacture. We may admit that it may probably be true as relates to those who, live in the neighborhood of the factory, and work in it, or supply food to the laborer, or furnish the other requirements of the establishment, as in the case of Glenham wool factory, above referred to. But how is it with those who live at a distance? These last can only be benefitted in two ways, first, by the production in price, which we have shown is not the fact; but that, on the contrary, he pays a heavy tax; or, secondly, by giving him an additional better market for his wool, or material or other produce. Let us see whether it does this. Take the case of the corn or wheat grower of the seaboard of Maryland or Virginia. Do the iron foundries of the interior benefit him, or contribute, in any way, to compensate him for the higher price he pays for his horse shoes, or ploughs, or hoes, or his cotton or his woollen cloths, or blankets, or hats, or negro shoes? Take the rice planter, and we will find that the quantity of rice consumed in the manufacturing states is comparatively too small to affect the market price materially, or at all. Take the cotton planter. The statements made before the committee would show that the eight states, with the addition of Delaware, Maryland and Virginia, consume about 300,000 bales, or 150,000,000 of pounds, say one-sixth of the average crop of the U. States. The other 1,500,000 bales, or 600,000,000 of pounds, may constitute about one-half of the consumption of cotton in the raw material in Europe, and makes the consumption here about one-eleventh of the whole consumption of Europe and the United States, but if no cotton was manufactured in the United States, the consumption of the manufactured article would not be materially affected, especially in the non-manufacturing states, for in such case the manufactured certainly consumes as much as they do now; the only difference would be, the article would be manufactured abroad, and sent back here to be consumed, paying 20 per cent. to the revenue, instead of 35 per cent. to the revenue, to the domestic manufacturers. The remittance to pay for the foreign manufactures imported would be furnished by the exported cotton, which would be additional foreign drain for specie would be created; and thus disappears the *humbug* that the domestic manufacture prevents foreign indebtedness. It would be a mere exchange of the raw material for the manufactured, and $1,000 worth of the one would pay for $1,000 cost of the other. Again: There is no gain in difference of price, as the manufactures in the Charleston, Savannah, and New Orleans markets are regulated by the price in Europe, as all know; and the purchaser, whether for the domestic or foreign market, pays just the same price. Where, then, is the benefit to the rice or cotton states? None that we can see. In the sea island, or long staple, none certainly; for it is believed that scarcely any is a consumer of the domestic manufacture. We certainly do see very little or no benefit to the rice or cotton planter; and as these are the great consumers of the heavy cottons, and grain, of Kentucky and Tennessee, and perhaps even of the northwestern states, we can see but little benefit to them by a system which, while it reduces the ability of their best customers to purchase, prevents, and indeed, forcing those customers to produce at home those very articles. So far, indeed, is the system from being a benefit to any of the above parties, in consequence of high duties, they pay from 12 to 16 cents on the dollar more for each pair of American shoes they consume than they would for French or German shoes of the same quality, after their have paid 20 per cent. duty into the treasury, as will appear by reference to the statements of the manufacturers annexed to the report of the majority. The same remarks will apply to hats, and to all other manufactures *highly protected* which they consume. The citizens of Maine and the other states, who travel into Canada, will know that they can get a broadcloth coat in Quebec at about two-thirds of the cost of a coat of the same quality in Boston, New York, or Philadelphia. But, say the domestic manufacturers, destroy our duties, and all manufactures of manufacture would immediately rise in price, from want of competition. This would, no doubt, be the result if we were competing with Great Britain, or any other nation, alone; but we are competing with not only Great Britain, but with France and all Germany, including Sweden, and Denmark, and Norway, and with upper Italy and Switzerland; and these nations are competing, in like manner, with each other, in the various articles; and, the moment our market is opened, all these nations would be competing for its possession, and the foreign competition would pre-

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vent any advance in prices here. We have only to advert to the testimony taken before the committee of parliament of which Mr. Hume was chairman, to satisfy us that this would be the case. By that testimony, it appears that woollen cloths are manufactured cheaper in the south of France than they are in England, and that their coarse cloths have driven the English out of the Italian and Egyptian markets to some extent; and one of the witnesses before that committee thinks that woollen cloths can be manufactured, in several parts of Germany, so cheap as to pay the expenses of transportation and 15 per cent. duty, and compete with the English in the English market itself; and we now purchase many woollen and cotton cloths in Germany and France, in preference to purchasing them in England. If more information is wanted on this subject, we refer to the report of Mr. Hume itself. It is plain, then, that, if our manufactories were annihilated to-morrow, European competition would alone keep down the prices. The truth is, that our competition is much more formidable than the great whole. Our consumption in 1840, including both the domestic and foreign manufactures of cotton was only 56,000,000, while, in the same year, the export of England, of that article alone, was £24,552,000, or, at $4 80 the £,=$117,850,219. Our whole production of $46,000,000 would scarcely be missed in the market of the world, and would instantly be supplied by the European manufacturers. The consumers of manufactures in the United States, however, are assured that, if they will submit only ten years longer, and be taxed to the amount of high protection, they will get the domestic manufacture as cheap as they can the foreign of the same quality now. There would certainly be this great comfort in this assurance, if we did not know that the same assurance was given ten years ago, when the compromise act was adopted. But do we get them as cheap now as we could purchase from abroad, subject to a duty of 20 per cent.?

On the whole, then, we, and we presume all, are satisfied that high protective duties add much to the cost of the protected article to the consumer; that the time has now arrived, when a continuation of that system must reduce the revenue from imports even to a less amount than it is now, or must confine those importations to articles which, from natural causes, we cannot ourselves produce to any extent, such as tea, coffee, sugar, salt and wines; and that, to obtain such a revenue from them, they must be subjected to enormous taxation. And, further, we are satisfied that, while all the great branches of labor and production are suffering severely in every quarter of the Union—for, if the manufacturer does not realize five per cent. on his capital, neither can the rice or cotton or sugar planter, or the grain grower, or the grazer—still it would be the acme of injustice to subject eighteen states to heavy burdens, for the benefit of the eight remaining. And, further, that, if we persevere in the system of high protection, tea and coffee, and other essentials, not admitted free of duty, must be subjected to heavy taxation; and when these fail to afford sufficient income, direct taxation must be resorted to, even in time of profound peace. This will be the consequence, indeed, be the independence of the celestial empire, but it would be an independence based on a violation of the great laws of nature, by which it has pleased ordained that, from the diversities of climate, soil and production, nations shall be dependent upon each other for exchanges of their respective commodities. It is to give facilitiee to these exchanges that streams flow, and the ocean spreads out its mighty highways, and the winds change, and the north star stands as the guide to the mariner. Nature never intended that the great and necessary consumption of most should be supplied by a hot-house system, whether that consumption is of vegetables or of manufactures.

We have shown, in a previous part of this article, that the foreign exports of the eighteen states and the territories in 1840 amounted to the sum of $92,961,000, while that of the remaining eight states amounted to $19,584,000, amounting in all to $111,665,000. Of this last we allow, according to the former apportionment, for consumption, six parts to all the union, except the eight states named, equal to $66,999,000; which last amount, deducted from their above foreign exports, leaves a balance of trade, in their favor, of $26,962,000. If the foreign import, then, had been the only import in that year, those eighteen states would have had a surplus to that amount to receive in specie, and exchanges would have been enormously in their favor. But, so far from this, the exchanges have been for years against them, in their exchanges with the eight states; and why? Because they purchased from the eight states, for consumption, that amount of $66,962,000 more than the eight states took from them; and hence it is rarely, if ever, known that a sterling bill goes from the north to the south or west to be sold, while the greater part of the sterling exchange of the south and west is sent to the north to be sold; notwithstanding which, exchange is always against the south and west.

With these facts staring us in the face, the loss of the trade of the markets of the world state is held up as the mighty bugbear to frighten the rest of the union into a system of high protection, and we are taunted with a bravado, uttered by an honest manufacturer, in the place of a patriot and statesman, in Boston, who we believe was a disinterested witness before the committee, in the following words of brotherly love: "*He would tell the southern gentlemen what we want, and then tell them we will have it.*" If he had known southern gentlemen, as the gentlemen in Massachusetts do, he would have known *that this was not the way to get it!*"

In making the foregoing estimates, far be it from us to mean to calculate the value of the union—that is a calculation which, if the time should ever come for making it, is not to rest upon figures, but upon estimates of higher and more serious import. Our object is to spread before the people the whole subject, as far as may be in our power, that they may calmly consider it in its whole, and not in its partial bearing; that feelings may be reconciled, not excited; and that, in the midst of the pecuniary distress which we have experienced, we may be enabled better to consult for the great interests of the country, and for the best means of raising revenue, so essential "for the common benefit and general welfare."

With these views, we will now proceed by premising, what we think no one can deny, that the increase of domestic manufactures has prevented the increase of the imports of the foreign manufactures of like kinds in proportion to the increase of our population, extension of territory, and necessary increased expenditure. This being admitted, the inquiry presents itself, has this increase of the domestic manufactures been produced, in whole or in part, by protective duties? In so vast and diversified a country as ours is, and with such an intelligent and enterprising population, and where personal liberty and private property are well protected, and with a population doubling itself inviting to enterprise, manufactures would, as a matter of course, have grown up and flourished, and would have grown up and flourished action with the increasing wealth and population of the country, as far certainly as the article could have been produced as cheap at home as brought from abroad, if they would have increased, without protection, nor would they have needed it. This healthful action would have been aided and encouraged by a moderate revenue, and, if moderate duties, imposed for the purpose of revenue, would have afforded; but the present alleged distress, if the distress really exists, and it probably does in many cases, proves that manufactures have gone far beyond the healthful action referred to, and that more capital has been already invested than can be profitably employed. That this excessive investment has been induced by high protection, no one can doubt who will recall to mind the ruin caused some twenty years ago to the then established manufactories, by the use of our coarse cotton goods produced at that time by the increase of the duties. But why refer to past events as evidence, when at this very moment the manufacturers are urging upon us, as a set of arguments, that if they were not tempted by high duties to engage in the business, they ought to be protected by still higher duties to save them from ruin. We believe, that it cannot be denied that high protective duties heretofore have caused the necessity for higher protective duties now, to secure avon, as they say, reasonable profits. And here another very grave question presents itself. Like causes produce like effects, under like circumstances. In the present state of the civilized world, while capital is eagerly seeking every where for safe investment, at even small profits, when English manufacturing science and skill, with English capital, are spreading themselves over the valleys of Switzerland and the mountains of Tyrol, and are even lighting their fires on the sides of the Andes, will not high protective duties invite again, as it did before, new and extensive competition, both foreign and domestic; and that, consequently, reduction will as followed before, but more aggravated, because involving greater numbers, call again for duties still higher, to exclude the increased competition of foreign capital and cheap foreign labor which still exists, and which it is now sought to exclude? We say *limited*, for, by reference to the tables above, it will appear that the foreign articles in the four classes of manufactures of most common consumption in the country are not more than one-seventh of the consumption. Even that total exclusion, which, while it removes all competition, will also entirely destroy revenue from that source, will only postpone the ruin for a few years. Extend this view to all branches of manufacture which are now pressing upon us for protection, and apply the same rule to them, (for the same rule must apply to all), and what is the picture of the future, and that the future of even the present generation? The answer is obvious.—The manufacturers supported by limited capitals must fail, and the operative be left without employ; or, to sustain themselves, wages must be reduced, until the reduction reaches to what is called "the pauper system of Europe," when, *to remain* operative, they must go at last to where nature now invites them—to the vast and waste, but rich wilderness of the west, for a subsistence; and to which hundreds of thousands of people in like condition are daily hastening from Europe; and to which other hundreds of thousands are sighing to follow, but cannot, from inability to pay the expenses of removal!

But to return to the immediate subject in hand—*the revenue*. What is to be the effect of this entire exclusion of foreign competition upon that? Those articles of foreign growth, which do not admit of competition with ours, or rather those only which we, from climate, cannot produce, will be imported, and the whole revenue from customs must be derived from them. Of these, the principal luxuries are wines, silks and spices, which, with the ease with which the two last, especially, can be smuggled, will cease to furnish revenue, to any extent, if subject to very high duties. The residue of the principal articles are salt, now subject to a duty of 8 cents; and tea and coffee, which are now free; and sugar. With the people, and especially the poorer classes, resort to a high duty on these? And if they do, the only effect would be to add to the privations of the poor, and to deprive them of even those small comforts, amid their poverty, and force them, as the laboring classes are now forced in England, by high duties, to buy them by the ounce instead of the pound. While, then, high protection, for the time, may afford relief to the manufacturer, and may possibly for a year or two increase the revenue, yet the effect must be to increase the domestic competition, and diminish the revenue, by the exclusion of the principal article, until wages are reduced to the "pauper" wages of Europe, and direct taxation, as in England, upon almost every article necessary to comfort, and even to existence, or, as it is said there, even to the air they breathe, must be imposed, to supply the indispensable demands of the government, and that in a very few years.

But, on this portion of the subject, there is yet another view to be taken. The cotton of the south and southwest had heretofore produced such profitable results, as to enable them to create competition, both at home and abroad, to an extent which has now rendered that culture of little profit, so that very few planters, at present prices, can realize even five per cents., and many not half of that profit; and the rapid increase of the culture, as the vast forests to the west of the Mississippi are opening, leaves but little hope of any permanent advance in price, beyond the present low rates. At the present time, the greater part of the labor of that rich and vast section is engaged in its culture. Their wants are now principally supplied by the manufacturers of the north and east; and by the cattle, horses, and hogs, and other productions of the west. The more considerate among them are now beginning to feel the necessity of providing and raising, for themselves, those articles of necessary every day consumption, and for doing which nature has afforded to them every facility, in the immense herds, and their water power, and their fuel, are almost unlimited, the raw material of cotton and wool at their doors; their climate is propitious for the production of the articles necessary for food and for manufacture. The statements above show that a very limited market is furnished abroad for the northern and eastern manufactures, for the productions of the west, and that there is but little probability of an extension of that market. The northern and eastern manufacturers, therefore, find their great market in the non-cotton growing states, and the western producers of cattle, horses, hogs, and grain; but should the cotton-growing states manufacture for themselves, or raise the cattle, horses, and hogs, and grain, for their own wants, all of which is now being done, where are the north or the east to find a market, or where the west? That they will do this, is not imaginary; that they are already doing it, is *certain*. The Carolinas and Georgia, and the northern portions of Alabama and Mississippi, are doing it. They are *wisely* raising their own cattle, horses, bacon, and wheat, to the exclusion of western products; and the cotton factories at Athens, in Georgia, are competing with like factories at Pawtucket and at Lowell. But this is not all: Ohio, and Kentucky, and Tennessee, are beginning to manufacture, to a considerable extent. And Maryland already manufactures $1,150,000 worth of cot-

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ton goods, and Virginia her $446,000 worth, besides nearly 25,000 tons of iron; and South Carolina 2,500 tons; and Louisiana nearly as much; and Georgia, with unbounded means, is already entering into the market, and Tennessee, Kentucky, and Ohio, together, produce upwards of 100,000 tons; and Maine is competing in wool, and in all the variety of northern and western manufactures. Now, we ask the north and northeast, when all these states, by themselves, where are they to find a market for their labor? And in an especial manner we ask the eastern states whether, like Tyre of old, the fisherman will not spread his nets on the rock of Plymouth, and Lowell "be a desolation?" The loss of the market in the southern and western states will be rendered the more speedy and certain by high protective duties; for the very effect of protection is to encourage the increase of manufactures, and will operate alike in every region where capital is seeking investment and labor employment, and where like facilities are afforded. We invite investigation into the truth of our statements; and we ask our people, in every section of this vast Union, and especially of the manufacturing sections, for them, both a grave and candid consideration. We feel that we have done but our duty in presenting them, and we trust that we have done *that duty* calmly and honestly, and in a proper spirit.

We have shown, as we think clearly, at least we have endeavored to do so, that the effect of high duties and protection hitherto in our country has been to excite ruinous competition, and to prevent an increase of revenue on particular articles of manufacture, of large consumption in the country, proportioned to our increasing population and increasing necessity for revenue. We have, we trust, also shown, in like manner, that, whatever may be the benefits resulting to the people in the manufacturing sections from high protection, those benefits can be only temporary; and that, if the further protection now demanded is afforded, it will only hasten the evil day for them, will increase them, and greatly aggravate the evil when it does come—a day when legislation, even of the most friendly character to the manufacturer, cannot provide relief. The danger is from competition—competition that cannot be prevented by any legislation of ours; and that domestic competition is not to be confined to the encouragement of domestic capital, which, we hope, but must extend to cheap English capital and skill, and cheap European labor, planting themselves within our own borders, in the rich mountains of the south and the vast and fertile valleys of the west. We ask whether it is not better, in the true spirit of the Anglo-Saxon race, in that of your pilgrim fathers, to meet the evil at once, and by sacrifices comparatively small to avert it? We ask whether a system of moderate duties, designed for revenue alone, yet affording incidental reasonable protection, is not better than a system of high protection, even although a portion of the capital and labor now employed in manufactures may be forced into other employ? And we appeal to the six millions of English paupers for experience, to enable us to avoid the collision; and we appeal to Ireland, and to Great Britain herself, and to her colonies in the islands of the west and on the continent in the east; we appeal to her, with all her wealth and all her abject poverty, to answer the question.

Let us now proceed to inquire into the effect of high protection upon the consumer, in the great Union of the Union he may live. It is said that high duties have cheapened the manufactured article, and thus the consumer has been benefitted. That many articles which formerly cost twenty cents could now be bought for ten or twelve, is unquestionable; but, on the other hand, it is equally true that many articles, which the consumer of them himself produces, and which formerly sold for twenty cents, cannot now be sold for ten or twelve. Cotton and woollen goods are instances of the former; the raw cotton and rice instances of the latter. The cotton and rice grower, then, as far as their cheapened consumption goes, gain nothing by the reduction in the price of the manufactured article, for a pound of cotton or rice will now buy in quantity no more of those manufactures than they did formerly. As far then, as their consumption of the article goes, they have gained nothing by the fall of the price. The pound of cotton or rice will buy just as much of those articles now as it did then, and no more. But then the cotton or rice grower comes to pay for articles the price of which has not been reduced in like manner, as in the case of bar or cast iron, then he feels the reduction in the price of his own product. But admit that all he sells and all he buys are cheaper than they were formerly, still we repeat the inquiry, what is the effect of high protection upon the consumer? To answer this question, we must refer to what we have heretofore stated. The price of rice, cotton, or tobacco, is not dependent upon or affected materially by the market in the United States, but is regulated by the foreign market. Now, if the price of rice, cotton, or tobacco, has fallen in the foreign market, all foreign products, whether of manufacture or of luxuries, have fallen there in proportion; and if the producer here received his returns at the prices of the market in which he sells, still he would gain nothing by the depreciation of his own products. But the effect of the duties is to prevent this equality. He sells and buys at the prices in the foreign market; but what he buys he cannot consume at home until he pays the duty upon it, be it high or low. Here the equality is destroyed, and his loss by the general depreciation of the foreign market is just the duty which he pays on the import; or, if he brings back money, and buys the manufactured article, his loss is just the amount which the price of the domestic manufacture has been enhanced, over the foreign, by the protection. And what is his compensation? Nothing. For we do not consider that either the cotton, the rice, or the tobacco, gains any equivalent in the duty imposed to protect them.

Thus, then, while he loses by the general depreciation in the market, if he sells, he gains no equivalent advantage by the general depreciation in what he buys, or if any, very small. His burden, then, consists in the loss of foreign advantages; and as the duty is increased, his burden increases in amount. If this increase of burden is called for by the necessities of the revenue, none will complain, at least none will complain of that necessity. It can be met by a reduction of the burden, instead of its increase, then all the consumers have a right to complain, and the more especially, if, while all are suffering from the depreciation of prices, that burden is increased on all, for the protection of a particular class, as is avowedly one object of the bill reported by the ways and means committee. Even here, if it were not for the general indebtedness throughout the country, this increase of burden might be quietly acquiesced in. But, while all property and products have depreciated, the debt is the same in value *in money*, the amount of the debt is precisely the same. A debt of $100, which could formerly be wholly paid by the sale of a bale of cotton, is still of $100, and requires six bales to pay it. The same is applicable to the day laborer who is in debt, and indeed to all classes of debtors. The loss falls upon all. The cotton grower can no longer able to pay his debts, except at ruinous sacrifices of property. He is no longer able to employ the mechanic or the laborer, and the mechanic and laborer are thrown out of employment, and their and their former rich employer become beggars together. Such is the case in every part of our country; and is it just and wise to tax, by duties and bounties, one to extend the arm of protection to one class of the people, by increasing the burdens of the others?

We have said that the effect of protective duties is to keep up the prices of the articles produced, which they could be imported from abroad at a mere revenue duty. Can this be denied? Why do the manufacturers, then, call for protection, unless on our hands? Will any one in his senses believe that their object is to reduce the price of their own goods to the consumer, or that they believe, for one moment, that it will have that effect? Is not this simple question an answer to all such pretenses? The very question of protection is to secure to the domestic article a higher price in the home market, by adding to the cost of the foreign article in the same market. Now, while we insist that such is both the object and effect of protection, we at the same time admit that the price of the foreign article and the domestic article is not, in all cases, equal to the amount of duty or tax imposed on the importation of the foreign. There has been a great discussion as to who pays that duty or tax; some insist that it falls on the foreign producer, some on the home producer, and others on the consumer. The view we have taken of the subject, however, leads us to believe that in all cases the manufacturer, whether foreign or domestic, will ask the highest price which can be had for his commodity. If the article is not produced in this country, the consumer pays the whole duty, whatever it may be, if he is obliged to buy. If the article is produced here, and the duty is prohibitory, the consumer pays the duty, not into the treasury, but into the pocket of the manufacturer; but, in such case, if there be competition in the production of the domestic article, sufficient to reduce the price, the consumer saves to the extent of the reduction of price, and the domestic producer loses an equivalent amount of his profits, and the difference between that price and the amount of the duty is paid by the consumer to the producer. If the production abroad is so cheap as to enable the foreign producer to pay the duty and expenses of transportation, and still to enter into competition with the domestic manufacturer in the market here, so as to compel the latter to reduce his price, then the difference between the amount of that reduction and the duty is a reduction of so much of the profits of both the foreign and domestic producer, and the consumer pays the whole residue of the duty, whatever that may be, have to the foreign producer, who has previously paid the whole into the treasury. If the importer of the foreign article, in consequence of the increased expenses of production abroad, can still afford to sell his goods lower than he has previously done, the domestic producer is forced, in order to effect sales, to reduce his prices. This is the contest which has been going on since, by the improvement of machinery, the foreign and domestic manufactures combined, have equalled or exceeded the demands of consumption; and the ultimate result would be, provided the government did not interfere, that the purchaser or consumer here would purchase at the very lowest price at which the article could be produced, either abroad or at home, with the addition of the expense of the transportation of the foreign commodity. But the government does interfere in one of two ways: first, by laying a duty on the import of the foreign commodity, for the mere purpose of revenue, say 15 or 20 per cent. ad valorem. In this case it is obvious that the importer, if previously he had sold the article at the lowest rate he could afford, must, to save himself from loss, add that 15 or 20 per cent. to his price; and the immediate effect of this addition is, that the domestic producer obtains a proportionate advance in the price, and the purchaser pays the addition. Here the revenue duty affords *that* much protection incidentally to the domestic manufacturer, not with a view to protect him, but to raise revenue. But suppose, in case, the domestic manufacturer is not content, but demands a greater protection, and the government consents and adds 10 per cent. to the duty here, again, the importer is forced to add that 10 per cent. to his price, and the domestic article is also advanced in like manner, and so on, until the duty is raised so high that the foreign producer can undersell the importer of the foreign article, and still make large profits; in which last case, the domestic producer has possession of the home market, and the foreign is excluded altogether. In this last case, it is obvious that the purchaser is now at the mercy of the domestic producer, and must either pay the price he chooses to impose, or go without the article; at the same time, the revenue from the article is altogether lost, and the domestic producer has got all the benefit. The foreign competition is now at an end; but then commences a new competition. The enormous profits invite additional investments of capital in the domestic manufacture; and, after the capital thus invested is so large that the whole demand is supplied, the contest for the market then commences between the domestic manufacturers themselves, and prices begin again to fall. But here the government cannot interfere, by further taxing the consumer, except by granting a bounty on the export—an expedient resorted to in many cases in England, and in some few instances, we believe, in our own country. Now, it is obvious that this contest may be carried as far between the domestic competitors as it was between them, when allied by a common interest, and the foreign, and that it must ultimately terminate in the same result. The weaker party must be driven out of the home market; and as, by reason of the cheaper production abroad, he cannot go into any foreign market without loss, he must give up the business and be ruined. But suppose, in the midst of this last contest, the "cheaper" foreign capital comes in, as it was (for the legislation can prevent that,) it must of course, if brought here to a sufficient amount, and invested in manufacture, drive the whole domestic capital out of the market, and our own domestic manufacturers are all ruined. The very high protection which excluded the article, when manufactured abroad, is the very inducement to this introduction of foreign capital, and the only difference is, that the English capitalists will send their money, and their agents, and workmen here, and make the article free of duty, and receive and expend the profits at home, to the injury of our foreign exchange and total destruction of revenue, instead of making the article *there*, and sending it *here*, paying the duty, and receiving the money, not into the treasury, but into the pocket of the manufacturer. This is not a mere imaginary operation. It has commenced already, and will be encouraged and increased in extent by the very high duty which is intended to exclude competition. During all the contests we have described the poor consumer is paying more for the article than he would do if there was no duty, whether the price be increasing or diminishing; and when the prices are falling, very sensible and honest men are persuaded that the fall in the price is the result of high protection; and former high prices are pointed to as the proof. And,

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if, perchance, the duty be reduced, and prices are not reduced, or are enhanced, the fact is instantly called in proof of the same position, when, in truth, such rise, if it does occur, is the effect of the increased demand created in the foreign market by the new market which is opened here, and lasts only until that increased demand can be supplied; or it is the result of the increased price of the raw material, caused by the increased demand for the manufacture in the European market. In support of the positions we have taken, we make an extract from the late report of the select committee of the British house of commons, of which Mr. Hume was chairman:

"High and protective duties impose on the consumer a tax equal to the amount of the duties levied on the foreign article, whilst they also increase the price of all the competing home produced articles to the same amount as the duty. But that increased price goes not to the *treasury*, but to the protected manufacturer. It is obvious, that high protected duties check production, and are, consequently, unproductive to the revenue; *and experience shows that the profit to the trader, the benefit to the revenue, and the fiscal interests of the country, are all sacrificed when heavy impost duties impede the interchange of commodities with other nations.*"

A bill based upon this conviction, is now in progress in parliament, reducing the duties on imports, at the very moment that we are passing a bill to raise duties to an extent almost prohibitory; and the benefits of the system in England are pointed to, as the evidence of the wisdom of our course.

Having endeavored to show the effect of high protective duties on revenue, and its wonderful influence upon different portions of the union, let us devote a few moments to the effects of the system upon the shipping interests of the United States, and consequently upon our navy. From the data and printed statements annexed to the report of the majority of the committee, it will appear that the difference in the cost of a mast of nine inches, in Maine, ready for a ship of 700 tons, in Liverpool and New York, is $600; of which $81 only is the cost of labor. What would be the difference of the cost of building the ship, and in fitting her for sea, rigging, sailing, and all the iron used in her construction, we have no data by which to determine. But, from the difference we have shown in the price of timber, in Maine and in New York, the cost of the iron in New York must exceed that in Liverpool by at least one-half; and by the proposed bill is made one-half, or thereabouts, the duty being $35 per ton on bar iron rolled, and $17 per ton on bar iron hammered, on nails 4 cents per pound, on spikes 3 cents, on iron cables and chains 2 cents, and on anchors 2 cents per pound; which is, on all, upwards of 75 per cent. and on several of the articles exceeding that rate. This, then, is the difference of the cost of the iron in the two places. But this is not all. The duty on hemp is fixed by the bill at $40 per ton, on tarred cordage 4 cents per pound, and on untarred 5 cents. By the statements annexed to the report of the majority of the committee, it will be seen that the cost of clean hemp, imported from Russia, after paying a duty of 20 per cent. is 10½ cents per pound, or $53 40. In the duty, by the proposed bill, is $40 per ton, in reference to the same statements, it will appear that tarred cordage, under a like duty of 20 per cent. would sell at 9 6-10 cents per pound. The duty, by the proposed bill, must then be nearly equal to 50 per cent. on the original cost. This difference in the cost of building the ship and in rigging must be so great as to force the ship owner to employ foreign freights; and the consequence is, that our ships are unable to compete in the foreign carrying trade, and have almost disappeared in the north sea, as we are informed, before the cheaper freights of the Bremen ships, are now being superseded even in our own direct trade, now greatly reduced by reduction of imports, in proportion to the number of ships, in consequence of the high duties. The effect, too, of wages on land being kept up by protective duties, is, to keep from the sea service many who would otherwise go into it, and thus our supply of native seamen is diminished, and difficulty is found in procuring a sufficiency of such seamen for even the small number of our vessels of war.

Here we close our review of the various mischievous effects of high protective duties; and now, it may be said, admitting we are right in our conclusions, would we destroy our manufactories? By no means. Independently of the employment and support they give to thousands, we, as Americans, feel proud of the valuable as well as beautiful results of the ingenuity, science, skill, and enterprise, of our countrymen. But we feel a like pride in seeing the results of that same ingenuity, science, skill, and enterprise, in all other departments of our country; the disappearance of the forests before the labors of the axeman; in the rich and fertile fields, which are spreading onwards, and onwards, until they are smiling beneath the morning sun almost at the base of the Rocky Mountains; and in our noble ships, which infuse the stars and the stripes on every sea, and in every harbor, and are the wonder and admiration of the world. Shall all these be paralyzed or sacrificed, to foster a single interest, however important? Or, rather, shall we not, by giving to each a fair share of our share and protection, endeavor to nourish and foster the whole? The valuable principle of our government is, equal rights and equal protection to all. If you encourage the interests of one, for the benefit of another, you violate this great principle, which lies at the very foundation of the government. Suppose, for example, that on wool, by the proposed bill, is 23 per cent. ad valorem, and 4 cents per pound. Strike off the 4 cents, and you add to the profits of the wool factory in Dutchess county, above referred to, $7,000, or 5 per cent. on the capital, and still leave 23 per cent. ad valorem, as a protection to the wool grower. Strike off a part of the duty proposed on pig iron, and you add to the profits of all the workers in iron in the United States, and still leave the producer a heavy protection. Strike off but one-fourth from the duty on dressed or unsed leather, and it will enable the shoe and bootmaker better to compete with the foreign labor, while the tanner will still enjoy a heavy protection. Take the duty on all other raw materials used in manufactures to a revenue duty, and you relieve all other branches of manufacture.

As evidence of the effect with the reduction of the duties on the raw material would have on the profits of the manufacturer, we will again refer to the statements annexed to the report of the majority. The average price of wool in Liverpool for the last about 40 cents per pound; the average in Europe is about 25 cents. A 20 per cent. duty and freight would add about 6 cents, and a 23 per cent. duty about 8 cents, and sold to the manufacturer here at that price, he thereby saving 9 cents per pound. The amount of wool produced in *England alone*, according to McCulloch, is 180 millions of pounds, or nearly $15,000,000. The duty proposed by the bill is 23 per cent. and 4 cents per pound to protect the wool grower. In England the duty is only one cent, to protect the wool grower there. The price of wool in New York is $30 per ton. The foreign cost of the best Scotch pig iron is about $17 50. The duty proposed by the act is $8 per ton, and 4 cents per lb. of the first cost of the best Scotch pig iron. By the proposed bill, dressed or tanned skins and hides are to be subjected to a duty varying from $1 25 to $4 per dozen, and wool hides to 4 cents per pound. Undressed hides, however, as they are the raw material of the tanner, are admitted free of duty, and are imported to the amount in value of 2,750,000 dollars.

In searching for the objects on which to raise revenue, here would have been a fair opportunity of giving incidental protection to a great interest of the Mississippi valley, which would have also have attracted from the tanner the value of the protection given by the duty on manufactured leather, and therefore an equivalent is afforded, at least to Kentucky, by a high duty on hemp and imported cordage, at the expense of the ship owner.

If, then, the manufactures of wool, iron, and leather, are only in the same relative condition in which they are represented to be, we may, without destroying the factories, give them essential relief, by reducing the duty on the raw material, by subjecting it to a moderate duty only, instead of a duty of exclusion, as in the three cases I have named. The duty on the raw cotton from abroad could also be reduced to a revenue duty, without injuring the cotton producer; for, as we believe, no duty imposed upon foreign cottons here can materially affect that article in the market of the world. There is very little, and that of the most inferior kind, imported into the United States; nor do we believe that the removal of the duty altogether would affect the price in the home market. Our manufacture consumes so small, in comparison with that of the world, that the price is wholly dependent upon, and is regulated by, the foreign market. The price in New York rises or falls with the price in Liverpool. The consumption of the India and other cottons must interfere with the cotton of the United States in the general consumption; and it is really a matter of little consequence to the grower of cotton, whether it displaces a given quantity in the foreign or the home market. But, independently of this consideration, it is a matter not under our control, for England can at any moment, by the imposition of heavy duties on our cotton, nourish and increase the production of the India or other cottons, and thus, in the most interest to do so, and in that manner entirely counteract any effect of our legislation. Whether, therefore, the alarm which has been created, if any really exists, by the alleged increasing and improving production in India, is with or without foundation, we are powerless to avert the danger by our legislation, and would apprehend no evil on the reduction of the duty to a mere revenue duty. A like alarm was created some years ago among the growers of the long staple or Sea Island cotton, by the attempt to produce that article in Egypt, with seed from the state of Georgia; but that was as groundless as we trust this is now; for during the last three years, as we believe, no such cotton has been exported from that country, at least none appears, we believe, in the English imports, and the attempt to produce it there has ceased, because the inferior quality is now substituted. Indeed it would be almost impossible for any foreign cottons to compete with us now in our home market under a duty of 20 per cent. ad valorem; for the most inferior of our cottons are now as low as 4 cents, and these are superior, or at least equal, to the best India.

But it will be said, if this is really the state of the raw material of the cotton manufacturer, then the relief to be afforded to him must be by other means than by reducing the duty on the raw material. The answer to this objection presents itself, by a reference in the price of labor. The necessity for this we leave entirely to the decision of the manufacturers themselves, and those whom they employ. They are the parties who, in the last step, have added to the cost of their profits; and we, the consumers, only ask, that if they pay wages three times as high as are paid in England and the continent for the same work, they will pay it out of their own pockets, and not abstract it from us by way of high protection; at least, we may ask that they will not, at our expense, add to their profits, when one can get from five to twenty-five dollars per month, when in North Carolina and in Georgia the same services precisely are rendered by the free white man for fifteen dollars, in the case both in the iron and glass factories of those states. We say, then, that the reduction of wages is a matter which we neither ask for nor intend upon; we only ask that the manufacturers be disposed to be liberal in such matters, that he will not do it at the expense of him in the south or west, who only receives his $15 per month, and finds himself and family out of that sum.

Hitherto we have been engaged in the examination of the general principles of the bill proposed by the majority of the committee; but we feel that, before we close, it becomes our duty to present some objections of a very serious character to its passage, growing as well out of its general principle as its particular provisions. We cannot and we thought not to pass without notice. The act of the 3d of March, 1833, commonly called the compromise act, was the result of mutual concession, and its object was to preserve to the peace of the country, and the union itself, both of which were then endangered by the acts of 1828 and 1832. It was a compact, not between this and that state, or this and that section, but between all, but between the representatives of the manufacturing interests on the one hand, and the agricultural and other non-manufacturing interests on the other, by which the former were allowed to enjoy the high protection afforded to them by the existing laws, for a given time, subject to a scale of gradual reduction, in consideration that, after that stipulated time, the duties should be fixed at a rate not exceeding twenty per centum on the home valuation. Now, it is a matter of little consequence, so far as public interests are concerned, whether the representatives who were the agents in making this compact came from this or that particular state or section; or whether the people who were represented by those agents were satisfied or not with what they had then. It is the *opposing interests*, who were the parties to the contract, however those interests might change their localities or their agents. It is true that the *non-manufacturing interest* has faithfully executed its part of the contract, by a quiet and peaceable acquiescence in its operations, and the time is about to arrive when the manufacturing interest is to execute its part, by submitting to a reduction of duties to the rate named in the compact, are they not bound in honor and good faith, no matter where now located or by whom represented here, to perform their part of the compact, by submitting to the reduction imposed by the compact? The proposed bill not only violates this all-important adjustation of the compact, but insists upon re-establishing, to a very great extent, the burden which was the original subject of dissatisfaction, and the removal of which, at a than future day, was the sole object of that compact. In this view of the matter, and we believe it will be felt to be a just view, whether acknowledged or not, it is but poor justification, as we think, for those who would violate the compact

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now by refusing to perform their part of the consideration, to say that the that particular state, or its representatives them, were not parties to or bound by the contract. The only question with them ought to be, are they now the representatives of the same interest which made the compact, and are the people whom they represent here realized its benefits? And, if so, they are in *good faith* bound to carry out the compact. That compact was made with all the formalities of any other law or compact of the government; and, in point of principle, there can and ought to be no difference between a compact made and seven great interests of the country, and ratified by all the forms of the constitution, and a compact about boundaries, or other matters of dispute between two of the states, ratified in the same manner. If this compact has no binding efficacy, even in honor, then the Missouri compromise imposes no binding obligation, except so far as Missouri is interested. Independently, however, of the question of justice and good faith in their actions, we must not be be remembered that this government is, emphatically, a government of compromises, and can only exist as long as good faith is preserved, at least in its present form and peaceful action; for the moment a state shall cease to continue *voluntarily* as a member of the union, that state must cease to be a member of the republic, and must become a mere dependency. Violate the compromise act, and the peaceful settlement of future difficulties, by compromise, will be impossible. There will be no faith on which to base a compromise. Thus you are striking at the blow at the very principle on which our institutions are based, and upon which alone they can be preserved.

But there is another feature in the bill, which we think is also liable to serious objections. Most of the duties are specific, and many of them rest on the minimum principle. The effect of the specific duty in most cases, and of the minimum duty, is to tax a low or inferior quality of any particular article as a high a sum as the more costly quality of the same article. The bill provides for a specific duty of two cents per pound on all brown sugars; thus an inferior quality of sugar, costing six cents at the place of import, pays two cents, while the very superior quality, costing fifteen cents at the same place, only pays two cents: this is a specific duty without a minimum. Again it is provided that all white cotton cloth, or cloths of which cotton is the principal ingredient, not exceeding in value twenty cents per square yard, shall be valued at twenty cents the square yard, and be subject to a duty of thirty per cent. *ad valorem*. Now, here is a specific minimum, which is a common case in the bill; and the effect is to make cloths, which cost only six cents, pay six cents duty, while a cloth costing twenty cents pay *six cents*, which is a duty of thirty and one hundred per cent.; in the last, thirty per cent. *ad valorem*. Now, the effect of the specific duty on the larger, and of the minimum duty on the white cotton cloth, is to subject the poorer classes, who usually consume the inferior article, to a taxation more than three times as great, in proportion to price, as the richer classes, who usually consume the superior. But it is urged, in justification of this system of oppressive taxation on the poor, that specific duties are necessary to protect the revenue against fraudulent invoices. Let us inquire how this is? By the provision of the bill last above referred to, all cloths costing twenty cents and under are subject to the specific duty on the minimum principle; and so far the revenue may be protected by the duty being specific; but on all white cotton cloths, costing more than twenty cents the square yard, the duty is an *ad valorem* duty only, and of course the revenue on them is not protected by the specific duty, in any way, from fraudulent invoices. Here, then, the revenue on coarse cloths is protected against fraudulent invoices by the specific duty, and they are in all cases made to pay the full duty, while the revenue on the finer qualities is not protected by the specific duty, and such goods may be introduced at a less duty than that imposed by the law. This justification, then, at least in part, falls to the ground, and the unequal and oppressive action of specific and minimum duties bears even this shadow of excuse. On the other hand, the ad valorem duty acts equally upon all, and the article pays duty only in proportion to its cost, and should a system of such exact justice be sacrificed to the apprehension of an occasional fraudulent invoice?

The next objectionable feature of the bill is, that it makes no provision for a warehousing system, or in other words, requires the duty to be paid at the time of entry, in cash. This requirement of the payment of the duty in cash, on the entry of the goods at the custom house, is calculated to diminish imports, by the inconvenience to which, the importer or consignee, and especially the latter, may be subjected, by a sudden arrival of the large amount of goods, at a season when, from cessation of business in the south, or of a pressure in the money market at the north, it may be impossible, except at a great sacrifice, to obtain the money; and thus, especially in the southern cities, where, from climate or other causes, there is almost a total cessation of commercial business for three months in the year, at a time, too, when all the winter supply of goods must be brought in, to be ready for the market when it opens. This inconvenience, in those cities, will be made the more manifest when we state that, from the causes to which we have referred, most of the importing merchants are themselves absent, and the business is left chiefly in the hands of their agents. But there is another effect, which, in a government based upon the principle of equal rights and equal advantages to all, is of a very serious nature. The system has the effect of accumulating the whole importing business into the hands of a few large capitalists in each city, to the exclusion of all others, for when the small capitalist has the inability to pay the duty on his own imports before he can make sales, he will not venture to import, and when consignments are tendered, he is obliged, from inability to pay the duties in advance, to turn over the consignment to a large capitalist. Thus small capitalists are, for the most part, excluded from competition in the business of importing, and those there are, at this moment, in every city, who feel this to be true! A proper warehousing system ought to be adopted, and the bill of the majority of the committee ought to contain such a provision, even though imperfect, to obviate these evils.

There is another feature in the bill, which deserves, especially at this period, serious consideration, if it is not altogether objectionable. We allude to the tax on auction sales of imported goods. The present indebtedness of the states has been urged as the reason, why revenue should be taken from the proceeds of the public lands. In some of the states, where there are large importing cities, the auction tax is an important source of revenue to the state. The bill imposes a duty of three per cent. on auction sales of imported goods. This will have the effect of diminishing the sales at auction; and of course, the revenue derived from this source, by preventing sales, by the additional loss to the owner, in the addition of three per cent. tax, and of course, the state will lose the revenue which would be otherwise obtained by the state; for when if not all of the states imposes tax upon auction sales. Such sales are all, except in particular cases, forced sales; and are made, in most instances, by the owner a cause for taxation, and that necessity is often caused by your own law, which compels the importer to pay the duty, in cash, at the time of import; and thus he is obliged to sell, to raise the money which he has borrowed to pay the duty. Thus your law will force him to sacrifice his goods, and then tax him for the privilege! Will this, may be benefit the manufacturer, by checking importation; but will it eventually benefit the revenue? We think this is at least problematical.

The last objection we propose to make to the bill, and probably it is even more serious than any we have named, is that which imposes, after the 30th of June, 1843, a duty of ten per centum ad *valorem*, in addition to all other duties, on woollen cloths and kerseys, or cassimers; on all manufactures of cotton, which are dyed, colored, printed, or stained; on lace; thread and silk stockings; on worsted stuff goods; manufactures of silk and worsted and of leather; on spirits distilled from grain or other materials; on hemp and cordage; and on the various wines of France, Austria, and Portugal, provided, that if the *tobacco, grain*, and *flour*, of the United States are admitted into any foreign kingdom or state, with all the rights and privileges of the manufactures of the manufactures of the said state, and subject to no higher duty or tax, then, as to the products of such state, the ten per cent. additional duty shall cease. This is perhaps the most oppressive provision, in relation, to say no worse of it, (and we say it without disrespect), which has ever been proposed for enactment.

By the very bill which asacts a rate of duty, on all the foreign products named, so high as to exclude them from our market, you say to these foreign producers, if you do not admit certain articles of our production, which are produced by a portion of your people, to all the rights and privileges of your own, and subject to no higher duty, we will put such an additional duty upon all the most important of your exports as will certainly exclude them from our market, and we will tax all our people for the benefit of that portion who do not produce them; but, if you will consent to give up $32,000,000 of revenue on tobacco, we will take $40,000,000 of your produce in return, at our own price; and this, too, when the amount of the import of those articles is already so small, as we have shown, as scarcely to weigh a feather in the general consumption of the world when the whole of our importation, free or subject to duty, does not equal in amount the export of a single class of manufactures from England alone—that of cotton manufactures. The revenue derived from tobacco from the single article of tobacco, principally of our production, is $32,000,000, while the whole importation of her productions, which we propose to use as a rod to coerce her to accede to our demands, hardly equals that amount. How or reasonable and desirable such reciprocity might seem to be to many persons in this country, there can be no probability of such concession; and this retaliatory clause can only result in an additional tax of ten per cent. on our own consumers, for the protection of our domestic manufactures. Such an attempt to coerce other governments to transform their legislation to our notions of policy would, we believe, only recoil on our own consumers.

We have done. If we have embraced much of these in this report, it has been in the endeavor of giving a view of the whole subject, in order to give a just view. All we ask is, that not only congress, but the people of the United States, will give to this statement of our views such consideration as the importance of the subject and its immediate bearings upon all the great interests of the country demand. If the provisions of the bill of the majority through the house, it is our intention to offer either an entire substitute, or such amendments as will make the bill, when finally passed, as nearly conformable to the great principles of the compromise act as practicable. Such a rate of duties, we are well persuaded, would give an amount of revenue to the government at least as great as that of the United States, will give to this it would comport precisely with that good faith so solemnly pledged, and with that harmony and peace which it was the intention of that act to restore.

RICH'D. M. HABERSHAM.
P. C. CALDWELL.
AARON V. BROWN.

APPENDIX.

A mistake having by accident crept into the report of the majority of the committee, on the subject of the duty on tobacco in Prussia, we insert a letter from the resident minister of Prussia, the Baron de Roenne, and another from the hon. Mr. Triplett, of Kentucky, which will correct the error.

NEW YORK, APRIL 23, 1842.

DEAR SIR: Mr. Saltonstall's report on the tariff, which I have just received, I find a statement made by the hon. Mr. Triplett, in his letter to Mr. Saltonstall of March 28, (page 90 of the report), "that unmanufactured tobacco paid in Prussia a duty of 30 cents per pound, or upwards of 100 per cent." This statement is incorrect as the duty levied in Prussia and the German states forming the customs union is only 5¼ Prussian thaler per hundred weight, which is equal to about $3 75, a Prussian thaler being equal to from 68 to 69 cents. At the suggestion of the hon. Mr. McKeon, I take the liberty to call your attention to the incorrectness above alluded to, and which I suppose has arisen by mistake into the hon. Mr. Triplett's letter. As I understand you are engaged in making a minority report on the subject, you may perhaps find it worth while to correct the mistake. In Mr. Saltonstall's report itself you will find it stated, at page 99, that the duty levied on unmanufactured tobacco in Prussia is $3 75.99 per cwt.; it is, (p. 3), equal to 3 cents 99 mills per pound, a very material difference! I have the honor to be, with great respect, your obedient servant.

BARON DE ROENNE,
Minister resident of his majesty the king of Prussia.
Hon. *R. W. Habersham.*

House of representatives, April 29, 1842.

SIR: My attention having been called to the subject by the letter of the Prussian minister to you, I find there is a mistake in your communication, the following errors in the printed copy, in stating the amount of duty paid on tobacco in Austria and Prussia:

In Austria, within a fraction of 60 cents per pound, or 1,000 per cent.; in Prussia, 30¼ cents per pound, or upwards of 500 per cent.

It should read: In Austria, within a fraction of 6 cents per pound, or 100 per cent.; in Prussia, 3¼ cts. per pound, or upwards of 50 per cent.

I thank you for having afforded me the opportunity of correcting this error, although the table annexed, at page 99, would have enabled any one to find out and correct it. Respectfully, your obedient servant,

PHILIP TRIPLETT.

Hon. Mr. *Habersham, member of com. on manufactures.*

NO. 1.

Statistics of the Glenham company's woollen factory, at Fishkill, Dutchess county, state of N. York, 1841.

Said factory's capital is $140,000.

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There were used in the manufacture of broadcloths and cassimeres, during that year, the following materials:

3,033 pounds of listing wool, mostly foreign	$72,954 30
3,533 gallons of olive oil, (duty is 20 cents the gallon)	1,066 89
769 gallons of sperm oil	4,026 07
11,174 pounds of soap, (American)	864 53
75,800 teazles, (American)	1,193 96
19,961 pelts for sizing, (sheep, muskrat and beaver skins)	1,545 57
143 cords of fire wood	584 54
270 tons of anthracite coal	585 88
50 chaldrons Nova Scotia coal, (duty $100)	1,640 00
4,551 pounds of fuller's earth	446 71
6,080 pounds of Bengal indigo, (duty $900)	83 38
Dye stuffs—logwood, alum, wood, copperas, madder, &c.	9,966 05
42,600 gallons of urine	2,462 67
1,353 pounds of cotton warp, for Kentucky jeans	827 94
Sundries, consisting of numerous items	135 30
	3,795 66
	$102,121 54

170 men, women and children, were constantly employed in using up said materials during the year, and to whom were paid, in wages, $35,300 00

Expenses of insurance, transportation, interest, &c.	7,135 51
	$144,556 85

Said materials were manufactured into 2,220 pieces, (38,306 yards), of broadcloth, which sold in the New York market at from $2 to $4 50 per yard; 1,638 pieces, (35,391 yards) of cassimere, which sold in the New York market at from $1 25 to $2 25 per yard; 33 pieces Kentucky jeans, (4,241 yards), which sold at 40 cents the yard. The cloths ware about a half wool-dyed blacks, nearly all the rest indigo blue. The cassimeres were blacks and fancy.

When that establishment commenced operations, in 1823, wool was bought up and shipped to England, as a remittance, at 62½ cents the pound—England then levied a duty on all foreign wool of 9d. sterling per pound; in about the year 1828, that duty was reduced to 1d. That same quality of wool has, during that period of nineteen years, fluctuated considerably; it has been as high as 70 cents, and as low as 40 cents. In 1811, it was worth 48 cents.

Let us see the amount of agricultural capital now in requisition, which that manufacturing establishment requires to keep it in operation, and that furnishes a market for such agricultural investment.

First. To produce 173,000 lbs. of wool will require the fleece of 66,000 sheep; at their present lowest value in Dutchess county, I put them down at $2 per head	$132,000
Second. To support that immense flock of sheep with winter fodder and summer pasture: I am informed by a sheep raiser, that not more than three sheep can be kept on an acre; consequently, 22,000 acres of land will be the required quantity for their maintenance, at the lowest price that lands can be had in the county, which will support three sheep to the acre; I estimate at $50 the acre	1,100,000
Third. Not less than 500 persons are supported out of the labor of the 170 operatives, and consume weekly, of the product of agriculture, of beef, pork, flour, butter, milk, eggs, cheese, &c. at the lowest estimation, the value of two hundred dollars per week, for the year of 52 weeks, or $10,400 per annum. Intelligent farmers tell me that it must be an industrious man, on a farm of 200 acres of fair average land, who can sell to the amount of $890 per annum, over and above the supply of his own family and work hands. To furnish, therefore, the supply for the manufactures, would require thirteen farms of 200 acres each, or 2,600 acres, which I estimate at $70 per acre	182,000
Fourth. A further investment of agricultural capital is required to furnish the teazles, firewood, coal, provender for team horses, &c. estimated at	8,000
	$1,422,000

Thus, $1,422,000 is the agricultural capital now in requisition to supply the manufacturing investment of only $140,000.

I challenge refutation of the foregoing statement of facts.

Comparative statements of imports into the United States under the comparatively low duties, ranging from 7½ to 22½ per cent. ad valorem, with specific duties at like low rates, from the year 1801 to 1807, both inclusive, and the imports in the year 1840, at which time it is alleged the duties were at the same rates as are fixed by the bill reported by the majority of the committee; and also showing the amount of imports which remained in the country for consumption in the respective years, and the amount of duties received into the treasury in each year specified.

Year.	Total imports.	Paid into the treasury on account of ports.	Paid into the treasury on account of duties.	Remained in the country for consumption.	Over or collection included in revenue duties, &c.	Population, about—	Remarks.
1801		$11,363,511	$10,750,276	$64,730,796			
1802		12,378,865	11,475,117	51,072,348			
1803		12,622,595	10,479,475	40,478,536			
1804		13,500,000	11,095,365	48,766,403			
1805		12,900,000	12,936,487	47,490,383			
1806		13,800,000	13,583,000	53,534,541			
1807		12,500,000	15,845,934	63,462,487			
1840	107,141,519	15,103,790	88,951,307	1,604,298	17,000,000	7,000,000	

The table of imports and exports of 1840 will be found in executive documents, number 132, pages 117 and 118, second session, 26th congress, 1st session. The amount retained in the country, 1st column, 1841, and the Principle in 1st column 1841, and the Principle in 1st column 1840, 1840, with the exception of population in the census of 1840.

It will be perceived, by the above table—1st, that the imports and amount of duties increased from 1801 to 1808, when the embargo was laid; and that, in 1807 the imports much exceeded, and the duties also, (if the expenses of the respective years are deducted,) the amounts in 1840; while the consumption of foreign goods in the country was only about $10,000,000 less, and while the population in 1807 was about 7,000,000, and the population in 1840, 17,000,000, or about two and one-half times as great. Further comment on the table is unnecessary, except to say that the increase of expenditure in the collection appears to have been gradual from 1801, when it was $442,772, to 1840, when it was $1,604,298.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

MAY 19. Mr. *Smith*, of Indiana, from the committee on public lands, reported a bill authorising Lake county in Illinois to enter a quarter section of land for a seat of justice in said county. It was read the third time, (and passed on the 20th.)

The resolution submitted by Mr. *Merrick*, specifying that communications or letters sent by any of the executive officers to the senate, or any of its committees, pending a nomination, were to be considered confidential, &c. being next in order.

Mr. *McRoberts* moved to strike out all after the word *Resolved*, and insert the following:

"That in all cases of nomination made by the president to the senate, for the appointment of officers of the U. States, the senate will proceed to consider and decide on said nomination with open doors."

Mr. *McRoberts* addressed the senate at some length in favor of the amendment. He saw no good reason for secrecy in the case of appointments more than in legislative proceedings. Illinois had long acted on the principle of open doors in relation to appointments without any injurious effect, and he knew of no cause that should induce the government to take up its proceedings under the veil of secrecy. In his opinion there was nothing to be apprehended from a bold open course.

After Mr. *McRoberts* had spoken until one o'clock, Mr. *Linn* rose to call the attention of the senate to the unfinished business of yesterday, being the bill to refund the fine imposed on General Jackson, and which was considered the special order.

Mr. *McRoberts* would cheerfully yield to the wishes of the senator.

The bill to refund the fine imposed on General Jackson was then taken up, the question pending being the proviso offered by Mr. *Henderson*:

"That nothing in the act shall be construed so as to give any expression by congress as to the legality of the proceedings of judge Hall in inflicting the fine, but as additional expression of the admiration in which they hold the achievements of Gen. Jackson in the defence of New Orleans, and the service rendered by him and his companions in arms on that occasion."

The question being taken it was decided in the negative as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Clayton, Conrad, Crittenden, Evans, Graham, Henderson, Mangum, Merrick, Miller, Morehead, Porter, Preston, Simmons, Sprague, White, Woodbridge—20.

NAYS—Messrs. Allen, Archer, Bagby, Benton, Buchanan, Calhoun, Cuthbert, Fulton, King, Linn, McRoberts, Sevier, Smith, of Conn. Smith, of Ind. Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—23.

The question was then put, "shall the bill be engrossed?" when Mr. *Archer* rose and addressed the senate against the bill.

Mr. *Bayard* made some observations, and submitted an amendment which he thought would reconcile all differences. It was to strike out all after the enacting clause, and insert—

"That there be remitted and refunded to General Jackson, out of any money in the treasury not otherwise appropriated, the amount of a fine and costs imposed upon him by the district court of the United States for the district of Louisiana, for an alleged contempt of court, with interest, at the rate of six per cent. per annum: *Provided always*, That the act shall not be construed as an expression of the opinion of congress upon any judicial proceeding or legal question growing out of the declaration of martial law by General Jackson during the defence of New Orleans."

The question was taken on the amendment of Mr. B. by yeas and nays, and decided in the affirmative, as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Clayton, Conrad, Crittenden, Evans, Graham, Henderson, Huntington, Mangum, Merrick, Miller, Morehead, Porter, Rives, Simmons, Smith, of Indiana, Sprague, Tallmadge, White, Woodbridge—23.

NAYS—Messrs Allen, Archer, Bagby, Benton, Buchanan, Calhoun, Crafts, Cuthbert, Fulton, King, Linn, McRoberts, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—22.

The question was taken on the engrossment.

Mr. *Tallmadge* desired the yeas and nays, which were ordered and stood as follows:

YEAS—Messrs. Barrow, Bayard, Berrien, Clayton, Conrad, Evans, Graham, Henderson, Mangum, Merrick, Porter, Preston, Rives, Smith, of Indiana, Sturgeon, Tallmadge, Woodbridge—17.

NAYS—Messrs. Allen, Archer, Bagby, Bates, Benton, Buchanan, Calhoun, Crittenden, Cuthbert, Fulton, King, Linn, McRoberts, Miller, Morehead, Sevier, Smith, of Connecticut, Tappan, Walker, White, Wilcox, Williams, Woodbury, Young—24.

So the bill was lost.

On motion of Mr. *White*, the senate then proceeded to the consideration of executive business; and after some time spent therein, the senate adjourned.

MAY 20. Mr. *McRoberts* gave notice that, on to-morrow, he would ask leave to introduce a bill to amend the act authorising the president of the United States to employ the land and naval forces of the United States to suppress insurrection.

Mr. *Mangum* moved to go into executive session;

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which motion having been agreed to, the senate proceeded to the consideration of executive business; and, after being engaged therein until past five o'clock, adjourned to Monday.

MAY 23. Mr. *Tallmadge*, of N. Y. submitted the following resolutions as a substitute for those of the senator from Ohio (Mr. *Allen*) offered in reference to the Rhode Island affairs.

Resolved, That by the constitution, the U. States are bound not only to guarantee to each state a republican form of government, but also to protect each of them against invasion and upon proper application, domestic violence.

Resolved, That the form of government with which a state has come into the union, and has been recognised and represented as a member of the union, must be taken and regarded as republican, and that such state is entitled to all that guarantee against domestic violence and invasion which is pledged by the constitution of the United States.

Resolved, That the government of a state so coming into the union, and recognised as a member of the union, can only be changed or suspended consistently with the principles of the American revolution, when it is done in pursuance of and in the mode prescribed by the law of such state; and that any attempt by force to overthrow the government in disorderly and disorganizing, tending to anarchy and bloodshed, and, in the end, to the destruction of public liberty, and is such a domestic violence as entitles that state, by the legislature or executive thereof, (when the legislature cannot be assembled,) to apply for and obtain from the United States protection against the same.

Resolved, That the application made by the legislature of Rhode Island, one of "the old thirteen," to the president of the United States, for protection against domestic violence, was within the meaning and terms of the constitution, and that it was the duty of the president to take such preparatory steps as a wise and prudent forecaste demanded, and to adopt such efficient measures as are contemplated by the constitution and the laws in pursuance of it, for giving such protection.

On motion of Mr. *Allen* they were ordered to be printed.

The resolutions introduced four months since nearly and flying upon the 30th of May for the adjournment of the two houses of congress, was called up by Mr. *King*, of Alabama.

The yeas and nays were asked for, upon the motion of Mr. *Sevier* and the senate refused to consider by a vote of 20 to 17.

MAY 24. The naval appropriation bill from the house was received and referred to the financial committee.

Petitions in favor of tariff were presented from citizens of New York and Pennsylvania.

The apportionment bill was then, on motion of Mr. *Buchanan*, taken up.

Mr. *Berrien* explained the amendments to the bill which had been made by the committee on the judiciary. Mr. B. was of opinion, so far as he was individually concerned, that the ratio should be very considerably higher than that fixed either by the house or senate. He had been brought to assent to the present number from the difficulty that he saw would interfere with any attempt to increase it, though his mind had undergone no change.

The debate was continued on this bill until a late hour, Messrs. *Walker*, *Buchanan*, *King*, *Woodbury*, *Crittenden*, *Berrien*, *Wright*, *Tappan*, and others, participating; the debate being chiefly on the motion of Mr. *Walker* to concur with the committee in the second amendment, namely, that of giving one additional representative for each state having a fraction greater than one moiety of the said ratio, as being the most important to be first acted on.

At a little after four o'clock the senate adjourned without taking any question.

MAY 25. Mr. *Smith*, of Indiana, in the chair.

Mr. *Crittenden* moved to take up the bill to amend the act of the 19th March, 1838, entitled "an act to change the time of holding the circuit and district courts of the district of Ohio;" which motion having been agreed to, the bill was considered, and finally read a third time and passed.

The senate then proceeded to the consideration of the special order, being the bill for the apportionment of representatives among the several states,—the question pending being the motion of Mr. *Walker* to concur in the second amendment of the committee on the judiciary, giving one additional representative to each state having a fraction greater than one moiety of the said ratio.

Mr. *Buntington* rose and addressed the senate at some length, and was followed by Messrs. *Woodbury*, *Walker*, *Bayard*, *Allen*, *Crittenden*, *Rives*, *White*, and others, when the question was taken and decided in the affirmative, as follows:

YEAS—Messrs. Barrow, Bates, Berrien, Choate, Clayton, Conrad, Crittenden, Cuthbert, Evans, Fulton, Graham, Henderson, Huntington, Kerr, Merrick, Morehead, Porter, Sevier, Simmons, Sprague, Tallmadge, Walker, White, Woodbridge, Young—25.

NAYS—Messrs. Allen, Archer, Bagby, Bayard, Benton, Buchanan, Calhoun, Crafts, King, Linn, Mc-Roberts, Mangum, Miller, Preston, Rives, Smith, of Connecticut, Smith, of Indiana, Sturgeon, Tappan, Williams, Woodbury, Wright—21.

Mr. *Bayard* then moved an amendment, the effect of which was to strike out the 50,000, and leave the ratio blank; which motion was concurred in, as follows:

YEAS—Messrs. Archer, Bagby, Bayard, Berrien, Buchanan, Calhoun, Clayton, Crafts, Cuthbert, Evans, Fulton, Graham, King, Linn, McRoberts, Mangum, Preston, Rives, Sevier, Smith, of Indiana, Sturgeon, Tallmadge, White, Williams, Woodbridge—25.

NAYS—Messrs. Allen, Barrow, Bates, Benton, Choate, Conrad, Crittenden, Henderson, Huntington, Kerr, Merrick, Miller, Morehead, Porter, Simmons, Smith, of Connecticut, Sprague, Tappan, Walker, Wilcox, Woodbury, Wright, Young—23.

After which, the senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, MAY 26. Mr. *Triplett* of Mr. *Fillmore*, the house resolved itself into committee and resumed the consideration of the bill making appropriations for the navy.

When the committee rose last evening, item No. 1 was under consideration, in the following words:

"For pay of commissioned, warrant and petty officers and seamen, $3,195,432 23."

Which said item Mr. *Meriwether* had moved to amend, by striking out "$3,195,432 23," and inserting $2,335,000." And the pending question was on the amendment.

On yesterday Wednesday, Mr. *Sprigg* had spoken in favor of the amendment and stated that there were now 230 officers waiting orders, that there were 250 in the department, that the appointment of officers by the executive ought to be checked, that the outstanding balance appropriated for the navy on first January last was over $3,000,000, and that now over $3,000,000 were asked for, and that amount for the present year near twelve millions, or more than half as much as it was estimated in 1841, that the whole expenses of the government would require.—Mr. S. controverted the argument that we were to have so many more captains than we had ships. He did not believe the nation would suffer, if the board of naval commissioners were abolished entirely, and the consideration of the means and unsettled source of revenue alone was sufficient to determine him in opposition to the bill. The chairman of the committee if he was present as anxious to pass this bill; yet that committee had thrown off their duty of devising revenue upon the committee of manufactures. He (Mr. S.) would not commit himself on the subject of a protective tariff.

Mr. *Everett* read a statement of the increase of the naval officers from 1st January 1841, to January 1st, 1842, by which it appeared that of seamen of 2,265, and took it for granted that to this was to be attributed the increase of $800,000, in appropriations over that of last year for their pay. He thought a law should be passed fixing the number of naval officers, but it would be unjust to postpone this bill till such a law should be passed. He hoped a law will hereafter be passed limiting all our foreign relations in reference to naval appointments as had been done in reference to the army.

[A message was here received from the president with his signature to several bills and among them the general appropriation bill].

Mr. *Gamble* concurred with the opinions of Mr. *Everett*, and spoke in favor of the home squadron and the yet unsettled question of our foreign relations.

Mr. *Fillmore* explained how gentlemen were misled by the document shewing the amount laying over on January 1st ult. It was the same as shewn by the documents for December 1st, 1841, and all the expenditures from October 1st, 1841 to January 1st, 1842, ought to be deducted from that document to shew the true amount of the balance on hand on Jan. 1st, 1842. The amount was $2,000,000.

Mr. *McKay* spoke against increasing the American navy. He said that Great Britain had in 1841 upon her navy list (including all vessels, building in commission and in ordinary) 518 vessels mounting 18,000 guns. In 1841 the U. States had 76 vessels mounting 2,130 odd guns.

The secretary of the navy had said he wanted 53 vessels to be put in commission. Were they prepared to meet that demand? Was there necessity for it? We had 37 in commission last year, and authority was given at the extra session for 2,000—making 45. The exploring expedition was to return about the 1st July, to which there were three vessels belonging which might then be put on other service.—He held in his hand a statement showing how the navies of Great Britain and America were distributed among the different stations, a part of which he read, showing that on the Mediterrane an station Great Britain had 29 vessels carrying 352 guns, and America had 3 vessels carrying 80 guns; and that on the Brazil station Great Britain had 28 vessels carrying 305 guns, and America 4 vessels carrying 156 guns. If we put two or three more vessels on each station, could we expect then successfully to compete with the force of Great Britain? We could not.

The secretary had asked for too many vessels.—The policy of the government had been to collect materials and build ships, having them ready to launch when required, but it was now proposed to put all our vessels afloat. Great Britain had 578 vessels in all, and only 200 and odd afloat.

Mr. *Triplett* spoke in favor of the navy. The secretary wanted 11,000 men and over, exclusive of marines. He contended that there was no necessity for this increase. He held in his hand a table showing the difference between the war complement of our vessels and those of Great Britain, from which he read, showing that this complement of our vessels was much greater than that of Great Britain; that our vessels of 120 guns required the regulations to carry 1,200 men, while British vessels of 120 guns carried only 900 men. He did not object to employing this number in time of war, but it became a very grave matter of consideration whether they should be employed in time of peace.

The amendment of Mr. *Meriwether* was then decided in the affirmative by ayes 72, nays 53.

So the amendment was adopted.

And the question recurring on agreeing to item No. 1—

Mr. *Triplett* moved to amend the item by adding a proviso; which, after several modifications, was as follows:

Provided, That no part of this appropriation shall be applied to the payment of the pay or other emoluments of any officer of the navy who is now, or shall be hereafter, suspended from his service by the judgment of a court martial during the period of his suspension, or has rendered no service for five years or upwards, unless such failure to render service has been caused by wounds received or disease contracted in the service.

Mr. *Triplett* spoke briefly in favor of this amendment.

Mr. *Cushing* opposed it. He considered it as repealing the present government and powers of courts martial, and interfering with their jurisdiction, and graduation of punishments; and therefore, he raised the question of order.

The speaker decided it to be in order, and an appeal being taken, the house sustained his decision.

Mr. *Cushing* considered the amendment as interfering with the pardoning power of the president.

Mr. *Underwood* moved to strike out the latter clause of the amendment, commencing at the words "who shall not be serviceable," as its possible effect could not be foreseen. He would vote for the first branch of the resolution. They were met here by a constitutional question. It was said that it deprived the president of the exercise of the pardoning power. But how, he asked, if they refused to inflict punishment, had the president any thing to pardon? If they made a law that a man should not suffer, that was the depriving of the salary a part of the punishment, they could not impose it, and the president could not pardon it.

Mr. *Fillmore* was inclined to favor Mr. *Underwood's* amendment. Its only effect, however, would be to deprive the officer from any compensation out of the special appropriation, but it did not preclude his being paid out of other appropriations. He thought there was no reason why an officer, suspended as a condemned criminal, should be paid; and he thought that, if an officer had rendered no service for five years, it was at least an evidence that his services were not wanted. He suggested to his friend from Kentucky (Mr. *Triplett*,) the propriety of withdrawing his amendment, which on an appropriation bill was futile, until a proper time, when they could legislate on the subject, and actually deprive the officers of any compensation whatever, by making it a permanent law of the land. For this reason, and this only, he should vote against the amendment, but should be decidedly in favor of such a proposition as a permanent standing law.

Mr. *Ferris* said that the powers of court martial now were absolute even to death, and were liable to abuse. In other tribunals, crimes were defined and classified, and their punishments graduated by law; but a court martial might dismiss for the most trivial offence. Therefore, he was not for limiting the

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executive discretion of mitigating punishment and would oppose the amendment.

Mr. *J. R. Ingersoll* opposed the amendment as inexpedient and unconstitutional. He referred to the great condemnation of the conduct of the Romao dictator for disobedience of orders, to Nelson's disobedience at Copenhagen, to Gen. Jackson's also, in defence that occasional irregularities should not be punished with rigor. Mr. I. also opposed it on broader grounds, and adduced cases from Napier's history in favor of self, had been appointed by a commander; and referred also to Jackson's reversal of sentences of such courts, and thought the amendment would injure the custom of ages, and would reduce the service to chaos.

Mr. *Habersham* said the severity of the amendment would defeat its object. There were two grades of punishment; one was suspension only; the other was pension with deprivation of pay; the severer of left but one punishment, and that the severer of the two; and, therefore, offences would frequently go unpunished, if this amendment passed.

Mr. *Wise* presumed the moving cause of this amendment was the case of Capt. Elliott. [Mr. *Triplett* admitted that and one other case as his cause for offering it.] Mr. *Wise* thought the amendment would be, therefore, an *ex post facto* law, and congress had no power to enact it. He protested against reforming the navy in an opprobrious fashion.

Mr. *Cavalhers* contended that the power which made the law regulating courts martial had the power to alter or repeal it, and denied that it operated as an *ex post facto* law. It was a remedial law for the future only. Were gentlemen conscious of the vast amount paid annually to officers doing nothing. Out of service they contracted idle habits, engaged in quackery in other professions, and became unfitted for sea service. Mr. C. professed himself a friend to the navy, but declared his intention to judge for himself how far he would go in voting for the navy increase. He was opposed to the views of the secretary on that subject. Our navy, as it was, had increased faster than any other on the globe. England has 200 ships, Russia 230, France 230, and Spain 26. But how long had they been in building up such a force? We were the fourth maritime power in the world; let us hold our rank of 64 or 70 ships, and render them as perfect in construction, equipment, and discipline as possible. He was not ready to go any further. He was for diminishing the two millions which were asked for the second increase of this branch of our defence. True, it was not quite so dangerous as a standing army, but still it was dangerous. We had no design of conquering foreign countries; all we needed was an adequate provision for our own defence, and for this end he thought we had enough ships already.

Mr. *Sollersett* regarded the navy as the right *arm of national defence* and opposed the amendment.

Mr. *Warren* proposed an amendment which was read for information, from which it appeared that it proposed in substance, that no officer, suspended by a court martial, or whose sentence had been changed to suspension by the executive, should receive pay while the suspension continued. As to the last part of the amendment now before the committee, Mr. W. could not vote for it. He was utterly unwilling to declare that, because a man had been cut off service for five years, although he had during that time committed no offence, but had been ready to serve at any moment he might be called on, his pay should be cut off. He thought this neither just nor wise. The case of commodore Elliott had not been in his mind when he drew up his amendment, though that of Lieutenant Adams was. There might be very many more. Mr. W's amendment was ruled out of order.

Mr. *Adams* addressed the committee against the amendment. Had the gentleman from Georgia heard or read the evidence, or weighed the argument of the judge advocate, against the accusation and the defence? Were the executive decisions to be reversed upon mere probabilities that the decisions of the court martial were more proper than the president's. Were we to assume executive power, reverse the decision of the president, and change the criminal law of the navy, (and merely because one mistake may have been committed) and take away the gracious power of mercy. Were gentlemen anxious to remove from the code of naval courts [where even a condemnation to death does not require unanimity] an only mitigating power. Mr. A. stood in a state of perfect neutrality in regard to commodore Elliott—he was neither for him nor against him, but willing to consider him as "an abstraction," if gentlemen would have it so. But he could not give his assent to the amendment. Even if he disapproved of the act of the president, still he should consider the house as not in its proper function when attempting to reverse his judicial decisions. And, in spite of all attempts to evade the argument of the gentleman from Virginia, (Mr. *Wise*), the amendment was an *ex post facto* law still.

On motion of Mr. *Arnold*, the committee rose, and the house adjourned.

FRIDAY, MAY 20. On motion of Mr. *Pendleton* of (Cincinnati), Ohio, a resolution was adopted inquiring of the navy department why the advertising of proposals for the construction of the engine of the lake steamer, as originally intended and promised and communicated to several engine builders by himself, had been abandoned, and the procedure had precluded competition. The contract was made without advertisement with an engine builder at Pittsburg.

The speaker laid before the house a letter from Samuel Lawrence and W. W. Stone, of Boston, avowing their readiness and desire to meet the most searching inquiry into the charges and insinuations against them, contained in the report of the honorable George Poindexter; also a letter from G. Poindexter, asking as an act of justice, a select committee to be appointed to examine seriatim whether there be any discrepancies between his report, and the evidence and document on which it is founded. He believes it will eliminate his report from the intimation unjustly made against it in advance of the publication of the evidence. If his request is denied, he submits whether a discussion ought not in fairness to be postponed until all the accompanying documents are printed.

The naval appropriation bill was then, on motion of Mr. *Fillmore*, resumed in committee.

Mr. *Triplett* replied to the objections made to his amendment. He knew not when a reorganization of the navy would take place, and was for doing now a much good as could, leaving to this bill it was not the most appropriate place. He contended that it was not *ex post facto*, denied the imputation that it was legislating against the president, and having concluded,

Mr. *Wood* said he was not prepared to vote for extraordinary appropriations when the treasury was exhausted and embarrassed.

Here Mr. *Charles Brown* spoke in vindication of the Philadelphia navy yard, in comparison with that of Norfolk and the heavy expenditures at the latter.

Mr. *Mallory* said the naval establishment at Norfolk was the largest in the United States and was intended as the great central depot of the U. States on the ground of its superior advantages. That explained the expenditures there.

The question was then taken on the amendment to the amendment, and it was *rejected*.

And the amendment of Mr. *Triplett* was *rejected*.

Mr. *McClellan*, of New York, thereupon moved to amend item No. 1 (as amended) by adding thereto the following proviso:

"*Provided*, That, till otherwise ordered by congress, no part of this or any future or existing appropriation shall be applied to the payment of any officer in the navy proper, beyond the 1st day of January, 1841; and that the excess now in the service beyond that number shall be reduced as fast as deaths, resignations, and promotions will permit."

Mr. *McClellan* said that he had but a word or two to offer in explanation and support of the amendment. The number of officers in naval service for the present year were eight and half millions of dollars, exceeding those of last year by three millions; and, by the report of the secretary of war and navy, it appeared that a large item was for the pay of an additional number of officers whose grade had been raised. Though there were in commission but 15 more vessels than last year, $34,000 more was demanded for the pay of officers waiting orders. In some grades the number of officers had been doubled. The number of post captains was but 24 when Mr. McC. was in office (1839), Mr. McC. said, there was evidently a radical defect in our naval system. In the army not an officer could be added without express provision of law; not a clerk could be added to any of the departments but by permission of congress; but in the navy the number of officers and the number of ships were left at the absolute discretion of the executive. The president had a right to appoint as many officers as he pleased; he could commission vessels, equip, officer, and man them at pleasure, and after he had done this, it was gravely contended that congress were bound to vote the necessary ways and means. It was time a veto should be put on the power exercised at the other end of the avenue. The estimates this year for the navy were eight and a half millions; for the war department eleven millions; for the civil and diplomatic expenses of government five and a half millions. But here, in three branches only of the public service, there was a demand of twenty-five millions of dollars, besides all the other sources of expenditure.

From what source was all this vast amount of money to be found? There was not a dollar in the treasury. The government was bankrupt almost beyond recovery. They had attempted to borrow. With that view they had passed a loan bill. Yes, and every echo from the north sounded like a peal of thunder in their ears if it brought news that the smallest part of the sum had been taken. And yet, in this extreme exigency of the public affairs, when the country was distracted every part of the land, the house was called upon by the chairman of the committee of ways and means to swell the expenditures higher and higher. Mr. McC. was not prepared to respond to the call unless he saw a great exigency indeed to demand it.

When his friend from Massachusetts, (Mr. *Cushing*), whom he considered as one of the prime ministers of the present administration, opened his budget, Mr. McC. had given him an attentive and respectful hearing, because he knew that he spoke from authority. He expected to hear him proclaim in solemn tones the speedy approach of war; but he had done no such thing. Then he had looked to hear of the protection of our commerce, which was rising like a phenix and spreading its white wings on every sea; but no, there was nothing of this either. The whole upshot of the gentleman's anunciation was increase of pomp and glory the power of the other end of the avenue. Now, Mr. McC. was very willing to glorify the powers in that quarter, provided it was not done at the expense of a suffering people.

Was it contended that this large amount of eight and a half millions was for the protection and safety of our commerce? Not at all. During the administration of Mr. Jackson and Mr. Van Buren, the appropriation for the naval service had been but five millions. And had not our commerce ridden in safety on the waves of every ocean? Had it not been protected in the Mediterranean? In the Pacific all around the globe? Had not the pirates been exterminated from the Gulf of Mexico and the West Indies, till not a pirate had been heard of for six years past? It would not be pretended that this increase of three millions was needed for the protection of commerce. And as to war, there was no present prospect of it. No man pretended that there was. On these grounds, Mr. McC. should oppose the increase asked for.

He was a staunch friend to the navy; he shared in the pride felt by the whole nation in view of its achievements. He was willing it should receive a gradual increase; but he never could consent to follow the lead of the secretary to enlarge it continually and rapidly till it should equal one-half the size of the navy of Great Britain, and should cost the nation thirty millions annually. Did the secretary seriously suppose that the American people were prepared for such a course as that? If he supposed so, he greatly wronged the intelligence of the people of this country.

Mr. McC. was sorry the poetical blank verse message of the honorable secretary with alarm. But he would not go into any extended observations on the general topic.

He had risen to commend to the committee the amendment he proposed to the bill. The vote on this amendment would be a test vote; that on the amendment of the gentleman from Georgia (Mr. *Habersham*) was not a test vote, because the 800,000 dollars stricken out by that amendment would be supplied out of the unexpended balance in the hands of the department on the 1st of January last. The amendment would be practically unavailing. But that now offered would put an effectual check to further attempts to augment the number of officers, as had been done without the knowledge or authority of the house. The amendment proposed so injurious; it went to pay all who were in commission, but provided that hereafter no appointments be supplied when vacant beyond the number we had on the 1st of January, 1841.

The discussion was continued by Mr. *Fillmore*.

Mr. *Everett* offered the following amendment as a substitute.

"*Provided*, That no part of this appropriation shall be applied for pay of any officer of the grade of captain, commander, lieutenant, or passed midshipman, or midshipman, hereafter appointed, if the number in service in his respective grade shall exceed the number in service on the 1st day of January, 1841.

The discussion was further continued by Mr. *Proffit* and *Cushing*, who having yielded to a motion to that effect, the committee rose.

The speaker laid before the house a communication from the navy department in compliance with a resolution of the house of representatives of the 18th instant, stating that the sum of $742,510, chargeable to the appropriation for the pay, &c. of the house

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squadron, was on hand on the 31st December, 1841, and that the sum of $250,000 of that appropriation was, under the provisions of the act of 30th June, 1834, transferred to other heads which were exhausted; which sum of $250,000 is to be reimbursed to the appropriation for the home squadron upon the passage of the law making provision for the naval service of the present year.

The *speaker* also laid before the house a communication from the secretary of war, in answer to a resolution of the house of the 14th February last, in relation to the Choctaw academy for the education of Indian youths, &c. Laid upon the table, and ordered to be printed. And the house adjourned.

SATURDAY, May 21. The house resumed its committee, the consideration of the naval appropriation bill.

Mr. *Cushing* referred to the act of congress which showed that the president might put in commission and provide with men whatever number of vessels the public interests might require. He also read various statistical documents in relation to the navy of England and its cost; for 1840 its expenses were £5,659,051; he contended that to cut down the appropriation in the bill would be equivalent to a repeal of the home squadron bill, that the appropriations for 1841, had been inadequate, that the navy should be maintained on its present footing in both *personnel* and *material*, that the 12,000 seamen in naval service could not affect the liberties of the country and that it was the policy of a republic to curtail its land forces and promote its naval arm of defence. He did not expect any war, and if this appropriation could not be defended without raising a war pause he would not defend it.

Mr. *Parmenter*, of Massachusetts, said the navy was always popular in this country, and twelve and years ago there was opposition to the navy, it was not because it was unpopular, but because the then administration was then going faster in reference to it, than necessary and means would warrant. There was a mistake in supposing a very large appropriation was proposed at this time. The various objections made were not rather to the organization than to the appropriations. He believed all powerful objections to the navy arose from the act after the late war giving its whole control to a board of naval commissioners, and to its mode of constitution. He believed that if properly managed, no larger vessels would be required abroad than was necessary and much expense be obviated. He was opposed to sending out a ship of the line merely for the pleasure of the higher officers, and read from the documents to show that no more was proposed to be expended this year than was expended last year. It had been said that it required 11,000,000, this year. The balance on January 1st, 1842 was $3,000,000, and $8,900,000 more was estimated for. Now the whole amount proposed to be expended for 1842 was $6,650,000, and if no more was expended than thus estimated it would leave a balance on January 1st 1843, of $2,000,000. But this $6,900,000, did not apply to the bill under consideration. The committee of ways and means had deducted $1,470,000 which left for the service only 7,500,000. The expenditures of last year were $5,285,000, and thus the difference of the two years was only $1,640,000.

Mr. *Everett* modified his amendment so as to read as follows:

"*Provided*, That no part of this appropriation shall be applied for pay of any officer of the grade of captain, commander, lieutenant, or midshipman, hereafter appointed, if the number in service in his respective grade shall exceed the number in service on the 1st day of January, 1842."

Mr. *Wise*, alluding to the remarks of Mr. *Parmenter*, relative to the reorganization of the navy, said, at the earliest possible day, he should move to take up the two bills on that subject, and should prefer to take them up directly after the present bill had passed.

Messrs. *Parmenter*, *Fillmore*, *Everett*, and *Merriwether* continued the discussion.

Mr. *McKay* was aware of his disadvantage in encountering the gentleman from Massachusetts, (Mr. *Cushing*), who being a sort of prime minister of the administration was aided by those officially familiar with the details of the subject. The true and only question was whether the navy should be too rapidly and extravagantly increased. The secretary had asked to raise the number of men from 7 to 11,000; its alleged necessity caused chiefly by the home squadron. But were more men wanted this year for the home squadron of last year? Mr. *McKay* adverted to one remarkable fact: the British navy, with between five and six hundred vessels and four thousand seven hundred guns afloat, contained but twenty-nine thousand men; while for our own navy, of sixty or seventy vessels, the secretary asked thirteen thousand men; nearly half the number in the navy of Great Britain. This was amazing!

Mr. *Wise* said the gentleman from North Carolina misunderstood the state of the fact, or else he was playing off sophistry upon the committee. He compared the number of our men afloat and ashore both, with the number in the British navy afloat only.

Mr. *McKay* said he knew fully as much about the subject as the gentleman from Virginia; and had he the requisite time allowed him he would show that in the statement he had made he was fully sustained by the parliamentary documents.

At this point Mr. McK. yielded to a motion for the rising of the committee, which prevailing, the committee rose and reported; and thereupon the house adjourned.

MONDAY, May 23. Mr. *McKay* was entitled to the floor and addressed the committee at length in reply to the speech of Mr. *Cushing*, made in the house on Saturday. Mr. *McKay* spoke mainly to prove that Great Britain had been increasing our navy beyond what Great Britain had for many years past. Mr. *McKay* was interrupted by Mr. *Cushing* and Mr. *Wise*, who corrected some of his statements in regard to the home service.

Mr. *Wise* followed, and did not propose to reply at any length to Mr. *McKay*, for the reason that no time was afforded to do so. The statements, he briefly said, of the gentleman from North Carolina, were incorrect and a good deal perverted.

Mr. *Bullock* inquired of the gentlemen from Virginia (Mr. *Wise*) whether, in his opinion, the present bill could not be considerably reduced, so as to provide only for the immediate demands of the naval service, and another appropriation bill be introduced, if they had time, for a bill for the reorganization of the navy, founded on new estimates?

Mr. *Wise* said the organization of the navy had nothing whatever to do with this bill. In relation to the personnel of the navy the very item that had been reduced by the committee could not be reduced one dollar.

Mr. *Bullock* begged leave to make one further inquiry of the gentleman, whether he (Mr. *Wise*) had read the article in the Madisonian of this morning on the subject of the prospect of war and whether he knew any thing to justify the tone of that article? [A laugh.]

Mr. *Wise* supposed his answer must be very satisfactory to the gentlemen. He had not even read the article, and did not know what it contained.

The amendment of Mr. *Everett* to the amendment of Mr. *McClellan* was then rejected by the vote of 75 to 74.

Mr. *McClellan's* amendment was then carried by a vote of 89 to 80.

A score of amendments were then proposed by the chairman of the committee of ways and means under instructions from the committee. The most important was a reduction of the amount reported in the bill for navy yards, dry docks, &c. to the extent of $100,000, which amendment was carried with others of an immaterial character; when between two and three o'clock the bill was reported to the house and the previous question being put upon its passage, the amendment of Mr. *Cushing*, and the motion sustained by a vote of 81 to 77.

The amendment first reported to the house was that introduced by Mr. *Merriwether*, of Georgia, reducing the amount for pay and subsistence $200,000. This was carried by yeas and nays. Yeas 113, nays 69.

Mr. *McClellan's* amendment was then voted upon by yeas and nays, and carried by 100 to 94.

So the house concurred with the committee in the amendment.

Mr. *Campbell*, of South Carolina, afterwards moved the reconsideration of this vote, but without success.

The amendments of the committee of ways and means were concurred in without a division, and the bill was finally passed by a vote of 171 to 36.

The house then went into committee of the whole, and took up the bill for the appointment of a board for the preparation of rules and laws for the regulation of the navy.

When this bill was last under consideration, (i. e. Tuesday, May 17,) a motion had been made by Mr. *Triplett*, to amend the bill by striking out "ten," as the number of officers to constitute the proposed board, and substituting a provision that two officers from the several grades of captains, commanders, lieutenants, pursers, and surgeons, two from the marine corps, and two persons connected neither with the army or navy, should compose it.

And the pending question was on the amendment.

Mr. *Wise* said he had no objection to the amendment. He thought it very proper that some officers from the marine corps should be incorporated in the board, and that there should also be one or more citizens, civilians, to represent the sailors and others connected with or affected by the government of the navy. No extra pay was contemplated by the bill for officers of the navy who should serve; but it was certainly just, if citizens rendered services upon it, that they should be paid for their time and attention to the public service.

Mr. *Adams* said the taking up of this bill at this time had been wholly unexpected by him, and he should greatly prefer that its consideration should be postponed at least till the morning. Could that be done, he should offer an amendment he had contemplated, but had not had time to prepare, as a substitute for the first section the naval code of Great Britain. With various additions and modifications, they had now been in force under this government for at least forty years. Mr. A. had objected to the bill in its original form, because it proposed to commit the whole subject of the revision exclusively to naval officers. Since then he had seen a report of the secretary of the navy, and the consequence of its perusal was a doubt whether it would not be best to commit the entire subject to him, and let him report to congress such alterations as he might deem expedient and necessary, and then let congress pass upon the whole plan. He could not help thinking that this was likely to produce a better code than calling in the aid of a board of naval officers, even though they should be aided by one or more Cochranes. It was eminently proper that, in the preparation of a legal code affecting so large a body of persons, and that in a manner so peculiarly important, a technical man, a professional lawyer should be employed—one who should be acquainted with the precise force of the terms to be employed. This would certainly be better than the cumbrous mode contemplated by the bill.

Mr. A. having concluded, the bill was laid on the table.

The committee on motion of Mr. *Fillmore* took up the bill making appropriations for the support of the army of the United States, and for the support of the military academy at West Point, for the year 1842.

The bill having been read through—

Mr. *Meriwether* moved that the committee rise, which the committee rose and reported progress on the army bill and on the bill for the government and regulation of the army.

Mr. *Gilmer*, (on leave given), from the select committee of retrenchment, made a report, concluding with the following resolutions:

Resolved, That it is expedient to require the president of the United States, in all cases of removals from office, to communicate the reason or cause for each removal to the senate.

Resolved, That it is expedient either to dispense with the second and third auditors, or with the several bureaus attached to the war department, so far as they are employed in the examination of claims or accounts, or otherwise as accounting agencies in connection with the treasury.

Resolved, That it is expedient to abolish the office of the board of navy commissioners.

Resolved, That it is expedient to abolish the office of the commissary general of purchases.

Resolved, That it is expedient to abolish the office of the solicitor of the land office.

Resolved, That it is expedient to abolish the office of recorder of the land office.

Resolved, That it is expedient to repeal so much of the act of the 3d March, 1835, as authorises officers of the navy temporarily performing the duties belonging to those of a higher grade to receive the compensation allowed to such higher grade.

Resolved, That the public service will admit of a reduction in the number and salaries of clerks employed in the departments at the seat of government.

Resolved, That it is expedient to reduce the number of clerks attached to the office of commissioner of public lands, so that they shall not exceed sixty.

Resolved, That the number of clerks attached to the office of commissioner of Indian affairs will admit of reduction so as not to exceed eight, so soon as, with proper attention, the arrearages of business and accounts can be brought up.

Mr. G. said he was not authorised to say that the report met the approbation of all the members of the committee.

The report and accompanying documents were laid on the table and ordered to be printed, and the house adjourned.

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CHRONICLE.

AFRICAN SLAVE TRADE. The Malta Times of the 15th of April, contains a circular by Mr. Warrington, the British consul at Tripoli, dated March 26th, addressed to the different chiefs of the interior, and northern coast of Africa, representing to them the folly as well as cruelty of the slave trade, and advising them to substitute for it an active trade in the natural resources of Africa, such as gold dust, ivory, ostrich feathers, gum, skins, indigo, &c. This circular has been translated into Arabic and profusely distributed.

AMERICAN TALENT. Major Whistler, engineer of the rail road from Providence to Boston, has received an invitation from the emperor of Russia to superintend the construction of a rail road from Moscow to Petersburg, and has accepted the appointment.

The New York Express says: We understand that Mr. Healy, an American artist of great merit, came from England by last steamer charged with a commission from the king of France to copy for him Stewart's celebrated picture of Gen. Washington, and that he is now at the capitol for that purpose. The well earned fame of this celebrated artist must be a matter of great pride to his countrymen as well as to himself. Sprung from an humble origin, but early gifted with great perseverance for the art, he went to Europe about seven years since to study the old masters. His talents and unassuming manners soon gained for him the notice and esteem of amateurs in England and on the continent. After a very successful career, during which he executed many admirable likenesses of the nobility, the king of France and most of his family, we find him here on a mission he has reason to be proud of, and no doubt he will carry back with him another laurel to his fame.

ARMY. A court martial has been in session at Savannah, for the trial of capt. Gustavus S. Hone, of the 9d dragoons, charged with cruelty towards one of his soldiers. The members are—

Brigadier general W. K. Armstead, col. 3d regiment artillery, president.

Col. Sylvester Churchill, inspector general.

Col. J. B. Walbach, lieut. col. 1st regiment artillery.

Lieut. col. Wm. Gates, 3d regiment artillery.

Major M. M. Payne, 3d regiment artillery.

Major J. L. McClintock, 3d regiment artillery.

Captain J. N. Washington, 3d regiment artillery.

Captain J. R. Irwin, 1st regiment artillery, captain in quarter-master's department.

Lieut. Thos. P. Ridgley, 3d regiment artillery.

Captain W. C. De Hart, 3d regiment artillery, judge advocate.

ASSASSINATION. Lilburn W. Boggs, late governor of Missouri, was shot on Friday the 6th inst. in the evening, while sitting in a room in his own house in Independence, Missouri. Two balls entered the brain, and two the neck. The citizens immediately offered $500 reward for the apprehension of the murderer. Mr. Boggs still survived at last date but his life is despaired of.

COTTON. From Liverpool we learn by the last arrivals that up to the 2d inst. the demand for cotton was very limited, the spirit of speculation in the market heavy, but had subsided, prices remained at what they were before the fluctuation, except middling and inferior qualities, which had declined.

New Orleans market. In the three days ending 10th inst. sales amounted to 6,800 bales, leaving a stock of 14,580 bals.

Prices Liverpool classification. Ordinary 4½ a 6; middling 6¾ a 7½; middling fair 8¼ a 8½; fair and fully fair 9½ a 10; good fair 10½ a 11; good and fine 12.

CHEROKEES. John Ross, the chief of the Cherokee nation, with Jesse Bushyhead, chief justice, and captain John Bangs, of the same nation, are at present in this city, having arrived a few days ago.—Messrs. Vann and Coody, of the nation, are expected to join them here in a few days. [*Nat. Intel.*

CHARTISM. A petition with three and a half millions of signatures, asking for universal suffrage, abolition of the national debt, and a repeal of the union, was presented from an enormous procession to the house of commons in England, on the 3d inst. It was decided not to read it by a vote of 287 to 49.—Mr. Macauley opposed it as destructive to monarchy, to aristocracy and to society, and to all security of property. Sir R. Peel said he would not grant a definite hearing which he knew must end in a refusal. He would not awaken hope to be superceded by disappointment. He considered it as an impeachment of the whole constitution and social order of the kingdom and concluded by expressing his confidence in the efficacy of the laws for the permanent welfare of the country. The Times intimates that the whole was the work of a mere committee and that the signatures could have been increased to six millions with but the trouble of writing names.

CORN continues at about 60 cents.

CURRENCY. Mr. Morehead, in his speech in the senate, upon the exchequer, said that, according to his information, it cost the states, alone, in annual premiums upon exchange, half a million of dollars—and estimating that the eight western and southwestern states paid about the same, it would constitute an annual tax of *four millions of dollars upon their industry!*

ENCAMPMENT AT BALTIMORE. On Friday morning (20th inst.) the president of the United States arrived from Washington, breakfasted at the residence of the commanding officer of the encampment, General G. H. Steuart, and thence proceeded to Barnum's hotel and gave audience to many citizens who called upon him. He was accompanied by his private secretary, hon. J. C. Spencer, secretary of war, Gen. Towson, col. Hunter, marshal of the District, Col. Beaton, mayor of Washington, and other distinguished persons, he was escorted from Washington by the Marion Rifle company, capt. McCauley, of that city. The citizens who waited on him were introduced by Col. Solomon Hillen, mayor of this city.

The extreme inclemency of the weather rendered a postponement of the grand review advisable, and the engagements of the president rendering it impossible for him to prolong his stay, he returned in the afternoon to the seat of government, accompanied by Gen. Scott and his lady, who had arrived the evening before. The Marion Rifle company also returned.

On the 21st, Saturday, though the weather continued somewhat inclement, the troops were reviewed by the governor of the state, accompanied by the hon. Solomon Hillen, mayor of the city; and on Monday morning were inspected, in battalion, by the commander-in-chief, Gen. G. H. Steuart, and the brigade inspector, major Lawrence Keyser. Afterwards Major Ringgold's troop of U. S. Flying Artillery performed some beautiful and highly interesting exercises, and astonished the admiration of the thousands of spectators who were present. After these evolutions the troops were formed round the commander in-chief for the purpose of hearing to whom the prize flag would be awarded.

The general orders of the major general were read by his aid-de-camp Charles H. Winder, in which he expressed his entire approbation of their uniform conduct as soldiers in the encampment. The selection fell upon the Maryland Cadets of this city, commanded by capt. Ropes, who very briefly replied to the complimentary remarks of the general in presenting it. After the prize flag was awarded, the tents were struck, and the military returned to the city. After marching through several of the principal streets, they were dismissed.

ENCAMPMENT AT READING. On the 21st Governor Porter reviewed the troops at Camp Kosciusko, which terminated on the 23d, with the award of medals to the best marksmen. Captain A. Partridge, of Norwich University was present and afforded valuable instructions. A military convention was held at Gen. Davis's quarters for the revision of the defective militia system. On 23d, Gen. Scott reviewed the troops and a brilliant spectacle was presented.

ENCAMPMENT AT TROY, *Warren county, Ohio.* Volunteers of Cincinnati, Dayton and other places, were to assemble at Camp Keifer on the 25th, and while there be reviewed by Gov. Corwin.

ELECTION FOR CONGRESSMAN. The election for a member of congress, in place of Mr. Lawrence, deceased, took place in Washington county, Pa. on the 20th inst. Mr. McKenna, the whig candidate, is elected by about 300 majority. This county has always been a closely contested one, and last fall the Van Burenites carried it by a large majority.

We learn, says the Lowell Courier, that the print works belonging to Wm. Schooler, in Bellerica, were destroyed by fire about 2 o'clock this morning. We have not learned the particulars.

EXPLOSION. The steampipe of the steamer Douglas on the night of 16th, on her way to Louisville, near New Madrid, exploded. Dr. P. R. Hoffman, lady and child, of Baltimore, scalded, besides 15 others, some of them severely and two or three since are dead.

EXCHANGES. New York on England 8½ on Paris 5 30; on Boston, Philadelphia and Baltimore par; on Richmond, Petersburg, Norfolk 5½; Raleigh 2½; Charleston 1½; Augusta 2; Savannah 2; Mobile 2½; N. Orleans 6; St. Louis 5; Cincinnati 8; Nashville 15; treasury notes ½.

FLOUR. 12,299 bbls. were last week shipped from Rochester eastward on the Erie canal.

Liverpool, 3d inst. Flour is held at 28s. per bbl. being a reduction of 1s.

At Boston Genesee flour is quoted at $6 25; Georgtown $6 37½; Ohio $6 00; Michigan 6; New York, Genesee $ 31.

FLORIDA. *Augustine, May 20th.* On the 14th and 15th instants, five more murders were committed by the Indians in Columbia and Alachua counties. Wm. Vanant, Bryan Tassent, Mrs. M. Cason and child were killed, and Mr. Cason and Mr. Stafford wounded. There were about twenty-five or thirty Indians under the Creek war chief Octahachee and their attack was made on the Alligator settlement; they then crossed Alachua county, near Wakahoots, from which post Lt. Baker with six mounted men pursued them. Two of his soldiers were killed and one wounded. The 7th infantry, and some militia are in pursuit. Halleck Tustennuggee is lodged on Seahorse Key. Two of his warriors are to go to Pilakaha for five hundred warriors whose families are with them.

INDIA RUBBER PAVEMENT. The London Chronicle says that amongst the marvels of the times a patent has been actually taken out for *paving the streets of London with India rubber*, and many scientific persons are sanguine as to its success. There is to be a sub stratum of wood, on which is to be put a facing of caoutchouc, mixed with iron filings and sawdust, to a depth of seventy inches. This, it is calculated, will resist the ill influence of all weathers, and make the most delightful and durable pavement.

MAINE. The legislature met on May 18th. A committee of nine on the part of the senate and thirteen on the part of the house, were appointed to take into consideration the governor's message. The committee voted unanimously to choose commissioners; and by a vote of 19 to 3, adopted a resolve offered by Col. John Otis of the senate, to give them full powers; four commissioners to be designated, two from each of the political parties.

NAVAL. The launching of the Raritan frigate which was taken from the dock at Philadelphia on the 25th has been indefinitely postponed. It is attributed to the action of congress on the naval appropriation bill.

The St. Lawrence, 44 guns, was to have been launched at Norfolk on the 27th.

The Savannah, 44, was launched at Brooklyn on the 24th, Capt. Perry superintending, with the cheers of surrounding thousands.

The Cumberland frigate was launched on the 24th at the Charlestown navy yard.

A letter from Pensacola, dates 11th inst. says, the U. S. ship Warren, commander Williamson, would sail for Norfolk on that day.

The U. S. brig Dolphin, commander Rudd, sailed from New York for Pensacola on the 19th inst. for the West India station, to relieve the Levant.

NORTH EASTERN BOUNDARY. Gov. Davis of Massachusetts, has summoned his council to convene at Boston immediately, to take into consideration the appointment of commissioners to negotiate with the British envoy in connection with the commissioners of Maine, for the settlement of the north eastern boundary.

A NEW STATE. Under the head of "glorious news," the Tallahassee (Florida) Star, announces that the committee appointed by the state convention have decided to issue immediately, writs of election for state officers! Thus organizing at once a state government for Florida, under the St. Joseph constitution.

VERMONT. A Van Buren convention was held at Montpelier, on the 19th instant, and the following gentlemen were nominated as candidates for state officers at the next election: For governor, Nathan Smilie, of Cambridge; for lieut. governor, Edward D. Barber, of Middlebury; for treasurer, Daniel Baldwin, of Montpelier.

WAR STEAMER. The English frigate Penelope, which is to be cut in two and lengthened 15 feet, for the purpose of being made a steam frigate, will it is said be the most powerful war steamer afloat. She is to be of 650 horses power; to have engine room for 600 tons of fuel; complete stowage under hatches for 1,000 troops with four months' stores and provisions, exclusive of a crew of about 450 men; and is to be armed with 20 guns of the heaviest calibre, besides carronades.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

The Belgian steam ship British Queen arrived at New York on 29th, from Liverpool, passed on the 6th with London dates of May 7th, and Antwerp May 3d.

GREAT BRITAIN.

No change in money or other markets. At the queen's levee on 4th instant, Washington Irving American minister to Spain was presented by Mr. Everett.

The dutchess dowager of Richmond, aged 74 is dead; also sir Charles Bell professor of surgery at the university of Edinburg. The overland mail from India was received in London on the 4th inst. No news of importance.

PAPACY. The correspondent of the N. Y. Courier writes as follows. "Paris, April 11, 1842.

"We are so struck with the rapidity of politics, (those events which form the excitement of the day), that we are blind to many most important circumstances which are passing around us and which produce the most lasting effect upon human society.—Two revolutions in opinion are now preparing in Europe, which are among the most curious that have occurred for a long series of years, and which perhaps are destined to be the most important. I allude to the process by which England is becoming Catholic and Spain Protestant. What a change; and yet it is rapidly taking place. Espartero and the present ruling party in Spain, are in direct hostility with the Roman Pontiff. The property of the Spanish church has been seized; the convents have been abolished; all appeals to Rome and all interference of the pope, have been prohibited; and at this moment, by the orders of the Pontiff, prayers are offered up in all the Catholic churches in Europe for the safety of religion in Spain!

And at this moment too, Catholicism, under the name of Puseyism, is making fearful inroads into the church of England. It has invaded the high places, the Seats of her bishops and the seats of her universities. It is spreading rapidly, for proselytes are always zealous and often bitter. The new sect does not yet openly assume the name of Catholics; but the doctrines leave no doubt as to its right to that appellation. It advocates auricular confession and most of the peculiar opinions of the mother church. I do not criticise these discussions nor pass judgment upon them; mine is the task only of the reporter. I point them out as curious indications in the march of mind. I am, dear sir, yours, very truly."

Two of the Oxford professors are already reported "to have embraced popery." G. W. Doane Protestant bishop, in a communication on May 23d, to the U. S. Gazette, Philadelphia, is convinced of its improbability, of its absolute impossibility. Meanwhile the bishop of Worcester has issued a letter to the rural Dean of Bringham, in which he forbids the public use of the term "Puseyite," as applicable to those entertaining "Tractarian" opinions.

From the London Times of May 7.

The failure of the experiment of improving the production and cultivation of cotton in Bombay was at the date of the Indian journals a matter of severe comment among the parties connected with the planting interest and the favorable progress of the attempt in Bengal is put in strong contrast with the cause alleged to have produced so lamentable a result as the resignation of the Americans who had the superintendence of the improvement. It has on a previous occasion been stated that the inefficiency of the controlling power of Surat is openly avowed to have caused the unfortunate result; and that a distaste in the party who possessed it to an increased duty, though accompanied with increased pay, brought about a collision between him and the American experimenters, which ended in their throwing up their interest with the intent to return to their own country.

AMERICAN CREDIT IN LONDON. The Times of the 5th thus speaks as to the prospect of the government loan finding purchasers in London—

The chief feature of the United States loan bill, as distinguished from that of last year, is, that it allows a rate below par. This concession is a most important one; and, indeed, would never have been made had it not been felt that the money markets were in a most desperate condition as far as the negotiation of a loan is concerned. On the spot the easiness of money in England seems to have been regarded with some eagerness, as if that afforded a chance of a portion of the loan being taken here. This hope is a most forlorn one, and the people of the United States may be fully persuaded that there is a certain class of securities to which no abundance of money, however great, can give value, and that in this class their own securities stand pre-eminent. As, however, the hope might be followed by an offer, it will be as well for the London capitalists to be on their guard, and to remember the specimens they have already had of American securities. The only chance, then of money being obtained by the federal government is from the United States money market, and the condition of them is most completely illustrated by the circumstance recorded in one of the papers, that when only 5,000,000 of the loan previously authorised were issued, an immense pressure was occasioned. The probability is therefore, that in such a condition of things, the fullest advantage will be taken of the permission to purchase below par, and that a sum will be realized which will fall far short of the expectations of the government.

FRANCE.

THE MARSHALS OF FRANCE. The Commerce says, "The deaths of Marshals Mouney and Clauzel reduce the number of those of high rank to seven, namely, Soult, aged 72, Oudinot 74, Molitor 74, Grouchy 76, Gerard 70, Valee 63, Sebastiani 68. According to the new law regulating the staff of the army, the number of marshals is henceforth, in time of peace, to be limited to six.

EMANCIPATION IN THE FRENCH COLONIES. The Paris Moniteur publishes a return of the negroes emancipated in the French Colonies from the close of 1830 until 1842, from which it results that their number was—

In Martinique,	21,113
In Guadaloupe,	11,531
In French Guiana,	1,789
In Bourbon,	4,075
Total,	38,517

BANK OF FRANCE. The "Moniteur" publishes the account of the operations of the Bank of France during the first three months of 1842. On the 25th of March there were 211,909,148f. in specie deposited in its vaults. The commercial bills discounted amounted to 152,559,492f.; the advances on ingots and money, to 3,042,604f.; the advances on public securities, to 10,662,071f.; the current accounts, debtors, to 16,146,186f.; the capital of the branch banks, to 20,040,000f. the reserve to 10,000,000f.; the loan-ments in public securities to 50,187,018f.; the hotel and furniture of the bank, to 4,000,000f.; and various debts and other objects, to 362,630f.; making the assets of the bank amount to 461,478,550,149f. The bank notes in circulation at the same period, exclusive of those issued by the branch banks, represented a sum of 229,190,500; and the bills to order, 1,102,569f. The discounts, advances and loans on commercial bills during the three months amounted to 229,120,099f.; on ingots and money to 7,335,604f.; on public securities, to 10,000,000f.; on mint bonds, to 863,700f.; in all to 247,326,600f.

RUSSIA.

The emperor of Russia is engaged in a contest with his nobles about the emancipation of the serfs throughout his dominions. His imperial majesty is opposed to serfage, and since his accession has done all in his power to give freedom to the most oppressed and most deserving class of his subjects. The nobles, however, who are the owners of the serfs, and who regard them in the light of property, are so opposed to the measure that a revolution may be expected, should the emperor persevere. Now, perhaps he will. Any who know anything of the character of the emperor Nicholas, will be aware that he never swerves from any purpose which he has once undertaken. His obstinacy is so great that nothing can remove it. [*London Sun.*

The emperor of Russia published an ukase on the 2d ult. modifying the position of the Russian serfs in respect to their lords, which created so much discussion among the nobility, that the grand master of the police of St. Petersburgh found it necessary to publish an ordonnance on the following day, annulling in reality all that had been commanded by the preceding ukase.

BELGIUM

The Brussels *Precursor* of May 3, says that on the 29th April there was a sort of military insurrection at Dinant. Certain soldiers assigned to drill, refused to go on with their exercise, and threw down their muskets; and when one was arrested, the others rescued him by force. The garrison was called out to quell the tumult, but before the troops reached the spot order had been restored by the exertions of an officer. Several were arrested and the others disarmed.

ALGIERS.

The same paper gives favorable intelligence from Algiers. The powerful tribe of the Flissans had submitted, including the family of Abdel Kader, who is a native of this tribe. His uncle had been taken prisoner, treated with marked kindness and distinction, and had engaged to exert his powerful influence with all the tribes for a permanent cessation of hostilities.

SOUTH AFRICA.

By the attention of Isaac Chase, esq. U. S. consul at Cape Town, we have files of the Shipping List and De Waare Afrikaan to Feb. 23d. The weather is described as extremely propitious. Copious rains had fallen, and the pasturage was springing up with its usual rapidity.

The South African Commercial Advertiser of Feb. 12th, says: "Troops are now on their way to take military possession of Port Natal under capt. Smith.

SETTLEMENT AT LORD HOWE'S ISLAND. "Notice is hereby given, that a station and store is formed at Lord Howe's island, (situated in lat. 31 30 S., and long. 159 E.), where whaling and other vessels will be provided with live stock, fish, potatoes and other vegetables, &c. on moderate terms. "Vessels approaching the island, can be communicated with by a boat, which is kept for the purpose of conveying supplies. N. B. The settlement is on the W. S. W. side of the island."

CANADA.

A memorial from the Quebec board of trade to Lord Stanly the colonial minister published in the Quebec Gazette of the 11th instant, states the whole amount of imports into the Canadas for the year ending December 1st, 1841, to have been 42,036,335. The 67th regiment have left Niagara for Montreal. The first royal Canadian rifles take their place.

CHINA.

The latest intelligence is to the 14th of February from Macao. The Chinese government having garrisoned the cities and forts of Yuyao, Tsikee and Fonghwa, which are situate 40, 20 and 30 miles from Ningpo, with a view of awing all those who had submitted to the British, a force consisting of 3 steamers and about 700 men, was despatched against them. They were soon occupied; the only opposition being an attempt at one place on the part of the Tartars to prevent the town from without the walls; but although they opened fire, the Tartars fled as soon as attacked; they were pursued, and lost about 150 men. The snow which covered the country saved the others, as their pursuers could not know the ways. The ammunition, arms, clothing and other war stores, were destroyed, and the public granaries surrendered to the pop ulace. The expedition returned to Ningpo on the 12th of January.

Hang-chow-fou is the chief city of the populous province of Che-Kiang, and was, it is said, about to be occupied during February. It had a garrison of 10,000 raw recruits. The division of the English troops into detachments at Hengkoug, Amoy, Chusan, Chilinae and Ningpo, was likely to prevent an immediate attack, but on the arrival of the expected reinforcements from India and England, the cam-

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paign would, it is said, begin by the capture of that important position at the south point of the great canal. The utility of this proceeding is much canvassed, for many contend that instead of wasting forces at isolated points, the British expedition ought to proceed at once to the attack of the Imperial province of Pekin, which being by the constitution of the Chinese empire, placed under the immediate government of his celestial majesty, any attack on it would oblige the emperor in person to examine the causes of the war, and to come to a new form of government.

Having issued a circular to her Britannic majesty's subjects announcing the capture of those three cities, Sir Henry Pottinger sailed for Hong Kong; where he arrived on the 1st of February. He immediately put a stop to the wretched system of seizing the Chinese commercial junks. Trade was carried on successfully with the southern ports, and opium was selling freely along the coast, for the powers of the government to control the use of that narcotic appear now to be in a great measure paralyzed. The sale of this article is such, and the profit so remunerative, that it has been proposed to station vessels in different places to serves as depots for the cargoes. The profits are such as will enable the hon. company to defray at least one half of the expenses of the expedition to China.

In the maritime the mandarins at Canton and their Dutch engineers are busy in erecting fortifications along the banks of their river; they have already erected twelve stone or earth batteries along the Macao passage and the Salt Junk river, in which they have planted nearly 400 guns of large calibre. As the export trade from Canton continued, sir Henry Pottinger had decided, while trade is allowed, and the river below Whampoa is in the occupied, upon not attacking that place again, for, as he declared to some mandarins, who came commissioned, as they said, by their celestial monarch to treat with the British plenipotentiary, "I will not treat with intentry: I will negotiate with the emperor personally at Pekin."

Reinforcements are now preparing in different places. The 2d and 41st Madras native infantry embarked on the 13th of March from Madras, and the 14th, which was at Moulmein, and the 29th Madras native infantry, which was at Penang, are to be ordered, received orders to get ready for proceeding to join the China expedition.

It is reported that Chusan, Amoy and Hong Kong, are to be free ports; buildings of various kinds are springing up fast in the last named.

AFFGHANISTAN. The intelligence from this seat of war consists chiefly of details concerning events previously known in general terms, and of numerous denials of former accounts. The disasters appear now to be ascribed more to misconduct on the part of the Anglo Indian forces than to the prowess of the Afghans, or even to the difficulties of the country and the season.

Sir Robert Sale was safe in Jellalabad up to the 6th of March; he had secured himself against treachery and his troops, and was determined to resist to the last. An earthquake on the 19th of February had done great damage to the fortification and buildings of the town, but the resolution of the general and his troops had not only repaired the damage, but routed a party of Afghans under Akbbar Khan, who endeavored to profit of the occasion, and to attack the British position.

The troops sent to the relief of Jellalabad have met with various discouragements. The want of ammunition caused the failure of Colonel's Wild's movement into the Khyber Pass. Great sickness, but luckily no heavy mortality, attacked those that arrived near Peshawar before General Pollock. An attempt made to buy over the Khyberis did not succeed, although a quarrel had taken place between two of their tribes about the spoil they had previously acquired.

On the 25th of February Gen. Pollock issued an order to prepare for a march into the Khyber pass, in order to relieve Jellalabad. It has, as it appears, been since found, that as Jellalabad was not in immediate danger, it would be best to await the arrival of the 2d dragoons before the attempt should be made on the Khyber pass. The Hindoo soldiers, independent of their dislike to cross the Indus, entertain a strong aversion to the barbarity and treachery of the Afghans.

The brigade from Ferozepore, under the command of brigadier White, was on the banks of the Chenaub on the 9th of March, and expected to cross the Jeelum on the 12th or 13th, and would, therefore, reach Peshawar in the beginning of April. The force under Gen. Pollock would then be respectable, and fully capable of effecting the passage. The Seiks continue to afford the British troops every facility in passing through their territories, and it is even said that a strong body is ready to co-operate with Gen. Pollock in attacking the Khyberees and Afghans. There have, however, been some desertions from the Sepoy regiments.

The letters from the prisoners in the hands of the Afghan chiefs are very short, and generally request money to relieve various of their pressing wants.

Another proof of the weakness of the Afghan leaders is, that Col. Palmer has been able, with his small and feeble detachment, to maintain himself in Ghuznee during four months, from the beginning of November.

The last intelligence from Candahar is to the 10th of March. All was safe there. There was a large body of Afghans within a mile and a half of the city; but their leader, Sufter Jung, a son of Shah Shooja, appeared to dread a rencontre with the British troops. There were upward of 7,000 troops in Candahar, and a reinforcement of 2,500 with money and ammunition, has been sent to Gen. Nott from Sukkur. Khelaty Ghiltzie was, with its garrison of 1,000 men, also safe, although it is eighty miles from Candahar.

The decision of Lord Ellenborough being now taken to uphold the reputation of the British troops in Afghanistan, one may hope that in a short time the relief of Jellalabad will open the campaign with a brilliant exploit.

In Kheilat and Seinde apparent tranquillity prevails. The rumor of the seizure of an iron steamer in the Indus has not been confirmed.

From the London Sun, May 5.

We have perused the intelligence which have yet come to hand with attention, and it affords us pleasure to repeat their being more favorable than, under all the circumstances, we were warranted in expecting. The Cabul disasters appear now to be conclusive as Dr. Brydon reported it. There is no longer a doubt that many officers and men escaped who were supposed to have fallen, and such as were made prisoners by the Afghans were kindly and humanely treated. We have little doubt that hundreds will be found to have escaped who are now numbered with the dead. As we conjectured at the first, the real traitor was the Shah Soojah, who was jealous of British influence, and who plotted their utter destruction. The discovery of the Shah's treachery was made in a singular manner.

WEST INDIES.

EARTHQUAKE AT ST. DOMINGO. An earthquake which has been destructive of life and property in St. Domingo, took place at 4 P. M. on the 7th inst. The New York Express has papers, from which the following particulars are obtained:

The approach of the earthquake was indicated in Port au Prince by great heat, and heavy clouds that covered the neighboring hills, and followed the direction of the southwest to the northeast.

The vessels at anchor, some of the sailors report, experienced the shock before they saw the houses agitated, which seemed to indicate that the shock came from the sea.

There were two shocks at Port au Prince very distinctly felt, the first not so long as the second, which last endured about three minutes. Every person strove to get out of the houses, and the streets were filled with the affrighted population.

On the night of the 7th, and also on the 8th, 9th and 10th, the shocks were repeated.

Saint Marc. A letter from this town says that the earthquake was felt there with violence. Many houses were seriously damaged, and some destroyed, but no loss of life was sustained.

At *Gonaives* the shocks were yet more serious. The greater part of the houses were overthrown. A fire broke out at the same time, and there was not a drop of water to hand. The stone houses were not much suffered from the earthquake. It was in the streets that the writer of the letter giving this account was indisposed. The church, the prison, the palais national, the treasury and the arsenal were all destroyed. This letter concludes at 8 A. M. by saying—

"It is only half an hour since that we felt a very great commotion. At present, we are ignorant of the number of persons killed or wounded. All the prisoners who are not buried in the ruins, are escaped. God grant that Port au Prince may not have experienced such a disaster."

CAPE HAYTIEN. *The town of Cape Haytien has entirely disappeared, and most of the inhabitants of the population.* The tumults that could escape are fled to Fossette, where they were without an asylum, clothing or provisions.

In addition to the above disastrous intelligence from the Cape, a courier arrived from the city a few hours previous to the departure of Capt. Morris, who stated that a fire broke out after the earthquake, which on Monday the 9th, destroyed the powder magazine, and with it the miserable remnant of the inhabitants who had escaped the earthquake. The towns of St. Nicholas and Port Paix, are also said to be destroyed. Other parts of the island had not been heard from when Capt. Morris left; but it is conjectured that *all the towns of the north are a mass of ruins.*

MEXICO.

Vera Cruz dates of May 10th, and Mexico of the 5th arrived at N. Orleans on the 29th by the U. S. Revenue Cutter, Woodbury. She brought as passengers Mr. Ellis, late minister to Mexico, and the following gentlemen citizens who were released to the Santa Fe expedition, and who have recently recovered their liberty: David Snively, T. A. Sully, J. B. Houghtaling, T. S. Torrey, J. C. Howard, H. R. Bankston, Thomas Gee, Wilkins Kendall, liberated on the night of the 21st of April, the day on which Mr. Ellis took his final leave of Santa Anna, and S. B. Sheldon, A. Adams and John Tompkins, liberated on the 27th April through the intervention of Gen. Thompson, the new minister.

By the same vessel also came passengers Jno. Winslow Webster, esq. of New York, who has been travelling for some two years in South America and Mexico, J. R. Balton, T. B. Coolidge, Franklin Perin, and J. W. Harper, esqs. all American citizens; and also Thompson Robinson, F. Stokes, Peter Gallagher and J. E. Jones, English subjects attached to the Santa Fe expedition and politely tendered a passage to the United States by Gen. Thompson.

The Woodbury sailed from Vera Cruz on the afternoon of the 12th inst. At that time the vomito or yellow fever was raging with considerable violence, although somewhat abated in consequence of the prevalence of northerly winds.

On the evening the Woodbury sailed, a conducta arrived from Mexico with $800,000 principally for troops. The Mexican Packet sailed in company with the Spanish fregata Isabella Segunda, bound for Havana.

Texas journals are as usual barren of interest. They are filled with discussions relative to the form of government suitable to Mexico. The adverse result of the popular elections to the faction of Santa Anna, has rendered the question of reinstating the confederation of 1824. In the interim the substantial power is lodged in the hands of the ruler. The people continue the balloting, while a military despotism overawes and controls them.

The disturbances with the Indians in the department of Sonora, appear to have in a great measure subsided. The eastern chiefs arrived in Mexico from that district on the 3d instant, with an offer of twenty thousand men at the disposal of the government.

The commander-general of Vera Cruz has published a new tax law. It is extremely long, and extends to almost every article of commerce, to professions and trades, to all persons in the enjoyment of fixed emoluments, &c. The tax is to be levied quarterly.

The late New Orleans papers contain the speech of Mr. Ellis, our late minister at Mexico, on taking leave of president Santa Anna on April 21st, together with Gen. Thompson's introductory address and the replies of Santa Anna to both. It appears that the American citizens recently liberated from captivity in Mexico were assured of their liberty before the arrival of Gen. Thompson. It is due to Mr. Ellis and his legation, that this fact should be known. The late minister no doubt exerted himself in every proper manner for the release of his countrymen; and the efforts of the secretary of legation, Brantz Mayer, esq. are known to have been earnest and unremitting. Mr. Mayer's zealous and warm hearted solicitude in this matter was alluded to in emphatic terms not long since by Mr. Kendall, of New Orleans, whose safe arrival home we are happy to announce.

Mr. Ellis, in concluding his brief farewell speech, says:

I offer to your excellency, my sincere thanks for the release of Mr. Houghtaling, and still hope that your excellency will have the goodness to permit the other citizens of the United States, I named in our interview on the 14th, to accompany me on my return home.

The reply of Santa Anna to this portion of the minister's address gives us the knowledge of the imposition of a distinguished citizen of the United States in the case of the gentleman named above. The president says:

Anxious to oblige an illustrious citizen of the U. States, Martin Van Buren, who, through you, communicated his prayer for the liberation of Mr. Houghtaling, I concede it with great pleasure, more especially as I wish to give a solemn and public testimonial of the esteem you have gained by a conduct alike wise, prudent and noble. I promise you then, that you shall return to your country with the six citizens of the United States, who have not yet obtained the benefit of liberty. I hope, sir, your

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government will duly estimate my sentiments, and the conduct on your part, that has merited the friendship and esteem of the Mexican nation.

The lady of Gen. Santa Ana had been seriously ill, and great fears were entertained for her recovery, but at the latest accounts she was convalescent and rapidly recovering. She is represented as an estimable woman, and warmly in favor of the release of all the Texian prisoners.

There was a report at Jalapa when we left there on the 10th instant, that a celebrated captain of robbers, with four of his men, had been captured, and were to be shot immediately. The stage which preceded us from Mexico, and the one which followed two days after, were robbed by the banditti but the rascals, probably aware that our party was strong and well armed, allowed us to pass without levying the accustomed tax.

Congress is to convene on June 1st and is said to be composed of a majority of liberals opposed to Santa Anna. His chief military opponents are General Paredes, commander at and about Guadalajara, General Cortazzar at Guanajuato, and General Pedraza a liberal of much influence.

Nothing is said in Mexico of an expedition to either Texas or Yucatan. On the contrary, Santa Anna is economizing as many troops as possible in the more immediate vicinity of the capital, with the undoubted intention of fortifying himself more strongly at home.

On leaving Mexico, Judge Ellis ordered the sale of his library, table service and furniture generally—the proceeds of which were liberally given to mitigate the sufferings of the Texian prisoners. He had previously given them upwards of $4,000.

General Thompson is also doing every thing in his power, and consistent with his position, to aid the Texans and alleviate their imprisonment.

On the night of April 27, a Mr. Cureton a landscape painter of great talents, together with a woman who lived with him as a wife, both English, were assassinated at Tacubaya. Tacubaya is a small village some three miles from the city of Mexico, and is a place where many families of distinction reside, especially in summer. The palace of the archbishop also is Tacubaya, as well as the summer palace of Santa Anna.

Mr. Darsey the bearer of despatches from Washington passed through Jalapa on the 9th.

The official paper of Mexico, which contained the decree for the election of the congress recently elected (one delegate for every 70,000 souls), contained the following census of the nation, prepared by its National Institute of Geography and Statistics:

Departments.	*Population.*
Mexico,	1,389,590
Jalisco,	679,111
Puebla,	661,992
Yucatan,	589,948
Guanaxuato,	513,606
Oajaca,	609,278
Michoacan,	479,506
San Luis Potosi,	521,840
Zecatecas,	373,573
Veracruz,	354,880
Durango,	162,618
Chihuahua,	147,600
Sinaloa,	147,000
Chiapas,	141,206
Sonora,	124,000
Queretaro,	120,560
Nuevo Leon,	101,108
Tamaulipas,	100,068
Coahuila,	75,340
Aguascalientes,	69,693
Tabasco,	63,580
Nuevo Mexico,	57,026
California,	33,439
Tejas,	27,800
	7,044,140

The labors of this congress are confined to the single business of framing a constitution.

NATIONAL AFFAIRS.

THE ARMY.

Promotions and appointments in the army of the United States, by the president, by and with the advice and consent of the senate.

Corps of topographical engineers. First lieutenant Thomas B. Linnard, to be captain, 31st March, 1842, vice Guion, resigned.

Second lieutenant, J. C. Woodruff, to be 1st lieut. 31st March, 1842, vice Linnard, promoted.

Ordnance department. Captain John Symington, to be major, 27th March, 1842, vice Lomax, deceased.

First lieutenant R. H. K. Whiteley, to be captain, 27th March, 1842, vice Symington, promoted.

Second lieutenant R. A. Wainwright, to be 1st lieut. 27th March, 1842, vice Whiteley, promoted.

Brevet 2d lieut. John McNutt, to be second lieut. 27th March, 1842, vice Wainwright, promoted.

First regiment of dragoons. First lieut. B. A. Terrett, to be captain 21st February, 1842, vice Simonton, deceased.

Second lieut. R. H. Chilton, to be 1st lieutenant, 21st February, 1842, vice Terrett promoted.

Brevet 2d lieut. John Love, to be 2d lieutenant, 21st February, 1842, vice Chilton, promoted.

Brevet 2d lieut. Abram Buford, to be 2d lieut. 12th April, 1842, vice Wickliffe, retired on the rolls.

Appointments. George Meade, late of the army, to be 2d lieutenant in the corps of topographical engineers, 19th May, 1841.

Nathan Towson, paymaster general, re-appointed.

David S. Townsend, paymaster, re-appointed.

Timothy P. Andrews, paymaster, re-appointed.

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OFFICIAL.

GENERAL ORDERS, NO. 28.

War department, adjutant general's office,
Washington, May 26, 1842.

The following instructions have been received through the department of war and are published by the General-in-Chief for the government of all concerned.

War department, May 20, 1842.

With a view to reduce the expenses of the regiments of dragoons as far as may be consistent with their efficiency, the number of horses to be hereafter allowed for each troop or company is fixed at forty for the enlisted men of each troop, besides those required for musicians and farriers and for the non-commissioned staff.

Wherever several troops are serving within distances convenient for the purpose, the surplus horses beyond the number herein prescribed, in any troop, are to be transferred to any other troop that may be deficient.

Any other surplus horses, that cannot be thus transferred, wherever situated, will be turned over to the quartermaster's department as soon as circumstances will permit.

No commissioned officer will be allowed to retain a public horse or appropriate one to his own use, except be be transporting baggage, when necessary on marches, when horses will be assigned by the quartermaster, if no other means of transportation are furnished.

The surplus horses will be sold on the spot, or at convenient markets, as may be most advantageous to the United States.

Should any of the troops of the second regiment of dragoons, now in Florida, be ordered to the west, the commander of the army in that territory will give directions that their surplus number be turned over to the quartermaster's department for sale at such place as he shall deem expedient.

The enlisted men who may be dismounted in consequence of these instructions will serve as infantry, light infantry, or riflemen, and will also be duly exercised as mounted dragoons, so as to be ready at any time to resume their places in the ranks as cavalry.

The horse equipments which may be rendered unnecessary by the reduction herein directed, will be carefully marked and stored by troops at convenient depots, to be turned into use as may be needed from time to time by the troops or their regiments.

Requisitions for new horse equipments and for the future purchase of horses will be made on the basis of the number of horses fixed by these instructions.

The cavalry schools of instruction at West Point and at Carlisle, are not to be affected by this regulation.

J. C. SPENCER.

By command of Major General SCOTT,
R. JONES, *adjutant general.*

GENERAL ORDER, NO. 29.

War department, adjut gen's. office, May 28, 1842.

The following regulation is published for the government of the army.

War department, May 23, 1842.

Numerous applications for additional rations having been made, the attention of the department has for some time been called to the subject, and it has received the most careful and deliberate consideration. The interest of the country and the welfare of the service alike require that the system, which has so long prevailed, of extending the allowance of double rations from one case to another, instead of recurring to the original intent of the law, should cease. So far as that intent can be ascertained from the nature of the provision and the terms of the law, it is the design of the department strictly to adhere to it. This is rendered the more necessary in consequence of the precedents having become anomalous, and apparently conflicting. The equitable principle of putting on the same footing all officers who may appear to render similar services, or who are equally meritorious, where a rigid administration of the law may produce an inequality between them, is one that addresses itself rather to the legislature than to the executive.

Upon recurring to the authority for granting additional rations, it is found that there are but two laws bearing upon the subject. The act of March 16, 1802, authorized the allowance "to the commanding officers of each separate post," and has never been modified, except by the act of April 24, 1816, which recognised and adopted the regulations in force prior to the reduction of the army. By various regulations, previous to the passage of that act, the allowance of double rations had been extended to officers in command of separate armies and geographical military districts or departments, and to engineer officers superintending the construction or repair of fortifications. With a view to conform to the principles of the act of 1816, these rules modified, and to apply it to new descriptions of duties clearly within it, paragraphs 1,251 and 1,252, of article 80 of the general regulations of the army, and all other regulations and orders upon the subject, except paragraphs 1,253 and 1,254 of the same article, are hereby rescinded, and the following is substituted, to take effect on the 1st day of June next:

To the following officers, and no others, there will be allowed double rations:

1st. To the major general commanding the army, and to every other officer commanding in chief a separate army, actually in the field.

2d. To the general commanding the eastern and western geographical divisions.

3d. To the colonels or other officers commanding military geographical departments.

4th. To the commandant of each permanent or fixed military station of troops, including the superintendent of the military academy at West Point, who is regarded as the commandant of that post.

5th. To the commandant of each of the armories and of each arsenal of construction at which the operations appropriate to such arsenals are actually carried on.

6th. To the officers of the corps of engineers and topographical engineers having the immediate command of the men engaged in the construction of fortifications or other military works, or in the improvement of harbors or rivers, but not to include any superintendent other than the officer having such immediate command. By order: J. C. SPENCER.

R. JONES, *adjutant general.*

THE NAVY.

The launch of the St. Lawrence at Norfolk on 27th ult. did not take place. An order countermanded it and at the same time discharged the hands from the yard. The Philadelphia North American says:

"As for *the Raritan*, she must remain, for the present at least, on her stocks. She has rested there for *twenty-one years*, and knows her home as well as an Egyptian mummy knows its tomb. She is a glorious specimen of that stability which now and then attaches to earthly things. Palaces decay, thrones crumble, and navies perish, but there she stands on her blocks, firm and immoveable as Pompey's Pillar, or Cheops' Pyramid. It is some consolation, however, to know that our grandchildren will find many of our works as we left them. They will be able to lift their little hands in infant pride and point to this work of their great sires. It will always be there; change is not in its destiny; and torrents may forsake their channels, and islands sink into the bed of the ocean, but the Raritan will still stand on its stocks."

The orders countermanding the launch of the Savannah at Brooklyn, reached there too late.

The United States ship *Marion*, commander Golsborough, from the coast of Brazil, reached the navy yard at Philadelphia on the 24th May, after an absence from home of nearly thirty-one months.

The *Marion* left Rio Janeiro on the 15th ultimo, anchored at Pernambuco on the 24th, left there on the 25th, and reached the capes of the Delaware on the 23d instant. She left at Rio the United States ships *Delaware* commander Morris, *Potomac*, captain Storer, *Concord*, commander Barron, schooner *Enterprise*, lieutenant commanding Wilson. The *Potomac* and *Concord* were to sail the same day for the south. The *Decatur*, commander Ogden, was at Buenos Ayres.

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The Mississippi steam frigate captain Salter arrived at New York on the morning of Friday 27th May, from Washington which she left on the morning of the 25th making the passage to Sandy Hook in 48 hours.

STATES OF THE UNION.

MAINE.

The legislature having met on the 18th instant the joint committee to whom was referred the message of governor Fairfield, and the communication of the secretary of state, on the subject of the appointment of commissioners, to treat for a conventional boundary line between the state and the British provinces, reported resolutions directing the appointment of four commissioners, for this purpose, by joint ballot of the two branches of the legislature. The resolutions, with the exception of part of the preamble, are as follows:—

Now, considering the premises; and believing that the people of this state, after having already manifested a forbearance, honorable to their character, under long continued violations of their rights, by a foreign nation; and, though not disposed to yield to unfounded pretensions, are still willing, in regard to the proposal now made by the government of Maine, to give additional evidence to their fellow citizens throughout the United States, of their desire to preserve the peace of this union, by taking measures to discuss and conclude, if possible, the subject in controversy in a manner that will secure the honor and interests of the state; this legislature adopts the following resolutions; with the understanding, however, that, in the event of a failure in such endeavor towards an arrangement, no proceedings thereunder shall be so construed as to prejudice in any manner the rights of the state as they have been herein asserted to exist:

Resolved, That there shall be chosen, by ballot, in convention of both branches of the legislature, four persons who are hereby constituted and appointed commissioners, on the part of the state, to repair to the seat of government of the United States, and to confer with the authorities of that government touching a conventional line, or line by agreement, between the state of Maine and the British provinces, and to give the assent of this state to any such line, with such terms, conditions, considerations and reservations as they shall deem consistent with the honor and interest of the state; with the understanding that no such line be agreed upon without the assent of such commissioners.

Resolved, That the said commissioners be furnished by the governor with evidence of their appointment, under the seal of this state.

Resolved, That the governor, by and with the advice and consent of the council, have power to fill any vacancy that may occur in said commission by death, resignation, or otherwise.

Resolved, That the said commissioners make return of their doings herein to the governor, to be by him presented to the legislature at its next session.

Judge Sprague, of Boston had appeared before the committee at the request of Mr. Webster, and explained to them various matters in relation to the proposed negotiation.

On Saturday 21st these resolutions were adopted in the senate by a vote of 30 yeas to 1 nay, and being carried to the house a motion to recommit was made by Mr. Frye, adverse to the appointment of commissioners, for four reasons.

1st. Because he doubted the powers of the legislature to grant to commissioners the powers proposed; 2d, Because if they had power to confer unlimited powers, it was not expedient to do so in the present case; 3d, Because he considers it a measure of questionable policy; and 4th, Because he is satisfied that his constituents would not approve of it. The house voted to lay the document on the table, and to print 1,000 copies of it.

[The governor communicated by message a letter from Gov. Dorr, of Rhode Island, in which he says, among other things, that, "*being unable to contend single handed against the forces of the United States*, we have the aid of your own state in this contest." We are surprised that Gov. Fairfield should communicate such a document to the legislature, especially as Gov. Dorr has abandoned his official station to his own state.]

On Monday the resolutions from the senate on the northeastern boundary were taken up and read a second time. Mr. Bradbury of Calais, moved to strike out the first resolve, and to substitute the following:

Resolved, That there shall be chosen, by ballot, in convention of both branches of the legislature, four persons, who are hereby constituted and appointed commissioners, on the part of this state, to repair to the seat of government of the United States, and to confer with the authorities of that government touching the line between the state of Maine and the British provinces.

Resolved, That the said commissioners, adopting as the basis of their action the line of this state as established by the treaty of peace of 1783, between the United States and Great Britain, and as uniformly claimed by Maine, be empowered to relinquish the right of this state to such portion of its territory contiguous to said line as they may consider expedient, upon such terms, conditions and considerations, and for such equivalents, as they shall deem consistent with the dignity, honor, and interests of the state.

Resolved, That the line established by the treaty of 1783 is a practicable one—that our claim to the whole territory embraced within its limits is just and incontrovertible—and that we are unwilling to relinquish a part to obtain only an *undisputed* right to the remainder.

This motion was debated until half past 5 o'clock, when the question was taken, and the amendment lost by yeas and nays as follows—yeas 66, nays 120.

Mr. Osgood then offered an amendment for the submission of the subject of the appointment of commissioners with full powers to the people, but without any action or debate, the house adjourned till nine o'clock on Tuesday morning.

On Tuesday, a motion was made to reconsider the vote of the preceding day, rejecting Mr. Bradbury's amendment, and after a long debate, in which the speaker in committee of the whole, and several other members, advocated the amendment, the house refused to reconsider, yeas 69, nays 119.

A motion was made by Mr. Osgood, to amend so as to refer the proposal to the people, whether commissioners as proposed in the resolves, to the people in town meetings. After a short debate this amendment was rejected, yeas 55, nays 123.

The original resolves, slightly modified, were then adopted by a vote of 177 to 11.

On Wednesday 25th, separate conventions of both parties were held for the purpose of nominating candidates for commissioners. The whigs selected ex-Governor Kent, and John Otis, esq.; the other party, Edward Kavanagh, and Wm. Pitt Preble, esqs., and on Thursday both houses again met in convention, and made with unanimity the selection of the hon. Edward Kavanagh and Col John Otis, of the senate, Judge Preble, of Portland, and hon. Edward Kent of Bangor. The whole selection is a judicious one, and gives great satisfaction.

CONNECTICUT.

The legislature of this state has elected Joel Hinman to the office of judge of the supreme court of that state, in the place of Roger M. Sherman, resigned.

RHODE ISLAND.

Since the flight of Mr. Dorr, a voluminous paper controversy has commenced between some of the actors in the late scenes concerning their course, and the causes of the late denouement. The Providence Express of Saturday, contains a long statement of debate from Burrington Anthony, in which he refers his conduct to the expectation that a compromise was to have taken place, and Mr. Whipple's name having been involved in his letter, a long reply from the latter next appeared, correcting the errors its statements would lead to. Next there appears a letter from Thomas W. Dyer, dated July 21st and post dated the 26th, published in the N. York Era and addressed as an executive message to the people of Rhode Island. He still claims to be their legitimate governor, and never contemplated the entrance of his friends upon any compromise, and considers parts of Mr. Anthony's letter as unjust to him. Meanwhile the governor of Rhode Island has made a requisition upon the governor of New York, for the surrender of Mr. Dorr, as a fugitive from justice, should he be found within that state, and a like requisition upon the governor of the state of Connecticut. Mr. Dorr's address gives no intimation of his whereabouts.

The legislature are to reassemble on the 20th inst. when there is every probability a law will pass authorizing the white citizens of the state over twenty-one years of age, to elect delegates to a convention *legally authorised* to frame a constitution conformable to the wishes of a majority of the freemen of the state, and which when so framed, will receive their sanction and become the fundamental law.

LETTER OF GENERAL JACKSON.

The following letter from Gen. Jackson was read in the United States senate, during the discussion of the bill to refund to him the fine imposed by Judge Hall, at New Orleans.

Hermitage, March 14, 1842.

Dear sir: I have the pleasure to acknowledge the receipt of your letter of the 28th of February last, and hasten to reply to it.

Having observed in the newspapers that you had given notice of your intention to introduce a bill to refund to me the fine, (principal and interest), imposed by Judge Hall, for the declaration of martial law at New Orleans, it was my determination to address you on the subject; but the feeble state of my health has heretofore prevented it. I felt that it was my duty to thank you for this disinterested and voluntary act of justice to my character, and to assure you that it places me under obligations which I shall always acknowledge with gratitude.

It is not the amount of the fine that is important to me; but it is the fact that it was imposed for reasons which were not well founded; and for the exercise of an authority which was necessary to the successful defence of New Orleans; and without which, it must be now obvious to all the world, the British would have been in possession, at the close of the war, of that great emporium of the west. In this point of view, it seems to me that the country is interested in the passage of the bill; for examples like those which existed at New Orleans may again arise; and a commanding general ought not to be deterred from taking the necessary responsibility by the reflection that it is in the power of a vindictive judge to impair his private fortune, and place a stain upon his character which cannot be removed. I would be the last man on earth to do any act which would evince a disposition to disregard the military should always be subject the civil power; but I contend that at New Orleans no measure was taken by me which, if my motives in this principle, or my act, if properly understood, was not necessary to preserve it.

When I declared martial law, Judge Hall, was in the city; and he visited me often, when the propriety of its declaration was discussed, and was recommended by the leading and patriotic citizens. Judging from his actions he appeared to approve it. The morning the order was issued, he was in my office; and when it was read, he was heard to exclaim, "*Now the country may be saved; without it, it was lost.*" How he came afterwards to be so much his enemy, disaffected, and, by the exercise of his power, endeavored to paralyze my exertions, it is not necessary here to explain. It was enough for me to know that he was responsible in the declaration of martial law in order to defend the city when the enemy were besieging it, it was right to continue it until all danger was over. For full information on this part of the subject, I refer you to my defence under Judge Hall's rule for me to appear and to show cause why an attachment should not issue for a contempt of court. This defence is in the appendix to Eaton's Life of Jackson."

There is no truth in the rumor which you notice, that the fine he imposed was paid by others. Every cent of it was paid by myself. When the sentence was pronounced, Mr. Abner L. Duncan, (who had been one of my aids-de-camp, and was one of my counsel), hearing me request Major Reed to repair to my residence for the sum—not intending to leave the room until the fine was paid—asked the clerk if he would take his check. The clerk replied in the affirmative, and Mr. Duncan gave the check, which I then directed my aid to proceed forthwith, get the money, and meet Mr. Duncan's check at the bank and take it up; which was done. These are facts that Major Reed, now in the assembly of New York, can verify them.

It is true, as I was informed, that the ladies did raise the amount to pay the fine and costs, but when I learned it, I instructed these to apply it to the relief of the widows and orphans that had been made so by those who had fallen in defence of the country, for which purpose I knew they were entitled to behave; but Major Davezac can tell you more particularly what was to be done with it.

Connected with the history of this case, I would give you some interesting facts, showing the motives and feelings of Judge Hall; but I am too feeble to write, and I have no disposition now to revive charges which can have no effect upon the judgment which posterity will form from the records. Although the judge violated my orders, and fled from the defence of the city, and, in his proceedings against me for disobedience, committed blunders which were extraordinary, if not criminal, it was not in my nature to brood over them after the brilliant close of the campaign; and, hearing afterwards that he manifested contrition and repentance, I cheerfully forgave him.

The judge's character, however, should be out of the question in this case; or, at least, I have no desire to avail it. The great point is this: Ought not congress to interpose and return a fine imposed, as mine was, for the performance of an act which was indispensable to the safety of the country? And if not,

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will and the president prejudice the public interest in a similar emergency, should one arise? Can it be expected that a general will take a high and generous responsibility for the safety of his country, if he is insulted, fined or imprisoned by a mistaken or vindictive judge, whose flat, under an erroneous view of what is due to the forms of law, cannot be changed by legislative power?

Thanking you again, sir, for your generous sympathies, I remain, your friend,

ANDREW JACKSON.

Hon. L. F. Linn.

MESMERISM.

During the last few months public attention has been much directed to the old subject of Mesmerism, and from one extreme of the union to the other, lectures have been delivered and experiments made by its advocates such as Messrs. Johnson, Osborne, Dana, Houghton, De Bonneville, Jr. Collier, Mr. Burleigh &c. The principal theatres for their operations have been Salem, Boston, Hartford, New Haven, New York, Pittsburg, Baltimore, Alton, St. Louis, Wheeling, &c. In the meantime rumors of some wonderful doctrines came in from even as far as Arkansas. A Dr. Buchanan there publicly advanced its immediate influence over or connection with the supposed circuit of the brain. There we learn of him was his presence at or near Louisville, Kentucky, where during the latter part of the past year he turned towards the subject the attention of the medical faculty of that city and published various opinions and advanced novel views on the subject — This naturally augmented the public interest towards the subject, and the discussion on it falsehood or truth continued to be agitated with increased vehemence at the eastward. Presently Professor Caldwell, of Louisville, Ky. following up the published doctrines of Dr. Buchanan, also published a little work entitled "Facts on Mesmerism," with the directions for practising its operations. Various statements of its supposed effects were announced in New York, Louisville, Albany, &c. and it seemed under the auspices of Dr. B. a more imposing name. He professed to demonstrate the truth of phrenology, analyse mental faculties in natural organs, and by actual experiment leave no room for skepticism on the power of the unknown agent. The right rev. Bishop McIlvaine, of Ohio, said: "I regard animal magnetism as the most astonishing secret I have ever witnessed, altogether unaccountable but certainly true." Opinions of many respectable names were adduced in confirmation of it. The opinions of Drs. Coats and Horner, professors in the medical college at Philadelphia were published in the Medical Examiner for December. Charles Dickens, the British author announced himself a believer. The Rev. Leroy Sutherland, a Baptist clergyman in New York several months since announced a publication on the subject. "The Magnet" is its title and its first or specimen number has appeared. Mr. R. claims to be the discoverer or author of the science, and it bears the title of Phreno Magnetism.

In Europe the subject has been prosecuted by the rev. C. H. Townsend, Mr. Gardiner, Drs. Elliotson and Engledue, and J. P. Deleuze, M. Trappart and de la Fontaine. The London Paulaxa, a paper published by the Fourierists, some weeks since contained the following:

PHRENOLOGICAL SOCIETY. *Mesmerism.* On Monday evening there was a full attendance of the members of this society, at their rooms in Exeter Hall.

The president, Dr. Elliotson, delivering a lecture upon the connection between Phrenology and Mesmerism, said: I have always been scrupulously cautious in introducing the subject of Mesmerism at our meetings, on account of the difficulties opposed to it, and the prejudices existing against it in the minds of mankind; and I would not do any thing to tend to create a difference of opinion in the society. But assertions have recently been made in public, and opinions have been promulgated in society, (and I see no reason against adopting them), that Mesmerism could explain some of the most important principles of Phrenology. I was always aware of the connection between them, as Mesmerism, relates to the whole of the nervous system, of which Phrenology explains one part. There is the less objection to my introducing the subject here at present, as the society for the diffusion of useful knowledge, with Lord Brougham at their head, and four of my late colleagues at the London University hospital, have now borne public testimony to the reality and usefulness of Mesmerism. This they have done in the last monthly number of the Penny Cyclopedia.

Dr. E. proceeded then by way of exordium to detail some of the ordinary phenomena of Mesmerism as so called and continued as follows:

But I have mentioned these things, gentlemen, in order to smooth my way in relating occurrences of a more extraordinary nature which have happened in America. In the course of the last month I have received a series of newspapers from America containing accounts of Mesmerism, from which it seemed that when an operator had reduced a patient to a state of stupor, he could excite the phrenological organs at will, that parts of the brain could be awakened and excited, and afterwards sent to sleep again.

Dr. Elliotson then read from a New York paper an account of numerous Phrenomesmeric experiments performed at and in the museum of Louisville, by Dr. Buchanan and others. Dr. Elliotson then read very long extracts from the Boston and Kentucky papers, which related a vast number of public experiments of similar nature, and with similar results, performed by Dr. Collyer, Dr. Buchanan and others. In each case, it is remarked that the organs, as named by the Phrenologists, invariably manifested, under mesmeric influence, the functions attributed to them. The relations excited the greatest surprise in the audience, and were received with deep attention. He then stated that whilst these things were proceeding in America, experiments precisely of the same nature were also being carried on in different parts of England by gentlemen who knew nothing of the operations of each other, or of the operations of those going on in America. He had seen other accounts of the experiments in New Hampshire to Dr. Engledue, with a request that he would hand them to Mr. Gardiner, a gentleman of the highest respectability and learning, the son of sir James Gardiner, a baronet and a clergyman. It happened, curiously enough, that when Dr. Engledue went over to Southampton, to give the packet of papers which he had received from America, Mr. Gardiner, he found that gentleman, Mr. Mansfield, and others, actually engaged in a series of experiments, which, on afterwards looking into the packets, they found were precisely the same as those of Dr. Buchanan and Collyer. Dr. Elliotson then read, from the Hampshire Telegraph, a long account of experiments by Mr. Gardiner.

After having read these extracts, the president stated that Mr. Atkinson, a member of the society, who was then in the room, had made similar experiments with the like success, of which he would read an account at the next meeting. His statements were confirmed, by two other members then also present, Mr. Kirby and Mr. Noble.

After a few remarks from those gentlemen in corroboration, and from Mr. Logan and other members, expressive of their curiosity, and of their conviction that the subject deserved attention and investigation, the meeting adjourned.

From the Pennsylvania Inquirer.

Not long since, similar curious experiments were performed by Dr. Buchanan, of Louisville, through the agency of what is called Phreno-Magnetism, or the application of mesmerism to the different organs of the brain, as developed in the phrenological, according to phrenological principles. The accounts of these experiments, which appeared in the Louisville papers, were copied into various journals throughout the country, were ridiculed as impositions in nine cases out of ten, although they did not escape the notice of all believers in animal magnetism and Mesmerism, but, unpopularity of the subject was nevertheless vouched for, and in one or two cases witnesses were adduced to prove the authenticity of the details. The public mind, moreover, was somewhat prepared for the issue in favor of mesmerism, and thus a few of our citizens, among them one or two physicians, were induced to notice the phenomena wonts mentioned, and to make observations in the course of their experience, calculated either to explode the errors or to verify the truth of the statements. One of these, a gentleman of the highest respectability and influence in this community, had his attention drawn in an especial manner to the case of a boy who was unwell, who was liable to the mesmeric sleep, so called, and when in this sleep, developed several emotions and physical signs, when the finger of the operator was applied to the phrenal developments on his cranium, and with results truly wonderful. The result startled the physician himself. He had but little faith in phrenology at the time, although he had seen numerous instances of sleep produced through the influence of animal magnetism. The case of the boy, however, imparted additional interest to the subject—he noticed it to an intelligent friend, and in connection with that friend, commenced a series of experiments. The results here, were still more astounding. Indeed, so much incredulity had been expressed by medical and scientific men with regard to mesmerism, its professors were ridiculed and laughed at so generally, that in the case under consideration, even those who had practised the experiments or witnessed them, spoke upon the subject with caution, conscious from the extraordinary delusions, that ninety-persons out of every hundred, would either suppose the operators deceived themselves, or worse, were anxious to deceive others.

Under these circumstances, a number of highly respectable citizens, and among them a majority of the editors of Philadelphia, assembled at the dwelling of the physician above noticed, on Tuesday evening last, for the purpose of being afforded ocular proof. There were probably thirty gentlemen in attendance, besides the physician who operated, and the individual, a friend of ours, of unblemished integrity, superior intelligence and unsullied character, who consented to be subject for the evening, and who had familiarized himself with the whole scene by former experiments. It is not necessary for us in this article, to express an opinion, as to the truth or falsity, either of mesmerism or phrenology. We merely state facts as they passed under our own observation, and as they will be corroborated by similar accounts from other gentlemen who were present.

The company being seated, the operator and his subject also took seats immediately opposite, when the history of the matter was given in a few words by the physician, and in substance as we have read it in the extracts relating with some observations to the following effect:

"The phenomena, I will not yet call them *facts*, to be presented to you, are of novel and curious character. Of their existence you will yourselves in very soon eye-witnesses. Indeed, the phenomena of mesmerism are not themselves questionable; for they have been demonstrated even by Franklin and the distinguished committee of the French Royal Academy, of which he was a leading member. The diversity of sentiment has been confined chiefly to the mode of explaining them and so far as they evidence, what are easily proved to be false, *clairvoyance* and *prevision*. Setting these aside, for they are in their nature impossible, and have been by many laborious inquiries, demonstrated to be fallacies, the phenomena now to be exhibited may be explained in various modes. The believer in mesmerism and phrenology, meets difficulties to overcome, easily refers them to one of two sources—1st, to the mesmeric stimulation of the cerebral organs, or 2d, to the influence of the operator's affecting, under these new relations, the mind of the subject of the experiments. Those who are phrenologists, but not mesmerists, may contend, with Dr. Buchanan, that the effects are the result of a galvanic current set on the organs, through which the mind, in this subjunary bondage, is compelled to act.

"Those who admit the existence of *that nervous fluid* called mesmerism, but who deny the truth of phrenology, have but one admissible explanation, and accordingly believe that the subject of the experiment, having, as almost all of us have, some knowledge of the external phrenological map, is *unconsciously* led by association of ideas, to the expression of a mental state conformable to the supposed situation of the cranial tuberosities.

"Finally, those, and they are yet the million, who deny both phrenology and mesmerism, resort, as did the Franklin committee, to the explanation of sympathetic imitation, by supposing the effect of imagination and imitation; while some sturdy sceptics refer the whole scene to a joke or trick.

"Being myself only an *enquirer*, and with a rule *to keep strictly* on NEUTRAL GROUND, while a subject is 'being examined,' as friend Chandler would say—I have not reached any settled conviction, and cannot but leave it to others. Each of you will select a theory for himself; and as the gentleman who is to be the subject of experiment, is the acquaintance of all, and the intimate friend of most of you, you are to his eminent talent and worth, a better appreciation than even I can do; and thus rid yourselves of one difficulty, to which the exhibition of unknown and unaccredited individuals must ever give rise."

After these explanations, the experimenter then placed his right hand on the forehead, and with his left grasped a hand of the patient. In the course of about two minutes, the latter fell into a Mesmeric sleep, when the physician so pronounced him, convened freely in explanation of the various points in the case, and proceeded to apply the phreno-magnetic tests. He then exhibited a cast with a cranium marked out according to the doctrines of phrenology, and applied his finger to the various developments on the cranium of his patient. The effect astonished every one present. All knew the character of the subject, and therefore knew there could be no collusion, no trick, no deception whatever. But just as the physician touched with his finger the several

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specific indications on the head of the subject, did that subject develope in the strongest and most unequivocal manner, the various feelings, tastes and emotions which phrenologists contend, are indicated by protuberances. Thus, music, language, mirth, ideality, number, veneration, alimentiveness, firmness, time, space, destructiveness, envy, self-esteem, hatred and despair—were successively made manifest, as well by the countenance and the features, as by movements of the limbs and by oral expressions. The fidelity of the various delineations was wonderful. We never saw them surpassed on the stage, and are satisfied that the subject could not give them with such accuracy, in his usual condition of mind. When under the influence of envy, for example, the subject alluded to some ideal character, pointed to a scene that was very prominent in the view presented a green and tempting aspect, but quietly remarked, and in a covert spirit of exultation, that there was a ditch in the distance, which the object referred to would sooner or later plunge or be entrapped. Again, he observed that "going up was very pleasant—all very fine—but the higher his nugcoast ascended, the further he would have to fall." The expression and manner, however, were still more striking than the language. When ideality was developed, he first described a soft plum, upon which a large bee of military air was mounted then, the operator having slightly shifted his finger, he threw his head back and saw seraphs and airy figures floating above him; and again, he stepped forward and leant over a yawning abyss. On being questioned, he said it was very deep, and that he was afraid to approach any closer, and that his eye could not penetrate its shades. The scene was so powerfully touched, and his aspect of adoration became at once solemn and beautiful. With upraised hands, he turned his distended eyes towards some object, and then whispered what seemed to be the outpourings of a prayerful heart. The organ of mirth was then touched in conjunction with the organ of veneration, already been painted. A blasphemous part in which the subject was singularly blended with religious advice. Some local allusions were made which in their association and the grave manner in which they were uttered, were not a little laderous. The organs of combativeness and destructiveness produced terrific effects, and one organ caused so fearful a paroxysm of despair, that the subject drew a knife from his pocket and would have used it, had it not been taken instantly from him. Acquisitiveness and the love of children produced droll effects—to the former, the subject evidently taking and concealing imaginary objects—and in the latter, nursing and caressing imaginary children, dandling them on his knee, and looking them to sleep in the real nursery nursery style. These distinct effects continued about three or four minutes after the finger of the operator was removed from the organ, and then subsided gradually, as if the influence of some vision were presented slighter and fainter, until it passed away and left the subject in a state of quiet magnetic sleep. The first effects of the several influences, were preceded by slight convulsive twitchings of the muscles, and by occasional gasping of the hands.

The subject was kept in this condition, and passing through the effects of the various passions and emotions of the mind, for about an hour and half and upwards. The last operation was produced by the physician's touching with his finger the back of the neck near the spinal bone and marrow. The subject then became rigid and stiff, stretched himself back in his chair, and his appearance generally nearly resembled that of death. The operator then, with a low passes of his hand, dispelled the Magnetic influence—the patient gradually unclosed his eyes, and rean on at once resumed her empire. He remembered indistinctly much that had transpired, but said that he did not at the time, possess the will to prevent it. He experienced no bodily pain whatever throughout his various extraordinary physical and mental demonstrations, and was not at all fatigued at the close. He had watched the various experiments, of which he had been the subject for some months, and arrived at the conclusion, that they were beneficial to his general health, inasmuch as they afforded him the kind of exercise that he needed. His opinion is, that about one person in every nine, is peculiarly susceptible to the magnetic influence, and that in some cases, persons of weak physical frame, can influence in the manner described, those of much more bodily health and strength. But enough of this subject for the present. The story is indeed a marvellous one, and many will pronounce it exaggerated. We can only repeat, that the parties are of the highest respectability and that but one sentiment of wonder was expressed by the intelligent company in attendance, most of whom had until that night regarded all ist, not only of mesmerism but of phrenology, with utter incredulity.

From the Pennsylvanian, May 24.

Mr. Editor: The kind notice you gave of 'The Magnet' in your paper of the 20th instant, and the reference you make to my magnetic discoveries, induces me to offer the following remarks, which perhaps may be considered as due to myself, and to Dr. Buchanan.

As far as I know, the mental or vital organs were never excited or operated on *separately* by magnetic state, till it was first suggested and done by myself in this city one year ago. This was before I had ever heard of any experiments of any kind by Dr. Buchanan. And, though it now appears, that he had before operated on the organs, yet he disclaims having done so by *magnetism*. In a letter of his published in New York Watchman, of April 2, 1842, he says:

"Answering for myself, I would remark, that I have not been engaged in making experiments upon subjects in a magnetic state or condition, but solely upon persons in the *natural* condition.

Those who know me will not suspect me of thus endeavoring to avoid any stigma which an unenlightened and tyrannical public sentiment may fix upon the votaries of science for seeking prohibited knowledge. I honor the cultivators of animal magnetism as the intrepid leaders and benefactors of their race; and had I not a peculiar line of investigation for myself at this time, I would be actively engaged in the daily investigation of the subject."

But the discoveries, which I think I have made demonstrating the double *poles* of mental organs, as also their opposition to each other (positive and negative) and the *sympathetic* polarity, or poles of the mental and vital organs located in the face, may be considered of far more importance than the mere excitability of the organs, by the application of the magnetic means. And for a full account of these discoveries, as of the phrenological organs never before known, I would refer to "The Magnet," the first number of which has already been published, at 138 Fulton street, N. Y.

Yours, with due respect,

LE ROY SUNDERLAND.

SUGAR PLANTERS' MEMORIAL.

At a numerous meeting of the sugar planters of Louisiana and others interested in the culture of the sugar cane, convened in New-Orleans, on Monday the 16th May, 1842, for the purpose of taking into consideration the necessity and propriety of addressing a memorial to congress upon the subject of a tariff of protection.

On motion of Mr. J. M. Lapice of Concordia: Mr. M. D. Bringier of Ascension, was appointed *president*.

Messrs. J. B. Aymond, J. Dupre, Ch. Landry, of Ascension, R. G. Ellis, of Terrabonne, P. A. Rost, of St. Charles, D. F. Kenner, of Assumption, Cassimar Lacoste, of St. Bernard, Joshua Baker, of St. James, were *vice-presidents*.

And Messrs. George S. Guion, of Lafourche interior, Benj. B. Weore, of St. James, Wm. H. Sparks, of Ascension, were *secretaries*.

At the request of the president, P. A. Rost briefly explained in English and French the objects of the meeting.

After which upon motion of B. Winchester, of St. James, the president appointed a committee composed of the following persons to prepare a memorial to congress, viz: P. M. Lapice, Evariste Lacoste, Wm. Montgomery, A. Boudousquie, W. J. Minor, Minor Kenner, Sam'l Fagot, P. Sauve, Benjamin Winchester, Pierre Jorda, and P. A. Rost, who retired to consult together.

Whereupon, W. H. Sparks following by D. F. Kenner addressed the meeting in forcible and effective language, setting forth the absolute necessity of protecting not only the sugar interest of Louisiana, but the domestic industry of the whole U. States.

The committee appointed to draft a memorial to congress reported by their chairman, P. M. Lapice, as follows, viz:

To the honorable the senate and house of representatives of the United States in congress assembled:

The undersigned, citizens and sugar manufacturers in the state of Louisiana, beg respectfully to state:

That it is only after losses have reached their height—that events have proved that under the practical operation of the compromise bill, of 1833, our agriculture and our commerce, as well as our manufacturing interests are not only paralized, but brought to the very verge of absolute ruin, that they approach the representatives of the nation, in congress assembled, earnestly to pray them to come to the relief of an industry involving an outlay of capital of $52,000,000—the destruction of which, besides causing a national loss to an extent beyond circulation, would lead to the expropriation of almost every planter connected with it.

That against the theories discarding discriminating duties intended to foster home labor,—which have brought every department of our government into disrepute—which have made, with few exceptions, every mechanic, every manufacturer, every merchant, every farmer, every corporation, in one once happy union, a bankrupt—and which at length, after a long struggle, are shaking our government itself to its very foundations, the undersigned beg most respectfully to oppose the authority of one of our ablest and most honored statesmen:

In 1785, Thomas Jefferson was one of the most ardent and strenuous advocates of free trade; his opinions in 1816 were as follows: (Niles Register, vol. x., page 95—letter to Benj. Austin.)

"Compare the present state of things with that of '85, and say whether an opinion founded on the circumstances of that day can be fairly applied to those of the present. We have experienced what we then did not believe, that there exists both prodigiary and power to exclude us from the field of interchange with other nations; *that to be independent for the comforts of life we must fabricate them ourselves*. We must now place the *manufacturer by the side of the agriculturist*. The former question is suppressed, or rather assumes a new form. The grand inquiry is now: *shall we make our own comforts, or go without them at the will of another nation?* He, therefore, who is now against domestic manufactures, must be for reducing us either to a *dependence on that nation*, or to the state of savages, and to live like wild beasts in dens and caverns. *I am proud to say I am not one of them*. Experience has taught me that *manufactures are now as necessary to our independence as to our comfort*. Formerly, those who quoted the wealth of different opinion, will keep pace with me in purchasing nothing foreign, where an equivalent of domestic fabric can be obtained, *either regard as different of price*, it will not be our fault if we do not have as supply at home equal to our demand, and wrest that *weapon of distress* from the hand which has so long unworthily exercised it."

That the fallacy and suicidal tendency of the doctrines of '85—partially revived in 1833—are now fully proved by their practical operation during the past eight years, which has brought distress unprecedented, ruin and desolation to every class of society, to every branch of industry, throughout the United States.

That in one of the papers annexed to the report of the committee on manufactures, of 31st March last, and particularly referred to by said committee, it is stated:

"That there were imported in the U. States, in 1840, of raw sugar, 121,960,400 lbs., valued about $5,600,000."

"That the great bulk of those importations were from six countries, to wit: the Dutch West India Islands, Dutch East Indies, Philippine Islands, Cuba and other Spanish islands, and the Brazils; and that our exports during the same year, to those markets, amounted to $9,320,026."

"That this trade gave employment to 13,056 men, 219 boys, and 1,787 vessels, measuring 289,639 tons."

The undersigned respectfully beg to observe that the above exhibit gives only one side view of the trade in question. That a reference to the report of the secretary of the treasury will show our imports to the above countries for 1841, to have been as follows, to wit:

	Free goods.	Ad val.	Specific.	Total.
Danish W. I.	$185,132	$37,619	$2,145,6	$996,177
Dutch do.	255,945	11	140,523	3,347,476
Cuba	3,552,967	220,473	6,537,037	9,837,477
Other Sp. Isls.	154,651	1,424	1,742,257	1,898,732
Philippine do.	164,473	83,403	49,975	497,851
Brazil	1,646,155	2,381	274,720	4,927,296
	$6,963,374	$351,410	$10,928	$18,477,412

And our exports as follows:

Danish West Indies	$918,931
Dutch do.	1,265,438
Cuba	5,331,471
Other Spanish West India Islands	740,861
Philippine	80,589
Brazil	2,145,863
	$9,487,152

From which it is evident.

1st. That for the $18,477,412, of imports from the above countries, we have to pay yearly in specie, or in European bills equal to specie, $8,990,260?? the balance being the whole amount of sugars imported ha to be paid for in specie or bills equal to specie.

3d. That our imports from Cuba and other Spanish islands amount to $11,134,239—of which

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$3,712,018 consists of free goods—and our exports to those Islands, including $1,276,253 of cottons in transit, only amounting to $6,072,331, the balance—say $5,061,905, we have annually to provide for in specie, or bills equal to specie.

That whilst so large a proportion of our imports from Cuba and the other Spanish Islands are admitted in the United States free of duty, and whilst the compromise bill contemplates a final reduction to 20 per cent. ad valorem on sugars; our flour pays a duty in those Islands of $11.50 per barrel, or 275 per cent. more than the cost of production—and it is well known, that efforts are making in Spain to close their ports altogether against the introduction of that article.

That the 121,000,000 lbs. of raw sugar now imported from foreign countries, if produced in Louisiana, under the fostering care of government, would employ exactly the same number of men, boys, and shipping, for their transportation to the consumers the nation, as now required for the transportation and distribution of the same quantity, from foreign countries—with this difference, that the whole amount of such profit would remain among our own people, whilst for this sugar from foreign countries, we have now to pay annually $5,500,000 of specie or European bills.

That the 121,000,000 lbs. of sugars now imported from foreign countries—if produced by Louisiana, would require the same quantity of lumber, nails, hoops, engines and mills, castings, machinery, &c. &c. as now needed by our foreign competitors.

That the 63,000,000 lbs. of refined sugars now produced from foreign importations, if manufactured by Louisiana or from Louisiana sugars, would employ the same quantity of fuel, paper, twine, nails, copperwork, castings, pottery, machinery, &c. &c. as are now used in the refining of the same quantity of goods, and for transportation to the consumers throughout the union would need exactly the same power of transportation.

That we—the labor of Louisiana effectually guarded against debasement by foreign labor, the large sugar planters would soon refine such portion of their sugars as might be required for the consumption of the United States.

That there is already a large estate which for the last four years has been turning out about 700,000 lbs. annually of refined goods, equal to any manufacture from foreign raw sugars.

That nothing but the prostrated condition of our sugar planters, in consequence of the operation of the act of 1833, has prevented similar results following the example thus cited; the copper works and machinery requiring an outlay of at least $20,000.

That the number of sugar estates in 1828 amounted to 308

That from 1828 to 1833 the number gradually increased to 691

That under the tariff of 1816, the state of Louisiana was already supplying one-half of the supply required for the consumption of the United States, and was bidding fair soon to meet the entire consumption.

That before the last 383 estates could be brought into full operation, the tariff of 1833 was adopted. That 156 estates have already been compelled to abandon their sugar works under the effects of this act, that its further action cannot fail to annihilate this important branch of national industry; that there is no branch of industry in our country which is more directly or indirectly benefitted by a tariff judiciously laid.

That at a low estimate, the 525 estates yet in operation, required annually $2,000,000, for repairs of 525 engines and mills, and for

Castings,	Clothing,	The Product of Eastern States.
Hats,	Implements of husbandry,	
Wheels,	Nails,	
Beef,	Pork,	
Tobacco,	Whiskey,	
Mules,	Horses and cattle, &c. &c.	

Shoes, Carts, Corn, Flour, Fish, Hoops, and for overseers and engineers.

Whereby it is seen that mechanics, manufacturers, and agriculturists, throughout the union, are mutually interested to the amount of two millions of dollars per annum in the sugar industry.

That the crop of sugar is estimated at 80,000 hogsheads or about 80 millions of pounds, and 4 millions of gallons of Molasses—that prices this year are hardly averaging 3 cents for sugars and 12 cents for molasses, which represent a gross amount of $2,880,000; of which, as above stated, $2,000,000 are required for the working expenses during the year and go to other branches of industry, whilst the producers will only receive $880,000—being 1 69-100 per cent. on the capital invested of $52,000,000—

Such has been the result of the struggle brought on by the compromise bill, between foreign and home labor!—A home product of a necessary of life, hardly reaching 50 per cent. of the annual consumption of the country thus finds itself debased by foreign labor nearly 70 per cent. below its cost of production! No other part of the world offers such an anomaly! and what is the consequence of such a unhealthy state of things? complete derangement in the equilibrium between supply and demand and perturbation in every branch of industry, from the wealthiest producer down to the humblest mechanic and laborer—thus it is that the sugar planter being of necessity compelled to raise the provisions he was wont to draw from the western states, those states find themselves suddenly deprived of a market for their surplus provision, whereby their ordinary annual supply exceeding the wants of consumption, debouched unexpectedly on our seaboard, and glutted our market to a frightful extent. Thus it is also, that as our sugar works are abandoned, extra production carries debasement to cotton, rice, and in fine to every article to which are transferred the working power of the abandoned canefields; for no large industry can be destroyed in a country without producing depression in every other branch of industry in the same country, and perturbation and distress throughout the nation.

That on the subject of protecting the labor of our own people, Thomas Jefferson says in his letter to Wm. Simpson, esq. dated 1817, (Niles Register vol. XI—page 401):

"I have read with great satisfaction the eloquent pamphlet you were so kind as to send me, and sympathise with every line of it; I was once a doubter whether the labor of the cultivator, aided by the creative power of the soil, could not produce more than that of the manufacturer alone and unassisted by the dead subject on which he acted; in other words whether the living principle of vegetation and the species of our boundless territory in not the our gain. But the invention of the later times, addition to the labor of our citizens, the more would it labor for us, and would be a market for the manufacturer as the earth for the cultivator—experience too has proved that *mine was but half the question*, the other half is whether *dollars and cents* are to be weighed in the balance against *men*, and the question is then solved, so least as respects our own wants.

"*I much fear the effects on our infant establishments of the policy avowed by Mr. Brougham and quoted in the pamphlet—Individual British merchants may lose by the late immense importations, but British commerce and manufactures in the mass may be looking down the competition of ours in our own markets.*"

That the action of foreign sugars upon our home sugars, for the last three years of four years has been greater than the amount that contemplated by Mr. Brougham and above quoted "*beating down the competition of our own labor in our own markets.*"

That a revenue be raised to carry on our government, the general welfare requires that such revenue should be so arranged as to afford encouragement to our manufactures and agriculture, that our home labor should not be debased by foreign labor, that in the words of Thomas Jefferson, we may be "*really independent.*"

That by effectually guarding our sugars against debasement by foreign labor, your honorable bodies will not only protect that branch of industry, but also as before said, cotton, rice and all other agricultural products that can be raised by our population, and the simple season that should the want of sufficient protection compel our sugar planters to abandon the culture of the sugar cane, the 40,000 hands now employed by them would be transferred to the culture of rice or any other agricultural product to which they would be equally adapted, by excess of production, whilst the union, at the same time would be again placing itself in the entire dependence of foreign countries, for a necessary of life already requiring 43 a 14,000,000 per annum—That efficient protection, can be and will be, if it is wanted at best might be depended upon for saw sugars, would soon enable the planters of Louisiana to increase the culture of the cane to the full annual demand of the consumers, by planting the 40,000 hands would be quite 60,000 hands more at least who being supplied by the cotton growers would reduce the excess of production in that staple and increase its value to at least its cost of production. This would also have the effect of creating a gradual demand for at least 600 engines and mills from our founderies throughout the union, representing a sum at least $3,000,000—and kettles—implements of husbandry—copper works, mules, horses, &c. to a much larger amount. And all this home labor would require as many sea and inland vessels, and give employment to as many men and boys, for distribution among the consumers of the union as if performed by foreign labor, and would be a gain of thousands our exports to the West Indies, as we now import from those islands as before shown an equal amount of coffee and other now free articles or nearly so, whilst it would rid us to a considerable extent of the present annual drain of $ or $,000,000 of specie we have now to pay to the West Indies for our supplies therefrom, over and above our exports, which of itself would be of immense national importance.

And the undersigned in conclusion, begs respectfully to state their conviction, that in the present prostrated condition of the sugar interest, nothing short of 3 cents duty on raw sugars and other qualities in proportion, can avert the calamity about falling every sugar planter of Louisiana, and to add that even setting aside all other considerations, the sugar interest having grown under the revenue tariff of 1816, and under that tariff millions and millions of dollars have been permanently invested in works which cannot be destroyed without the most ruinous consequences to the parties who have embarked their fortunes in them, it is but sheer justice to them, that the same duty of 1816 should be continued so long as a revenue is required to carry on the government, and it is derived from the sugar sources.

All which is respectfully submitted.

On motion of P. A. Rost, the report of the committee was unanimously adopted.

DOMESTIC INTERESTS.

A BRIEF STATISTICAL EXAMINATION

OF THE PARTICULAR FACTS AND GENERAL CAUSES WHICH AFFECT THE FOREIGN TRADE AND DOMESTIC INTERESTS OF THE UNITED STATES.

From the National Intelligencer.

From the year 1790 to 1807 inclusive, the consumption of foreign imports averaged upwards of $18,000,000 yearly. The exports of domestic products during the same period averaged $24,000,000. If to the latter be added the profits on the shipment and transportation of foreign market, which were then very great, the difference of these values will probably balance the account. In 1808 the restrictive policy commenced, in avoid a war and coerce justice from England and France. These measures, in the end, as we all succeeded, present models for sustaining the operations of regular trade. But the privations which attended this period taught the American people the necessity of home manufactures, not only as the means of comfort and convenience, but of independence in peace as well as in war.—Thus began domestic manufactures in the United States. The early efforts were stimulated by the depression in the prices of grain and provisions, caused by the general peace, until the farmer began to regard the manufacturer as the best, if not the only customer for his products. It so happened, however, that one of the great staples (cotton) became in greater demand when Europe was at peace, cultivating the soil, and thus during war, was the sheaf thought of nothing but eating and fighting. This last brought the farming states into collision with the cotton states; you know they lost off from their market by the peace, while the latter expected to find a highly improved one. A lofty patriotism seemed, however, to animate both parties, and a system of duties was adopted, which gave mutuality. The commercial states, which had long been reaping a rich harvest from the sea in the carrying trade, perceiving the inevitable consequences of the peace, after a short struggle with old habits, entered heartily into the only new pursuit that offered, viz: manufactures. The revenue laws were, in the meantime, moulded for a compromise of the interests of both parties. The tariff of 1816 was settled on the basis of an industrial union, which promised to cement the moral and political union so happily superseding the rude reign of force. It happened, however, at this epoch, that the *currency, circulating medium*, or *monetary standard of values*, was grievously deranged and depreciated by an irresponsible issue of paper money, which gave a false out of the bank loans, made in the government during the war, and was aggravated by the eagerness of those who contributed had received the million, to make forbearance by the apparent rise of prices, caused by the depreciation of the standard; the effects of which they mistook for a highly prosperous activity of business. To remedy this evil, which was seen in progress, congress established a national bank, vested with the power and obligation to restrain the expansion of the circulation within proper limits, and maintain a sound currency on an exclusive specie basis. After having partially accomplished this object, the officers of the bank became themselves infected with the mania which surrounded them, for making super fortunes, and, instead of persevering in the application of the remedy, aggravated the evil by an unwarrantable expansion of their own issues. The local banks, now emboldened, expanded still more; and, although the United States bank nominally maintained specie pay-

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ments, it was compelled to wind up one of its branches, and, in the consequent contraction of its issues, produced a revulsion that was felt almost every part of the country within the range of bank credits with the most unexampled distress. This revulsion began in the west and soon found its way to the Atlantic cities. Those who saw it need no description to enlighten their minds; those who did not see it could not believe half the truth. The distress attained its height in 1820—'21. Prices had raised with the depreciation of the standard; when the contraction began, the standard rose, prices fell, confidence gradually lessening, until a general alarm prostrated every one who could not pay all his debts at a moment's warning. All the banks, whose only foundation was in a misplaced confidence, were finally broken down. Prices of property fell 50 to 75 per cent. as the standard rose, and the difference in the amount of circulation at the two periods of highest expansion and lowest contraction, being totally sunk to rise no more, will give some idea of the extent of the loss sustained by the community.

In this struggle with distress, all parties, as is usual in such cases, cast their eyes upon the government either as the cause of their misfortunes, or the instrument for relief. The staples of the grain states could scarcely be sold, manufactures found an impoverished market for their goods, and commerce in the same predicament. These united in demanding of congress an increase of duties, but the cotton states, though less affected, attributed their difficulties to the duties being too high; which they, with no regard as the instrument of their future destruction.

With these remarks, by way of a general outline, we revert to the proposed statistical limits, beginning with the first year after the war, 1815, and will give the amounts of imports, of consumption of foreign goods, of total exports, and exports of domestic products for each year down to 1842, accompanying the remarks, showing the relation of their value to each other, and to other operations most immediately affecting them.

1815. Imports $113,041 000 Consumption $106,457 000
Total exp. 52,557 0,0 Domestic exp. 45,274,000

The war terminated in February, 1815, and was known in Europe more than a month before that time. This year was therefore one of commercial activity. The *circulation*, including specie, bank notes, and deposites, amounted to $68,000,000.

1816. Imports $147 003,000 Consumption $129 964,000
Total exp. 81,920,000 Domestic exp. 64,781,000

The circulation was $129,000,000. We cannot find an increase of $26 500,000 of circulation; and although the imports of 1815 had exceeded the exports upwards of $60,000,000, and the consumption exceeded the domestic exports by about the same amount, yet there is in this year an excess of imports over exports of more than $65,000,000, and of consumption over domestic exports of the like amount, indicating excessive overtrading even beyond what the increase of $26,500,000 of circulation could have accomplished. The early exports of the banks were not made so full and freely as they now are, and the probability is that the amount of circulation stated above is considerably too small. It may be observed that the imports of 1815 and 1816 were greater under the double duties of the war or the tariff of 1816.—But, so far as heavy importations are beneficial to the export trade, we perceive what a perfect nullity the tariff was in restraining them.

1817. Imports $99,210 000 Consumption $79 801,000
Total exp. 87,671 000 Domestic exp. 68,313,000

There are no reports in the circulation from the year 1816 to 1820; but in 1837 the bank of the United States went into operation, and under a resolution of Congress none but specie bank notes were received at the treasury. Many banks failed on the resumption of specie payments, and the circulation must have been in this year very considerably reduced. The imports and exports approximate in value, as also the consumption and domestic exports, not so much by an increase of exports, which is less by $1,000,000, as by the decrease of consumption, which has fallen off $7,000,000. The operations of these two years show that an increase of the imports is less sensibly felt as a stimulus to exports than is generally supposed.

1818. Imports $121,750,000 Consumption $102,223 000
Total exp. 93,281,000 Domestic exp. 73 851,000

The bank of the United States was at this time in full operation. The expansion at the branches was so great that the mother bank was obliged to refuse payment of the branch notes, but the branches especially, continued to expand, and speculation began in all directions, particularly in lands. The imports we find are again increased more than $23,500,000 over those of 1817, and the consumption by a like sum—the latter exceeding also the domestic exports by $28,500,000. During these violent disturbances, attended with greatly augmented revenues, there had been no change in the tariff of the slightest importance. The excess of importation and consumption can only be accounted for by the expansion of bank credits, which, it should be observed, have evinced very little effect in stimulating domestic production; for, with all this increased debt for foreign merchandise, the domestic productions exported have only increased since 1817 about $5,500,000, or since 1816 by about $9,000,000. We infer that an inflated currency immediately stimulates production in merchandising and consumption while it is scarcely felt upon production.

1819. Imports $87,125,000 Consumption $67 969,000
Total exp. 70,142,000 Domestic exp. 50,976,000

This year presents a visible reduction of imports and consumption, as well as domestic exports. The bank of the United States was obliged to contract, prepare to wind up an important branch in the west, and the treasury department, after trying all sorts of contrivances to sustain the local banks, was obliged to leave them to their fate, with the loss of a considerable amount of deposites. The labor and vexation sustained by the secretary while under this process may be seen half way in the public correspondence among documents of correspondence between him and the banks about this period. The exports are 17,890,000 less than in the preceding year, nearly 23,000,000 less than in 1818. The domestic prices had probably fallen by reason of the contraction of the banks and commercial disastery but so great a reduction in the exports could not be accounted for by any facts within our knowledge; at least there was no change in the tariff to produce it.

1820. Imports $74,821,000 Consumption $61,963 000
Total exp. 69,691,000 Domestic exp. 51,683 000

The circulation which had probably been inflated in 1818 to about $100,000,000 was in 1819 contracted to $70,000,000; nearly 19,000,000 less than it was in 1818. This fact of itself accounts for the reduction in consumption; the exports by-the-way, rather increased.

1821. Imports $62,585,000 Consumption $41,283,000
Total exp. 64,974,000 Domestic exp. 43,671,000

This will be remarked as a year of great and extremest depression. The western banks had generally stopped payment, many broken up, more than 20,000,000 of debt for lands were relinquished, and the land revenue had diminished. Although this relieved much pressure, it was still insupportable; property of all kinds, and particularly real estate, fell fifty to seventy per cent. and everything seemed to be lost, and, in the middle and western states, all business came to a full stop, except that of the sheriffs; many of the states resorted to relief and stay of execution laws to quiet the clamor of complaints which had been increasing for some time were redoubled, and very many imagined they saw an association of evil in the banks, and in the tariff. The cotton states were opposed to this measure. They desired to promote imports, and, not being extensive consumers of foreign goods themselves, they wanted help to encourage the production of their great staple, and therefore regarded with some jealousy the glutting of the northern market with domestic fabrics. The scheme of raising the tariff failed; both parties overreached in power, whether for good or for evil. It is plain that none of the disastrous fluctuations of these last five years are attributable to legislation; but so far as they are produced by causes independent of the sanguine temperament of the American people, it is clear that they are intimately connected with the currency.

1822. Imports $81,331,000 Consumption $69 955 000
Total exp. 72 160,000 Domestic exp. 49,874,000

The currency had been improved by the judicious management of the bank of the United States, in new hands. Broken banks were gone down, and sound ones resumed business. The first effect of which is seen, as before, in the increase of consumption more than in the exports. The consumption is augmented 19,500 000; and the domestic exports not quite 6,250,000. The operations of this year exhibit the effect of a sound currency, unaided in its action—the offspring of imagination rather than judicious calculation. This feeling is naturally more prevalent with importers than producers. The latter just like the readiest access to bank credits, and his operations are governed by his means and the expectation of profit; while the latter, having no such command of increased means, necessarily conducts his business, at least for some time, in the usual way.—The importer is like a convalescent patient overeating his power, struggling to do what we shall see in the next year he was not able to effect.

1823. Imports $77,579 000 Consumption $60,035 000
Total exp. 74,699,000 Domestic exp. 47,155,000

We perceive in this year the vibratory and beside struggle of the last year regulated by the gravitating influence of the laws of trade. A reduction of more than 8,000,000 of imports, of almost 11,000,000 of consumption, and an increase of 2,300,000 of total exports, the domestic being diminished by 2,750,000, shows that the gist of the last year is seeking another market.

1824. Imports $80 519 000 Consumption $55 211,000
Total exp. 75,986,000 Domestic exp. 50,649,000

The business of this year shows a salutary adjustment of the trade, and, allowing for the profits of shipping the exports, leaves a fairly adjusted balance between them; the most healthful condition of trade in any country. In this year a revision of the tariff took place, with a considerable increase. Though uncalled for by the eastern manufacturers, as apparently by the very unanimous opposition of their representatives in congress, let us proceed to observe its effect, if we can.

1825. Imports $96,340 000 Consumption $63,249 000
Total exp. 99,535,000 Domestic exp. 60,821,000

An increase of near 16,000,000 in the imports, of 23,000,000 in total exports, of little more than 5,000,000 in consumption, and of 16,500,000 in the export of domestic products. The high duty thus seems not only to have augmented the imports, but the exports, as well for gain as domestic, without giving a corresponding stimulus to consumption.

1826. Imports $84 974 000 Consumption $60,454,000
Total exp. 77,595,000 Domestic exp. 53,055,000

We now find a falling off in the consumption of 3,250,000 and of domestic exports of 14,000,000.—These effects evidently arose from a redundant import in the preceding year, and from a sudden fall in the circulation, occasioned by a remarkable revulsion in England, which stagnated the whole internal trade of that country.

There had been a fallacious demand for cotton in the preceding year, which gave the business of that year, and the reduction in this year is only the natural reaction from an ephemeral excitement. The system, however, soon recovered, having only been stimulated, and salivated.

1827. Imports $79,484,000 Consumption $56 034,000
Total exp. 82,324,000 Domestic exp. 58,921,000

The imports are some thing more than preceded, the total exports exceeding the imports, and the domestic exceeding the consumption. This must inevitably lead to a great diminution of exports in the next year.

1828. Imports $88 509,000 Consumption $66 914,000
Total exp. 72 261 000 Domestic exp. 50,669 000

The imports are again increased by reason of the profits of the last year, which, it would seem, are like bank credit, always used under expanding hopes, the moment they are received, in the importation of foreign goods. Not so soon in promoting domestic imports.

In this year another addition was made to the tariff, as though it became necessary to do this antecedent to every production of the evil. The duties were considerably raised; and it is probable that the increased import of the year was partly owing to the effort to bring in a large supply before the law took effect. As the imports were considerably increased, the new tariff could not have produced the diminution of exports. But the excess of imports in this year, unless counterpoised by an expansion of the circulation, must cause a diminution of them in the next, as we shall see in

1829. Imports $74 492,000 Consumption $67,821,000
Total exp. 72,358,000 Domestic exp. 55,700,000

The imports of this year, as might have been expected, are reduced 14,000,000, the consumption 6,000,000, while the domestic exports are reduced 5,000,000. We have no report of the circulation for this year, but it is adverted to in the treasury report as one of considerable pressure on the money market, occasioned doubtless by an undue importation in 1828 that was not all paid for. This is the first case in the series of years we have examined where there is even the probability that the circulation of the year diminished the imports and consumption; but even here there are co-operating causes at work, sufficient perhaps to produce the whole effect, viz. the glut and unsavoriness of the year 1828 and the probable contraction of the circulation which always succeeds such a balance when the banks are judiciously conducted.

1830. Imports $70,876 000 Consumption $56,439 000
Total exp. 73,849,000 Domestic exp. 59,462 000

The excess of exports over consumption indicates a very profitable business, which, if not counteracted by a contraction of the circulation, must at once a highly stimulated business in the next year, as will be observed in

1831. Imports $103 191,000 Consumption $83,157 000
Total exp. 81,300,000 Domestic exp. 61,277,000

Thus we find, as in every other case, that a prosperous year causes excitement in the next; and there was in this year an increased import for consumption of 26,500,000, while the export of domestic products was increased by less than 2,000,000. The circulation, which, at the point of lowest depression, (1820,) was about $100,000,000, had extended in 1830 to $130,000,000, not greater perhaps than was capable of a sound basis.

1832. Imports $101,029 000 Consumption $76,989,000
Total exp. 87,176,000 Domestic exp. 63,127,000

* Numbers less than $1,000 are omitted as immaterial.

The consumption of this year was reduced more than 6,000,000, and the domestic exports increased about 2,000,000; the circulation probably not sensibly changed; the banks appearing to have been governed by the new laws, and becoming more profitable; the public debt having been paid off, and a vast surplus of revenue anticipated; a new tariff was made, for which there was a better excuse than that of another presidential election; the duties were considerably reduced, and about half the importations made free; the effect of which and other important measures we shall see.

1833. Imports $108,118,000 Consumption $88,295,000
Total exp. 92,140,000 Domestic exp. 70,217,000

The indication of increasing ability to pay, is fixed the expectation of an augmented consumption in this year, but the domestic export was also greater than in any former year; vast bodies of fertile cotton lands were being brought into cultivation for some time, to which there was a great and sudden accession, subsequently operative, by the extensive purchases of Indian lands in Mississippi, Alabama, and the removals of the Indians from Georgia. The production of cotton was very much increased, and we believe that at all times the short crop must have been either actually sold as fast as it was shipped, or at least made available for the purchase of goods in Europe. There was a very considerable expansion of the currency this year, and attributable, certainly, to *increased duties*, for these were *reduced*, but to other causes. The war which had been commenced, at a distance, by gen JACKSON on the bank of the United States, now waxed warm in a direct fight—The bank, in order to strengthen its power, expanded its discounts and circulation; its restraint on the local banks ceasing, they followed suit for profit, and a very great expansion of the circulation ensued, which, though contested partially before the bank returns of 1834 were made up, show an increase then of about 71,000,000 since 1832. The disturbances and inflations of the circulation are quite enough to account for a great augmentation of imports. It is not doubtful, however, that the value of goods actually added considerably to the imports; but the increased consumption, which was 15,000,000 is mainly attributable to the expansion of the circulation

1834. Imports $128,331,000 Consumption $103,208,000
Total exp. 101,336,000 Domestic exp. 81,034,000

In this year there was a panic which lasted several months, caused by a severe contraction of the bank of the United States, consequent to the removal of the public deposites; but the expansion received in all the banks after the appointment of Governor Ewing, and from that time to 1837 far exceeded any thing before experienced in our country. It should be observed that by the compromise act of 1833 a further reduction of duties commenced; of one tenth every two years, so gradual as not to be sensibly felt in any one year. This gradual reduction would seem naturally to produce a falling market, and thereby tend to encourage importations; but they were increased beyond all former example. The operation being so similar during the two following years, the same remarks apply to both.

1835. Imports $149,895,000 Consumption $129,391,000
Total exp. 12,653,000 Domestic exp. 101,129,000

1836. Imports $189,980,000 Consumption $168,223,000
Total exp. 124,033,000 Domestic exp. 106,916,000

In these years we find a vast increase of consumption beyond the usual proportion to the exports, which may be accounted for in part by the sale of stocks and state bonds in Europe, showing, by the by, that we are always prepared to consume as much as we can pay for on buy on credit. The consumption was, however, kept up mainly by the expansion of the circulation, which is but another form of credit—But there was a considerable annual increase of domestic exports from 1832 to 1836. This is to be accounted for, almost entirely, by the borrowed capacity of the United States to raise cotton; the average annual increase in the export of the staple during these four years over the four years immediately preceding was over $22,900,000, besides that for the supply of the domestic manufacture; but in 1836, the export of cotton was near $40,000,000 more than in 1832. The export of flour and manufactures in that year was less than usual, although that of tobacco was greater by about the same amount. So that the whole increase of exports in these years is clearly attributable to the enlarged *production* of cotton, which article has scarcely ever failed to find a market. That this market has been improved by the free importation of silks, &c. there is no doubt; but with a depressed or unprofitable industry among the consumers of those silks there would have been no such market for them. An inflated circulation for a time supplied credit to the consumer, and kept up the demand but to being accumulated distress when that circulation should be restored to its legitimate basis; which process is now going on, as we may see. In 1835 the circulation had expanded to $231,439,000, in 1836 it further bloated to $299,424,000, increasing $64,000,000 in one year. All remember the effect on speculation of all kinds. That in public lands were perhaps the most obvious—the sales having increased from about $1,000,000 in 1833, to $16,000,000 in 1835, and $25,000,000 in 1836. It should be observed that these tearful expansions commenced and continued under a *reduced and a gradually reducing scale of duties*, proving very clearly that expansion is not the necessary consequence of high duties, nor contraction of low duties. In truth, it is demonstrable that the whole of the evils of those four years war between gen. JACKSON and the United States bank were altogether independent of the tariff. The southern as well as the northern argument must lead to this conclusion.

1837. Imports $140,989,000 Consumption $119,134,000
Total exp. 117,419,000 Domestic exp. 95,564,000

1838. Imports 113,717,000 Consumption 101,261,000
Total exp. 108,486,000 Domestic exp. 96,023,000

The business of both years declining in nearly the same ratio, will not require separate explanation—The total exports, the domestic exports, the sales, and the imports, and exports, and consumption are going down also. The average annual consumption was reduced in these two years $28,200,000 below that of the two preceding years; while the average annual exports for the same time, similarly compared, only fell off $8,250,000; $2,200,000 of which were in specie. The circulation, however, had expanded, and is reported for that year at $314,500,000; but the banks had nearly all exploded, and their issues ceased to be available at the commencement of the commerce, while their specie, ($37,000,000,) no longer an ingredient in the circulation, should be deducted, with this deduction, and an balance of ten per cent. for depreciation, the actual, or available circulation will be reduced to about $250,000,000. In like manner that of 1838 reported at $256,000,000, will be reduced to $180,000,000. These items should be corrected by some addition for the issues of banks which had not suspended. The effect of the contraction is, however, sufficiently clear for a general view. Within 1838 the bank of the United States was in general preparation for it; nor did they persevere in the process afterwards, for most of them stopped again in October, 1839. We find the nominal circulation of those years in this latter year $236,000,000 to $270,000,000. The effect of which is immediately felt in the imports and consumption, as may be seen.

1839. Imports $107,000,000 Consumption $104,200,000
Total exp. 121,023,000 Domestic exp. 100,951,000

The consumption is increased almost $4,000,000, and the domestic exports $5,000,000 above the average over 1838. If this augmentation of trade could be attributed to the reduction of duties, it would augur no good, for the elements are again in confusion.—The imports for consumption are rather less than the domestic exports by $39,000,000; and it is no wonder that the banks which had furnished the means were again compelled to suspend specie payments. Contraction made how quickly every expansion of the currency affects the imports, and how slowly it reaches the exports.

1840. Imports $101,805,000 Consumption $95,949,000
Total exp. 131,571,000 Domestic exp. 113,762,000

This year closes the series with a remarkable change of a very little more than $5,000,000 in excess over the consumption by $18,000,000. The circulation in this year is reported, by the secretary of the treasury at $225,000,000; but the issues of the banks of this year, and as paper of non-specie paying banks, and one-third of the specie reported be supposed in their possession, locked up, and ten per cent deducted for the depreciation of the remaining bank notes, the amount of available circulation for foreign commerce will be about 192,000,000, which may be regarded at least as an approximation to the truth. The duties have at this period gone down almost to their minimum of 20 per cent, and at the approach at the long end steps the balance between consumption and the domestic exports is reduced to $39,000,000 against the former to almost $18,000,000 in favor of the latter—making the common difference in this balance within more than a year $57,000,000. The adopted change in the duties was, it is true, greater than during the preceding six years, but it is difficult to conjecture how this reduction could so diminish the consumption, and yet *increase the domestic exportation* at the same moment; these elements being entirely deemed to be essentially dependent on each other.

The conclusion of this table is, that if unembarrassed by the currency, would, from all former experience, indicate an improvement in the imports of 1841;* but it is not to be expected that the consump-

*Since the above was written we have seen the commercial returns for 1841:

The imports are $121,167,333 Consumption $90,566,000
Total exports 121,161,311 Domestic ex. 106,000,000

Entirely confirming our anticipations from the preceding year—an increased importation and diminished consumption. This augmented importation, with a diminished export, must depress the operations of 1842.

tion will have increased. The universal stagnation of business consequent on the annihilation of so much capital in stocks, loans, and the so-called internal improvements, must for some time restrain the recuperative energies of the American people.

The object of this paper is to present facts for further investigation. It is to be regretted that these are not regular and perfect returns, showing minutely the condition of the currency, for, with the aid of such a document, connected with the commercial records, which are now very complete, the condition of trade and the change of the consumer may be anticipated sufficiently in advance for the useful guidance of all who are engaged in business, or may have to administer in these public trusts.

It is proven by abundant evidence that the effect of high or low duties upon our foreign trade has been exceedingly overrated. There is scarcely a single year in the long series, filled with many important changes, in which we can distinguish any perceptible effect of the duties upon the foreign commerce of the United States. Manufactories have indeed grown, and become subjects for speculation, with considerable success, having extended, since 1815, from two to more than eight millions, exclusive of the amounts consumed at home; but the progress was slow. There must comparatively be those of other countries in a foreign market, and, it may be said, do not require the aid of duties to secure possession of the home market; but, on the other hand, the duties on goods in competition with our exports do not enhance the price to the domestic consumer, while the command of the home market, undisturbed by the fluctuations of foreign commerce, enables the manufacturer to conduct his operations very essential to a proper economy. These are, however, various branches of the arts yet immature which have yet to contend to the aid of a remunerable revenue duty, especially upon the fabrics of those nations who refuse all reciprocity, and impose duties not for the legitimate purpose of revenue, but political ends. We are disposed to regard the *mass of fabrics*, made permanent, and thus divested of the quadrennial influence which so disturb every interest within the magic political circle, as the only *necessary* duties. Such a course would assuage the agonies of the business community, preserve some important interest from postponement, multiply the evils of a currency that, as we have seen, can be equably and consistently like steam, if our exports depend upon our imports, the latter more certainly *depend upon our ability to pay for them*. This truth is abundantly verified by the statistical facts given above. Hence the more this ability is improved, the more its dependencies, immediate and remote, will be enlarged. Where we there is a prosperous community, there will be the *means of paying*, and the disposition to buy to the extent of the means. It is no difference, as to the general effect, in what articles the exchanges are made. The commercial exchanges are balanced by exports and imports, no matter where the former find a market, nor whence the latter come from. The gradated scale of duties in the act of 1833 exceedingly has rapid and long steps in its conclusion. These may again excite unprofitable importation, and prolong the disorder of the currency. We think it is a reasonable expectation of the state of duties, and in leaving the business of the country to recover through the internal energies of the People, guided by the natural laws of trade.

All that is wanting, or rather all that seems to be wanting, is, that the government should give steadiness to whatever it commits, and establish a system of revenue capable of strict execution, under vigilant and faithful officers, and a reasonable report

small ratio. In 1810, the number was 140 and they were as orderly as the senate. He was in favor of a large ratio, and contended that the house would not be orderly with a large number, and that the character of the body had deteriorated in just proportion as the numbers had increased.

Mr. *Preston* was also in favor of reducing the number of members in the house of representatives. He considered that the body was too large already.

Mr. *Secier* contended that there were too many members; that a reduction of numbers was demanded by the people; and that reform could only be accomplished by the reduction he had favored, and which obviously was necessary.

Mr. *Crittenden* favored the smallest ratio of representation, and the largest house, and went into an argument based upon the democratic principle for the purpose of showing that the more representatives the more democracy. The present house he wished to show were too large to do business in a compact manner, while it was too small to represent the mass. If there were more members a less number could claim to be actors.

Mr. *Allen* favored a house as large as the present, and the debate was continued by Messrs. *Buchanan*, *Woodbury*, *Smith* and *Sevier*. After which the senate adjourned.

MAY 27. The following memorials were presented and referred.

Mr. *Tappan*, from merchants and business men of the city of New York, urging congress to pass such a tariff as, while it will give ample revenue, will afford incidental protection; and asking that such cheaper plan may be passed as will ensure a sound currency.

Mr. *Buchanan*, from the watchmakers and jewellers of the city of Philadelphia, asking that a specific duty may be placed on watches, and a reduction of duty to 1 per cent. on diamonds, and five per cent. on all jewelry. Mr. B. said the memorial had tables annexed that would be found of importance, affording much valuable information. If the senator from North Carolina did not make it a point to report against every thing in the shape of a memorial, he would move to have it printed. He believed he must be compelled to make the motion.

Also, from citizens of Philadelphia, asking that such a tariff may be imposed as will enable the manufacturing interests of the country to compete with foreigners.

Mr. *Evans*, from the committee on finance, reported the bill from the house making appropriations for the naval service for the year 1842 with amendments.

Mr. *Sturgeon* moved for the consideration of the general appropriation bill.

Mr. *McRoberts*, of Illinois resumed the debate this morning, and defended a reduction of the house and the number of a ratio of 68,000. The proposition would leave the smallest fraction, and gave a house of 221 members. In his opinion the senate should not expect a house to reduce its numbers, as it was a question in which each member was individually interested to some extent. The house should not be a large number of men, in his opinion, certainly not larger than it was. In regard to the proposition pending, (92,000), the only objection he had to it was that it was not practical. The house would not probably agree to such a ratio.

Mr. *Bayard* favored the large representation for various reasons—first, because the house had at present 223 thought the question should be left to the people who had agreed upon the number they wished to represent them. The senate he thought should not interfere with the house in its organization. The case was a peculiar one. If the senate, in the disposition of this question entered into a contest with the house, the government itself would fail. The senate should not interfere with the popular branch of congress. Mr. B. then set forth in detail the advantages of a large house of representatives. The numbers he thought should grow with the nation.

The large bodies could not be tampered with, and the small would be and had been in other countries. The French revolution gave an evidence of this, familiar to the minds of all who were present. The British parliament, a small body, was broken up. Mr. B. said he was for the largest rather than the smallest practical number. He would vote tomorrow to make the house of representatives a body of 400 men instead of 306, sent in by the house, which, however, he should vote for, for the reason that a larger number was hardly practicable, and probably would not be acceded to by the house.

Mr. *Benton* also attributed the disorders in that house not to the growing numbers, but to the high party excitement which had prevailed there for the last fifteen years, and which was probably higher than ever before. Mr. B. looked forward to the time when the number of representatives would be quadrupled. The remedy then for disorders was to force the member disposed to talk to terms, by scraping, clapping, hissing or in some other terms. Nothing short of four or five hundred men could do this. Mr. B. made, in closing his remarks, a defence of the action of the judiciary committee, and the report they had submitted.

The debate was further continued by Mr. *Archer*, of Virginia, in reply to Mr. *Benton*. Mr. A. argued that if there was not a proper respect for the legislature of the country, the public liberties were endangered; and secondly that a large body was calculated to produce disrespect. Mr. A. pronounced the action of the present house of representatives good, worthy to be dignified with the name of legislation.

The debate was continued by Messrs. *Rives*, *Wright* and *Calhoun*; the New York senator replied to Mr. *Archer*, and the Virginia and South Carolina senators favoring the opinion that the senate had as much right to decide the ratio as the house, and further, that the effect of a large body was to create discord, dissatisfaction and disrespect to the legislature of the country.

The question was then taken and the number 92,000 proposed Mr. *Preston*, 77,000 by Mr. *Sevier*, 75,000 by Mr. *King*, 74,607 by Mr. *Bayard* and 74,391 by Mr. *Fulton*, were successively rejected.

Mr. *Barrow* withdrew his proposition of 72,280, and the question was then put on the number submitted by Mr. *Walker*, 71,143, and decided in the affirmative, yeas 25, nays 21.

This vote was on motion of Mr. *Evans* reconsidered on the ground that it would do injustice to New Hampshire.

Mr. *Crittenden* then moved to lay the subject on the table, but before the question was put on the motion, the senate proceeded to the consideration of executive business, and, after a short time spent therein, adjourned over to Monday.

MAY 30. Mr. *Bayard*, of Delaware, in the chair. A memorial was presented by Mr. *Porter* from citizens of Michigan praying an imposition of duty on foreign lumber; from wool growers of Vermont by Mr. *Crafts* asking a duty on imported wool; and from citizens of Montpelier for repeal of bankrupt law by Mr. *Benton*.

Mr. *Benton* announced his intention to bring in a bill to repeal the bankrupt law. He had information that whether repealed or not, its constitutionality would be tested in the supreme court.

Mr. *Archer*, from the select committee to which was referred the resolution relating to the expediency of employing a corps of reporters, made the following report:

Resolved, That the secretary of the senate be, and he is hereby, authorised and directed to employ a corps of reporters, not exceeding five in number, for the residue of the present session, and at the commencement of each succeeding session of congress, to report the proceedings and substance of the debates of the senate, who shall be sworn or affirmed faithfully to discharge the duties of their office, and shall be allowed a compensation, to be paid out of the fund for contingent expenses, not exceeding sixty dollars for the preceding session, and six dollars per week for each of the others. The business of reporting shall be so conducted that the entire report of the proceedings and debates of each day shall, within three hours after the adjournment, be placed in the hands of the printer. The publication of the report shall be committed to the publishers of such of the public papers as shall agree to do the charge, 1st, to publish the entire report in their daily paper; 2d, to furnish proof slips thereof to any other paper in the District of Columbia; and 3d, to furnish two copies of the report for the use of each senator by 9 o'clock on the ensuing morning.

Resolved, That a seat on the floor of the senate shall be assigned to the reporter actually on duty by the president of the senate.

The senate then proceeded to the consideration of the appropriation bill.

The question recurring on the proposition of Mr. *Barrow*—*viz*: 71,257—a long debate ensued.

Mr. *Barrow* then modified his proposition so as to make the number precisely that named by Mr. *Buchanan*, *viz*: 70,680.

And on this question the yeas and nays were demanded, and resulted as follows.

YEAS—Messrs. Archer, Bagby, Barrow, Bayard, Berrien, Buchanan, Calhoun, Clayton, Conrad, Crafts, Cuthbert, Evans, Fulton, Graham, Henderson, Linn, McRoberts, Mangum, Merrick, Porter, Preston, Rives, Sevier, Sturgeon, Tallmadge, Walker, White, Williams—28.

NAYS—Messrs. Allen, Bates, Benton, Choate, Crittenden, Huntington, Kerr, King, Morehead, Simmons, Smith, of Conn. Smith, of Indiana, Sprague, Tappan, Wilcox, Woodbury, Wright, Young—18.

Mr. *Allen* moved to strike out the second section, relating to the districting of the states.

When Mr. *Huntington* moved to lay the bill on the table, with a view to go into executive session.

This motion having prevailed—

The senate proceeded to the consideration of executive business, and at near 5o'clock P. M. adjourned.

MAY 31. The secretary of the senate read a letter from Mr. *Southard*, dated Fredericksburg, Va. stating in a few words that he had long been indispose, and that his indisposition would not suffer him to fulfil the duties of his position, as he would have wished. In order to prevent any additional inconveniences from his absence, he had concluded to resign his place. In tendering his unfeigned kindness and courtesy of the senate, he expressed himself to be truly grateful, and closed with a kind wish individually and collectively to the senators.

The letter having been read, Mr. *Berrien*, of Georgia, moved that they proceed to the election of a president *pro tempore*.

Ballots were prepared accordingly, and the following was the result of the first ballot:

Whole number of votes 45; necessary to a choice 23; Mr. Mangum had 22; Mr. King 14; Mr. Bayard 4; Mr. Tallmadge 2; Mr. Kerr 1; Mr. Clayton 1; Mr. Sevier 1; Blank 1.

There being no choice, Mr. *Berrien* made motion for the second ballot.

The whole number of votes on this ballot were 45; necessary to a choice 23; Mr. Mangum had 23; Mr. Bayard 19; Mr. King 7; Mr. Walker 1.

Mr. *Mangum* was conducted to his seat by Mr. *Preston*, of S. C. and Mr. *Miller*, of New Jersey.

He returned thanks in brief and appropriate terms for the honor conferred upon him, pledged himself to the principles of the senate, and relied upon the intelligence, courtesy and kindness of the senate. He knew, he said, but little of the technicalities of the rules and usages of the senate, but relying upon the kindness of the members, and their known observance of the laws of order, he should hope to administer the duties of his office in such manner as would be acceptable to all.

Mr. *Linn*, of Missouri, presented resolutions expressing the thanks of the senate to the hon. *S. S. Southard* for the ability and courtesy with which he has presided over the deliberations of the senate, and also, the regrets of the senate at his continued indisposition. The resolutions were unanimously adopted.

Mr. *King*, of Alabama, presented a resolution to the effect that the secretary of the senate inform the president of the United States and the house of representatives of the election of a presiding officer. The motion was adopted.

Several memorials were then presented upon a variety of topics. Messrs. *Bayard*, *Buchanan* and *Miller* presented memorials from their several states upon the subject of the tariff.

The supplemental bill was taken up at a late hour in committee of the whole on the state of the union.

The question was upon adopting the district system versus the general ticket system, or upon leaving the matter with the states of the union.

Mr. *Allen* made an argument in favor of leaving the question with the states entirely, and adverse to the adoption of the district system.

Mr. *Huntington* replied, or rather made a speech in reference to the constitutional right of congress to adopt the district system, and in addition to this in defence of the policy of this kind of a choice.

Mr. *Wright* followed against the amendment and in opposition to any amendment which shall not leave the subject wholly to the states.

Mr. *Wright* having concluded, the subject was passed over for the present, and a resolution offered by Mr. *Sevier* for continuing the same number of officers of the senate as heretofore in office debated and adopted.

The senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, MAY 24. The house on motion of Mr. *Fillmore* resumed in committee (Mr. *Underwood* of Kentucky in the chair) the consideration of the bill making appropriations for the support of the army and the military academy for the year 1842.

The following being under consideration.

"For the pay of the army, one million four hundred and seventy-seven thousand seven hundred dollars"—

Mr. *Cave Johnson* moved to amend it by reducing the amount to *one million one hundred and seventy-five thousand dollars*."

This sum, (Mr. J. very indistinctly heard, was understood to say) would bring the amount down to that appropriated for this object for the last [illegible] years. He did not know of any increase [illegible] army re-

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quiring the increase of appropriation; and it seemed to him especially looking to the termination of hostilities in Florida, that there should be a diminution.

Mr. *Fillmore* said that there had been no law increasing the army since the passage of the act of 1838, at which time the rank and file were about doubled. Although the law authorizing the increase had been passed in the year 1838, yet the enlistments which had taken place under it had not enabled the department to fill up the ranks entirely. The estimates now contemplated that the ranks should be filled in pursuance of that law. That was the cause of the increase of the proposed amount of the appropriation.

After discussion, Mr. *C. Johnson* added the following to his amendment:

Provided, That no money appropriated in this act, or hereafter to be appropriated, shall be applied to the payment of any soldier hereafter to be enlisted, or officer hereafter to be appointed, until after the army is reduced to the number of 5,000 men.

Mr. *Pendleton* said that the effect of the amendment would be to reduce the army to an effective force of 5,000 men.

Mr. *Adams* referred to the naval appropriation bill and expressed the hope that the house would evince its consistency by reducing the army also. Mr. A. said that from 1831, the army had been growing, until now it had more than double the number of officers and men it then had, and was maintained at double the expense. The monster had grown until it had reached a size at which he first was startled. He thought the proposition of Mr. *Johnson* went further than the country at first could well bear. He had in his drawer for two months past a resolution which he had hitherto wait for an opportunity to present, instructing the military committee to inquire into the expediency of reducing the army to the standard of the act of 1821, but 1831, and now he (Mr. A.) would propose to amend his amendment so as to reduce the army to that standard.

Mr. *Cave Johnson* said he would accept such an amendment as a modification of his own.

Mr. *Adams* said that for such a proposition he was prepared to vote, and he had some satisfactory reason to the contrary should be shown.

So the amendment of Mr. *Cave Johnson* was modified to read as follows:

"*Provided*, That no money appropriated in this act, or hereafter to be appropriated, shall be applied to the payment of any soldier hereafter to be enlisted, or officer hereafter to be appointed, until after the army is reduced to the standard of the act of 1821."

And the pending question was on the amendment as thus modified.

Mr. *Ward* vehemently opposed. He was opposed to reducing either army or navy. If the army was to be reduced, it should be by a specific act. Who was authorized to change a single officer? He thought the time for reduction was not yet arrived and that our condition required its full maintenance.

Mr. *Fillmore* said the proposition was so unexpected that the chairman of the military committee (Mr. *Stanley*) was not in his seat. So important a question requires the consideration of some committee. It would be sweeping away the army, the institutions of the country. I regret extremely what has been done in reference to the navy. But this is a different case. It is a republican end of the laws of our creation. He hoped it would not be sanctioned.

Mr. *W. C. Johnson* would vote against the amendment, and would be glad if the further consideration of the bill (Mr. *Stanley* being absent) would be postponed.

Mr. *C. H. Williams* said that the Canada and Florida difficulties being now settled, and the laws having been the occasion of the increase of 1838, there was no necessity for keeping it at its present standard. Six thousand men would be amply sufficient, and there was no need for a regular report from a committee to effect the object.

Mr. *Reynolds* wanted this bill killed or maintained in a scientific manner, there was a tremendous cry here about a war. [A voice: "Oh, no; there is no war anywhere but in Rhode Island, and there the war is over.] The Madisonian had got up a war cry. It appeared to him there was always a war cry raised when an army bill or a navy bill was up. If we were to have a war with Great Britain, the most powerful nation on earth, 6,000 men would not be a single feather. In his opinion the prospect of war had all passed over. But suppose we were to have war, we must resort for defence to the bone and sinew of the country—to the militia, who were to be relied on to sustain the honor and character of this nation.

It was so self-manifestly right that the army should be reduced, that he should feel himself recreant to his duty to his constituents if he were not to go for the reduction.

It was the dragoons and mounted volunteers that would be effective against Indians. If the Indians saw one of our old soldiers, who had not joined the temperance society, with a knapsack on his back, and Harper's Ferry rifle on his shoulder, they would laugh at him all day. Had we not the power, and was it not proper, that, when the country did not need the services of officers, they should go out of service? He thought the army should be reduced to the lowest notch. After all, in case of war, we had to resort to the militia.

Mr. *Black*, of Georgia, would vote for the amendment, if it was *practicable* to reduce the army by it to the standard of 1821. He came from near the Florida line, and could speak with some interest on this subject. He went for a navy in preference to an army; and yet he had voted to reduce the navy, and from necessity and not voluntarily, but against the interests his constituents. The public domain had been given away. A handful of regular soldiers were comparatively nothing for the national defence. The U. S. soldiers, three companies of whom were in the Georgia frontier, instead of protecting its people, were (as the papers in hand showed) the very ones to murder and harrass, instead of protecting them. Mr. B. read the correspondence of their robberies also, and though the governor had asked for their withdrawal, yet the secretary of the war had refused! The militia of Georgia would protect their own frontier, and without pay, if the general government refused it. It was a vital mistake to say the war there was closed. Fresh murders have taken place recently. He hoped the army would be begun to be reduced with those identical three companies on the Georgia frontier. We had very little use for an army at all. Three thousand men were enough. The war there which caused any uneasiness in this country was Great Britain, and the only way to meet her was our her own element.

Mr. *Granger* said the government was wrong, the bloodhounds had failed to discharge their duties, and it was their bounden duty to have raised a corps of the Georgia militiamen, and placed the gentleman, (Mr. B.) at their head, and then the war would have been ended in six weeks. Mr. G. next referred to the commencement of the war in Jackson's administration and the fact that he appropriated for it, and vindicated the course of his party who had been silenced as being no patriots and disturbers, when they dared to say that there was a war which might cost millions. Let us look to whose door, all this bloodshed and murder lie. (Mr. *Black* made some remark or explanation to which the words "Ocklockonee swamp" were the heard.) Mr. G. said he would attude to this subject no farther, for fear he would get swamped in the Ocklockonee swamp itself. Mr. G. vindicated the army generally from any aspersion that seemed to be misbehaved himself. This soldier was now under sentence of death, and he trusted it would be executed.

Mr. *Black* denied that he had aspersed the army, and whenever it was said that he had cast an imputation upon it, it was a declaration without foundation.

Mr. *Granger* trusted that as the soldier had been tried and sentenced by a Georgia jury in due course of law, (as he just learned) that no more should be heard of this affair, as reflecting on the army. He did not think it was just to the large. The institutions of the country must be kept up.

Mr. *Thompson*, of Indiana, said that a most ruthless blow had been struck yesterday at the navy. He was opposed to reducing the army.

Mr. *W. B. Campbell* was in favor of retrenchment. Those who voted against excess of expenditures for the navy were wrongfully charged as opposers of the navy. It was not rendering justice. The appropriations proposed had gone far beyond those of preceding years, and were unreasonable and extravagant, and because we oppose building a navy half that of England, we are charged with being enemies of the navy.

The army had been reduced in 1821, to seven companies of infantry, and four of artillery. In 1832, one regiment of rangers was raised for the Black Hawk war. In 1833, the first regiment of dragoons was created to supply their place. In 1836, the Florida war breaking out, 10,000 volunteers were authorised, and an additional regiment of dragoons was raised, with the express provision that it should be disbanded, as soon as the public interest would permit it. As the Florida war is now ended, there is no propriety in keeping it longer in service. The emergency calling for it is over, and it should no longer be sustained. In 1838, the Florida war still raging an act was passed adding to the army one entire regiment of infantry, to each company of infantry thirty-eight privates and one sergeant, to each regiment of artillery one company, and to each company of artillery sixteen privates. Thus, by this act alone, the regular army was increased to double that of 1821. All this increase was for the Florida war, and without the existence of that war the act would not have passed. There could be no necessity or propriety longer to keep up so large an army. The army of 1821 was large enough. He wished to see the army reduced to the standard of 1821. We have no use for so large a corps of staff officers. By reducing the rank and file, the line officers can be easily spared for staff duty. The companies should be reduced to fifty men each. He hoped the amendment would be modified, and then adopted.

Mr. *Allen*, of Maine, was opposed to the amendment, and hoped no reduction would be made without some systematized plan to effect it. Why not propose a corresponding reduction of the fortifications and military academy? Mr. A. was in favor of a small but efficient army, and thought the time unpropitious for reduction.

Mr. *McKay* said it was competent in the house to reduce the army at any time, and the constitution expressly provided, that no appropriation should be made for more than two years, and for the very purpose of keeping the army constantly and constantly under the control of congress. In Great Britain it was every year. He though this amendment would be unfortunate. If its mover had not intended would be mischievous, would repeal the acts of 1833, '36, and '38, adding new regiments, also, the act establishing the ordnance corps which in 1821 had been merged in other corps, but in 1838 had been separated and charged with the care of the arsenals, &c. Mr. McK. adverted to the report of the secretary of war, which he had read, and stated, that if ended, there would be no necessity for keeping the army on a war footing; and also eulogised the report of Mr. Calhoun which spoke of the difference between a peace and war establishment. Mr. McK. was in favor of preserving the officers and reducing the privates. He had voted for the increase in 1838 to prevent a much larger increase proposed in the senate. Mr. McK. here mismadverted upon what he considered abuses in the army on the subject of double rations, and having yielded to a motion of Mr. C. Johnson, the committee rose.

Mr. *Cross* offered the following resolution, which was adopted:

Resolved, That the committee on foreign affairs be instructed to inquire into the expediency of making an appropriation to complete the survey and demarcation of the line between the United States and the territory of Mexico and Texas in the South Sea, in accordance with the provisions of the 3d article of the treaty of amity, settlement, and limits, concluded between the United States and king of Spain, in the year one thousand eight hundred and nineteen, and subsequently recognised and admitted by the said republics of Mexico and Texas.

The house then adjourned.

WEDNESDAY, MAY 25. Mr. *Cowen*, from the committee of claims, reported a resolution prohibiting claimants, whose claims have been rejected, from again bringing them before congress for action except under certain specified conditions.

Mr. *Adams* expressed his doubts as to the propriety, if not the constitutionality, of the rule. Its tendency was to prevent the further claim that the house had yet thought proper to restrict, the right of petition. It was in substance a resolution that, when there had once been a final to grant the prayer of a petition, the claimant should not have the right to come again.

Mr. *Cowen* suggested to Mr. *Adams* that the language of the resolution pointed out a case in which the claim might again come before congress.

The resolution lies over for debate.

Mr. *Brewster*, from the committee, to which was referred the bill from the senate entitled "an act declaring the assent of congress to the state of Illinois to impose a tax upon all lands hereafter sold by the United States in that state, from and after the first of such sale," reported that, in the opinion of the committee, the bill ought to be passed into a law.

Mr. *Meriwether*, from the committee on public expenditures, made an additional report in relation to the expenditures for the improvement of the river Mississippi, particularly in relation to the conduct and accounts of Capt. Talcott, superintendent of that work. Ordered to lie on the table.

Also, from the same committee, reported the following bills, viz:

A bill to reduce the pay of the officers of the federal government.

A bill for the better regulation of the navy, to re-

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qual the act of March 3, 1837, providing for the more equal distribution of the navy pension fund, and to reduce the navy to a peace establishment.

A bill to reduce the military establishment of the United States and for other purposes.

A bill regulating the payment of expenses accruing on the collection of duties on imports.

Which said bills were read a first and second time, and committed to the committee of the whole on the state of the union.

Mr. *Hudson*, from the committee on Indian affairs, reported the following resolution:

Resolved, That the committee on Indian affairs be required to investigate the frauds alleged to have been committed in Arkansas, or elsewhere, upon the Cherokee, Chickasaw, or other Indians, and report the result of their investigation to the house of representatives by bill or otherwise.

Which resolution was read and agreed to.

Mr. *Adams*, from the committee on foreign affairs, moved that the 31st day of May be set apart for the consideration of the bill providing for the satisfaction of the claims of certain American citizens for spoliations committed on their commerce prior to July, 1800.

Mr. *Cushing* asked the yeas and nays on the motion, which were ordered; and, being taken it was decided in the negative by 86 nays to 83 yeas.

The house then resumed in committee (Mr. *Underwood* of Ky. in the chair) the bill making appropriations for the army.

Mr. *McKay*, (who held the floor from yesterday), resumed and concluded his remarks.

He said, that, at the time the committee rose last evening, he was speaking of the pay of officers of the army. Mr. McK. read from documents which he had in the course of eight months, in the year 1838, general Scott received (including his allowance as commissioner) $8,190, [the items of which Mr. McK. read.] He disclaimed having made the reference with any view to impeach the legality or propriety of the allowances; that might become a question for future consideration.

The allowances made to officers were contingent, and necessarily fluctuating. It was a very remarkable fact that many of these allowances were dependent wholly on executive discretion. Congress, instead of having performed its plain and proper duty, had delegated it to the executive. Mr. McK. referred to the regulations as to the relative number of rooms allowed to the officers at the various posts under the acts of 1821 and 1825, showing that unnecessary expenses were incurred for this object, and economy should be introduced. He also referred to the fact that, by existing regulations, the commanding officers were allowed for transportation of their baggage 10 cents per mile, and if accompanied by a servant 15 cents; and all other officers were allowed 10 cents per mile. Under the regulation of 1829, the officers were allowed $2 per cwt. of their baggage for every 100 miles. Now, the allowance was made, whether any baggage was transported or not. For the last four years the amount paid for the transportation of officers' baggage alone, not including those officers in charge of public works, harbors, rivers, &c. had varied from $60,000 to $77,000 and $80,000 per year.

He had in his remarks of yesterday alluded to the double allowance by the president of the United States, under the act of 1816, made to officers in charge of bureaus here. That act, he contended, should be repealed.

To come back to the amendment of the gentleman from Tennessee, as modified by the gentleman from Massachusetts, providing that the army should be brought down to the number existing in 1821. He thought it proposed too radical a change, and he had indicated how it ought to be modified. Mr. McK. then offered the following amendment:

Provided, That the recruiting service shall cease until the number of non-commissioned officers and privates in the various companies of the several artillery and infantry regiments shall be reduced by death, expiration of term of service, and such discharges as the president may from time to time direct, to the number fixed by the act entitled, "an act to reduce and fix the military establishment of the United States," approved March 2, 1821: *And provided further*, That no part of this appropriation shall be applied after the 30th September next to the payment of the regiment of dragoons established and authorised by the act of 23d May, 1836.

Mr. *Cave Johnson* signified his acceptance of the amendment as a substitute for his, (Mr. J's) proposition.

And the question being then on the substitute, Mr. *McKay* continued. The grand aggregate of the army now was 12,539. If this amendment were adopted it would not effect a reduction instantaneously, but would reduce the number finally to 8,039. It proposed that the reduction should be gradual. He himself greatly preferred that the regiment of dragoons should be continued in service, but had made his amendment in the only form the gentleman would accept it.

The amendment proposed to reduce the number of non-commissioned officers ultimately, and to keep those now in service until their term of enlistment expired. If the amendment were adopted, it would imply an opinion that the existing negotiations would terminate favorably; at the same time, they would show that we were prepared for the worst by maintaining the army in its existing form.—He had a very important table, showing the gradual increase in the expenses of the army from 1823 to the present time. He would not detain the committee by going through it, as he should ask the house to have it printed. Any gentleman who wanted to look into the subject would see by this table how it had happened that the army had increased from 1827 to this time, annually, and the items themselves.

Mr. *Fillmore* raised a point of order. The chairman decided the amendment to be in order. Mr. *Cushing* appealed. The house sustained the decision of the chair by a vote of 79 to 52: and the amendment, on agreeing to the amendment, Mr. *Fillmore* quoted the opinion expressed by the commanding general of the army that sixteen regiments would be the minimum force necessary to repel any attempt at the incursion of Indian tribes or a sudden invasion by a foreign foe; and next read that of the secretary of war that an addition of at least two regiments would be required for the manning of the forts on our Atlantic and Western frontier. In confirmation of this opinion Mr. F. referred to a statement made at the extra session that some of the fortifications, at a cost of hundreds of thousands of dollars, had fallen into dilapidation for want of a single man to take care of them.

Mr. *Pendleton* said that the military committee had directed him to say that they could not recommend the adoption of the pending amendment.

Mr. *Goggin* here interposed, and explained it his duty, as the statement of the chair was calculated to have some weight with this committee, to state that there had been but five members present, and they were divided three to two.

Mr. *Pendleton* considered the interruption as wholly unnecessary. The gentleman could not suppose he intended to conceal such a fact, as mentioned in the statement with a view to deceive. He had no purpose to produce an impression that the military committee had been unanimous; on the contrary, they had been as equally divided in opinion as it was possible.

Mr. P. then proceeded to submit the reasons which prevailed with him to oppose the amendment. He referred to the great extent of our frontier, to the exposed condition, and especially to the large force collected on the other side of our whole northern boundary—a force more than double the whole number of our regulars—and that most of our fortresses were destitute even of men sufficient to protect them from the injuries of the weather. Mr. P. next referred to the great extent of our frontier in the region lying west of the Rocky mountains. This was getting to be so large that government would be, before long, under the necessity of asserting our rights there, and providing protection for our people.

In reply to what Mr. *McKay* had urged on the subject of abuses in the army, Mr. P. argued that these frequent complaints to contrary, that the army ought therefore to be diminished in size. If these abuses existed, let them be corrected; but what had this to do with the reduction of the number of our forces?

[Mr. *McKay* said he had not urged it as an argument for reduction.]

Mr. *Pendleton* continued. If the reduction must be made, let it be done on some regular and well digested system, so that each arm of our military establishment might bear its due proportion. Mr. P. suggested to the committee, in the different ways and means the expediency of postponing the present bill, say for one week, and taking up the bill reported this morning to reduce the army of the United States.

Mr. *Goggin* could not admit that the endorsement by the military committee of the propriety of reducing the army in its present condition had any more weight than the opinion of an equal number of other members of the house. He was, with such knowledge as he did possess of the general subject, in favor of a reduction of the army; he had warred against its increase, at home, in 1838, and circumstances had since shown his opinion to have been correct, and if there was no necessity of increasing the army then, there surely could be none now.

It was now said that our foreign relations remain unsettled, and that we might have sudden use for our military force. This was quite contrary to what the country had recently been told from all quarters. It had been insisted, from one end of the country to the other, that Lord Ashburton and Mr. Webster would bring all our disputes to an amicable arrangement. Not so never was this army kept brought into the house, and a word said about reduction, than the administration organ came out with rumors of a war. That paper should certainly have been the last to sound the tocsin.

Like the venerable gentleman from Massachusetts, (Mr. *Adams*), Mr. G. had for years watched the increase of the army with astonishment and alarm. Mr. G. here went into a detail (several times repeated during the debate) of the successive augmentations of the army by different acts of congress. He did this, he said, to show by what rapid strides our military force had been augmented. He denied that there was any just ground of alarm at this time, and considered the war rumor as gotten up merely to have a hearing upon the present bill. Mr. G. however, admitted that the amendment proposed was liable to some objections. It seemed to be crude and undigested, and he was not willing to be considered as concurred in vote for it.

He adverted to the number of desertions which had occurred, and quoted appropriations of one hundred thousand dollars at a time to cover the effects of them. If the army was reorganized, some provision ought to be made to guard against this source of expenditure.

Mr. G. concluded by adverting to the change of views on the part of gentlemen who now so valorously advocated a reduction of the army from the time when Mr. Van Buren had recommended its enlargement, and they had with difficulty responded to his call. The gentleman from North Carolina himself had voted for the increase in 1838, and had also voted an appropriation of $89,000 for increase of rations, though he now so vigorously denounced abuses on this subject. His eye had accidentally fallen upon a vote in the senate journal to reconsider the passage of that bill, and among the nays he found the name of "James J. McKay"—he presumed the same gentleman who now moved the amendment. [A laugh.]

He said, in conclusion, that he was disposed to rely on the militia for our defence; was opposed to any increase of the army, and most decidedly in favor of its reduction.

Mr. *Cushing* obtained the floor, and moved that the committee rise, which motion prevailed, and the committee rose.

Mr. *Brockway*, on leave given, from the select committee to whom the subject had been referred, reported a bill making an appropriation for the erection of a monument to the memory of the late Captain Nathan Hale, of Connecticut. Read twice and committed. The house then adjourned.

THURSDAY, May 27. Mr. *Lowell* presented a petition from citizens of Bath-port, Maine, praying a check of the introduction of wood, spars, &c. from Nova Scotia and Brunswick; also, a memorial in relation to the depressed state of our coasting trade. Referred.

Mr. *Levy* called the attention of the house to late Indian murders in Florida, and after commenting upon the president's last message in relation to the Florida war, introduced a resolution calling for the correspondence between the commanding general and the secretary of war. His resolution was first read and agreed to, but at a moment by him, was passed, limiting the call to January 1st ult.

Mr. *C. S. Floyd* reported a bill from the committee on territories for an appropriation to fill up the grounds along the sea wall at St. Augustine.

Mr. *J. C. Clark*, from the committee on commerce, reported a bill on subject of light-houses, and for an additional light-house thereof.

Mr. *Ierin* presented proceedings of citizens of Centre county, Pa. in favor of protection of American interests against foreign competition.

Mr. *Adams* moved to take up the resolution based upon the memorial of Wm. Wright, in relation to frauds of the commonwealth bank of Boston, that a select committee for inquiring into be appointed, &c. It was amended and adopted.

The army appropriation bill was then taken up in committee, (Mr. *Underwood* in the chair.)

Mr. *Bidwell*, by way of compromise, and to keep the army at its present actual force, offered the following amendment as a substitute for the pending amendment:

Provided, That no part of this amendment shall be applied to the payment of any officers or privates hereafter to be appointed or enlisted beyond the number now actually in the service of the United States.

Mr. *Cushing* said the real question was whether we would proceed to make a great reduction of the defences of the country by sea and by land. He would take a general view of the subject. In refe-

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reneu to the army, both the secretary of war and Gen. Scott, had recommended an augmentation from 14 to 16 regiments, in April last as well as December. The committee on military affairs had declared against a reduction. The navy appropriation was reduced in a hasty way and by precipitate action; and contrary to the advice of the department; and, also of the naval committee. The same was now proposed in respect to the army. Is not the present an ill chosen time for it? The actual attitude of our country forbids it. He did not intend to invite or propagate a war panic. Mr. C. next referred to relations with Mexico, against which country the gentleman from New York had said that our claims were two and a half millions. But this was not one-half the case, for the commissioners had not yet adjudicated upon a large portion of the claims. Next, Mr. C. referred to our relations with Great Britain. With her we had three boundary questions, the north-eastern, northern and north-western. There were also three questions of honor which might ultimately resolve themselves into questions of indemnity: the question of the Caroline, the Creole, and the African captives. There were two other questions, one the great maritime question of the liberty of the seas; 3dly, whether Great Britain by act of parliament, or the five great powers by treaty should interpolate into the law of nations the universal right of search. There were other equally grave questions of commercial relations. Without considering others, there were eight grave questions, which were special and extraordinary was sent here to negotiate them. Great Britain was taking the means necessary to augment and support her navy. What a spectacle do we present. Instead of boldly imposing the requisite taxes, it seems to be a question whether we are to disband not the army, but the government itself. Would not Lord Ashburton inquire, "how far Great Britain can insist on her claims? Mr. C. held that any immediate war was not only not to be anticipated, but was impossible; for in our present attitude, Great Britain can do what she pleases. But degradation is to be feared more than war. This reduction was being made with hot haste, and without proper information into its requisite details. Our state of peace requires our present army. It is no war question. Our navy was positively reduced below its force of 1841. It was an error to suppose it was now reduced to the force of 1841. The appropriation for that year, (including of August, 1841,) was in all $7,416,643. For this year it was about a million less, and yet we still farther reduction was proposed in the budget of bills reported by the gentleman from Georgia yesterday. We will have but a small portion of government money on its four legs, and, in the unlimited use of an army in time of peace, ran a reduction be made, compatibly with the public interest? It was first proposed to reduce it from 12,000 to 6,000, then to 8, and then to 10,000, in addition to which one of the bills proposed a farther reduction. We have 12 s diers to every 17,000 souls in the Union, and it is admitted that militia are not to be relied ed to garrison our forts. The idea that a military bureau here was a military post, was complained of as an abuse; but why then had not the gentleman from North Carolina, introduced a bill, long ago, for its reformation. Why did he not now? His long array of antiquated abuses, most of which existed two years before the law of 1838, were proposed to produce a bias in favor of reduction, unless the house made an exact analysis of their pertinency to the question. There are abuses in the army, and therefore, that army must be abolished. Such an argument would abolish this house also. Our troops were not enough to mount guard on the frontier. They could scarcely see each other! Twelve men for every six miles. How many days ago was it since there was not a man in the fort at Annapolis to fire a gun when the Warspite landed Lord Ashburton. [Some opponent here remarked that a few years ago there were none at N. York to return a salute.] Mr. C. here adverted to the decay of the fortifications, to the 60,000 Indian warriors of the west, and to the proposition of the secretary to throw some posts in advance to preserve our connexion with the Oregon. But expeditures had been cut down to the point of mere existence itself. It was resolved that government should run under bare poles. The diplomatic corps, by the blessing of God, had escaped safely through the house: but all the contingencies of the departments had been refused in the appropriation bills, and whether they would pass at all, who could say? They had been rejected because there were not two laws to be shown for them. They had the sanction of law: for what was an act of appropriation but a law of the land? The prostration of the army and navy was of a piece with all the rest. The dominant party could not escape the responsibilities of power, and need not expect it. The course of the house reminded him of the language of Regan and Goneril, in Shakspeare's immortal apology:

"What? fifty followers?
Is it not well? what should you need of more?
Yea, or so many? sith that both charge and danger
Speak'gainst so great a number. * * *
What? must I come to you
With fire and sword, sent, Regan said you so?
Regan. And speak it again, my lord: no more with me.
Goneril. * * Hear me, my lord:
What need you five and twenty!—ten!—or five?
Regan. What need any?"

This seemed to be much like the argument of the democrats of the house. [A laugh.]

Mr. C. said he was aware that this movement to reduce both the army and navy was connected with the tariff question; and that it was prompted, in part, by the fear of laying taxes and passing an adequate revenue law.

Mr. C. insisted that it was wrong to destroy the government to save money, or to cripple the government to save money. It was not economy, but ultimately more costly to us, the most wasteful extravagance. If gentlemen humbled the nation before a foreign government—if they said to Great Britain you may trample on us, may spit on us, but we are afraid to vote taxes—must it not lead to a state of things producing such an irritation in the public mind as to render war in the end but the more probable? Mr. C. had been accused of attempting to scare him as any thing but true economy. And, besides, did not gentlemen perfectly well know that, if they pressed this thing so far, there must necessarily come a tremendous reaction? Gentlemen might, in this whirlwind of so-called retrenchment and reform, reduce all the branches of the public expenditure to the last possible limit; they might run a horizontal section through the entire expenses of the government, and cut off at a blow whatever sum people chose to; but all men of sense and experience must well know that a tremendous reaction and destructive reaction must be the inevitable consequence. The people would not bear it. The institutions would not bear it. Nothing would be left; there would be a renovation, a recreation of all that had been destroyed. The public indignation would clear away the chaos of ruins, and build in its place a new and more magnificent, more magnificent. These dilapidations must be paid for, and far more money would be needed than if the government had been properly supplied with suitable and necessary means.

This operation would show how much easier a thing it was to pull down than to build up again. The navy was like a beautiful tree a very short operation laid it low, but a long time would be requisite before it could grow up to its former beauty. Gentlemen acted as if they wielded the power of omnipotence, and had but to say "let there be" and all things would be created. But this was an impracticability; and so they would find it. He protested now, beforehand, against this work of demolition and destruction.

Mr. *Gilmer* concurred with much that Mr. C. had said, and with his general principles as laid down, but he differed from him in the 3d. Some things were in favor of retrenchment and reform. This dreaded "tempest of retrenchment" would not produce such general desolation and ruin as he had apprehended. The effect would be, not ruin, but renovation, recreation, from the ruins of a long abuse.

It was not proposed to cut down the tree, either of the army or the navy, but to lop off some decayed and useless branches; not to touch the root, but only to cause its shade to spread the wider over the rights and liberties of the country, so that we might sit in security under our own vine and our own fig tree, with none to make us afraid." The gentleman's apprehensions were entirely groundless. The gentleman had not quite literally adjured the house, but had resorted to the power of poetry, and very beautifully quoted Shakspeare. He had presented the melancholy spectacle of fallen royalty, reduced by his own folly and extravagance to dependence on unnatural children; and had given the words of his hard-hearted daughter. Mr. G. would answer him by quoting, in reply, the words of Lear himself, taking the liberty of changing one word that could not be spoken here: "Let commerce thrive, for Lear wants soldiers." Let peace, let commerce, let order, let economy thrive, for the country wanted soldiers, and that was the way to get them.

Mr. G. had followed the remarks of his friend from Massachusetts through all that part of his speech which referred to our foreign relations, and had listened with anxiety to discover whether the gentleman had any information which Mr. G. did not possess as to the prospect or danger of a foreign war. For he would answer for himself, and he was sure for all others on that floor, that in case of the approach of a foreign war this question was settled. The argument of the gentleman from Massachusetts amounted to this: that all those who desired a reduction, either in the army or the navy, were enemies to their country, and were opposed to national defences in time of war. Mr. G. met this assertion, as the gentleman had stated it to be. He adverted to our unsettled claims on Mexico; but had he advised war with that power? He had not; but he thought it might be expedient to "menace" Mexico as a means of obtaining what was our due. To menace Mexico? Mexico require the U. States to put on her armor? Why one would have thought that the menace had come from the other side, and that we had keep up a respectable army lest Mexico should invade us!—one of the most imbecile of all the powers of the earth!

He had referred to and alluded also to questions of negotiation between this government and that of Great Britain—a power in the opposite extreme—the most formidable nation on the globe, and one who seems to be stretching her arms beyond it. But, though she was thus powerful, she was not likely to be easily provoked into a war with the United States on any slight consideration.

The cry of retrenchment and reform there had risen up till it had reached the throne itself: the demand was not only heard in parliament, but at the throne itself. She was no more inclined to enter into war with the United States. Nor did we desire such a collision more than she. The two nations were of one blood, and were bound by a thousand ties of mutual interest. Besides, the time was past when the masses of men in two friendly nations would suffer a handful of politicians to plunge them needlessly into unnecessary calamities. Should any danger arise, England would be threatened by it quite as much as we, and Mr. G. threw out these remarks in no spirit of menace, far from it; but merely in illustration of the position that considerations of justice, of policy, and of mutual interest afforded sufficient guaranty for a long continuance of amicable relations with that formidable power.

He would now turn to more satisfactory subjects of contemplation—to mutual peace, mutual commerce, mutual prosperity. There was no need of a war panic to raise an armed establishment. Could any body imagine that an army of 12,500 men was going to alarm Great Britain—a government with a standing army far exceeding 100,000 men, brave, well disciplined, well officered, well equipped, veteran troops? It was amusing to think of gentlemen talking about keeping up our army to its present size as a protection against Indian aggression. Our army were not going to scare a man or a woman either in Great Britain or in Mexico. No, no; if war must come, our resources were not in this army of twelve thousand men. They were not sufficient for the nucleus round which to congregate our forces—scarcely a first platoon, a marching division to repel an invading enemy under British officers.

We must rely upon our people—upon the militia of the land. This was our real reliance at all times. The entire spirit and services of our institutions—our history, in all ages, the history of modern periods of our people, were all decidedly against standing armies in time of peace. And had not all our previous history justified us in looking to the militia as our right arm? Where are many of our glorious fields had been won by militia forces? The regular army could not defend us, it could serve to stand on the outer edge of our frontier dress by its columns. Our staff was sufficient to the command of an army of 50,000 men. With such a provision of military departments, and with such officers, it would be well to rely on the militia, where the country was seriously threatened. In the last war we began with a mere handful, yet we came out of it triumphantly and with glory. The practical question was, what force ought to be retained as a peace establishment? Mr. G. sought not to cripple the government—not to push retrenchment to the injury of the public service. To injure the government was necessarily to injure the people. He was aware that General Scott had recommended that the army be augmented by two additional regiments, besides a corps of sappers and miners. Did the gentleman from Massachusetts support that recommendation? Not at all, nor had any other member: it seemed to be conceded, by general consent, that no increase was at present expedient.

Mr. G. then proceeded to inquire whether the army could not with propriety be diminished. If he could make out a fair case he thought the gentleman from Massachusetts would be bound to go with him in voting for reduction.

The gentleman had said that no gentleman had yet attempted to answer the argument of the secretary

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of war, submitted in his report. Mr. G. should arrange the question on the admissions of the secretary himself. The secretary admitted it seems that the Florida war was over, or at all events that no more than two regiments (1,600 men) need be retained there, out of the 3,212 men now there. That would leave 3,612 men to be disposed of. In the eastern military division there were 38 posts (twenty with out any troops) containing 2,486 men; in the western 17 posts with 2,176 men. In all the posts there were 4,662 men. The total military force then, was, with the Florida army, 9,874 men, besides 1,104 staff, musicians, non-commissioned, &c. making 10,874. Its nominal force was 12,539 supposing all the ranks filled. Was the gentleman in favor of manning and gunning every post throughout the union, of keeping up in peace such a force as would be needed in war. No man, he presumed, dreamed of this. Much has already been appropriated for fortifications, and he was willing to allow 4,000 men for the eastern and 4,000 for the western division, thus increasing the one 1,824 men, and the other 1,514. Mr. G. adverted to the character of the western people and the improvements, the ease and facilities of communication there, as an argument that 4,000 would be amply sufficient for this western division. These improvements in the facilities of commerce, he said, were the arts of peace, which had thus silently prepared for war. They seemed intended by inscrutable wisdom to teach man that peace was his true glory and his real happiness. War, after all, when calmly considered, was but a vulgar and brutal employment: it was an accomplishment in which the brute far exceeded the human and that even in the brute it was a fault. He did not mean to disparage military science or military fame: but was it not true that Julius Caesar himself was but a coward, a mere pulpous, by the side of a game cock or a bull dog? It was peace and virtue which adorned and blessed human society, and brought man nearer to a resemblance of his Maker.

It had sometimes been said, as well in the house as out of it, that we were but badly prepared for war. Mr. G. could not subscribe to that sentiment; and that we prepared as for all than we had ever been before. The introduction of steam conveyances had changed the entire face of the country, and a whole economy of men might be dispensed, and arised, from place to place, at little more cost and in far less time than a single barrel of flour could during the last war. Peace had thus fortified the country, and had thus enabled us to reduce our army, and thereby consult economy; which Mr. G. held to be as much the duty of government as of individuals. Extravagance was often the cause of injustice.

It would be perceived that he thus proposed to keep the army on a peace establishment of 8,000 men, which would be a saving of 4,549 from the present number. He considered this as a pretty large saving, a reduction calculated perhaps to startle the gentleman from Massachusetts. That gentleman seemed to have the growling of John Bull always in his ears; he trembled at the indignation of Mexico, and was for keeping every man up pay. But, if 4,000 men were sufficient, why attempt to keep up a war establishment in time of peace; If we were to have war, did gentlemen suppose that an army of 40,000 men would be sufficient to meet the hostile forces with which Great Britain would assail us? No man could believe it for a moment. Repeating his disclaimer of any extensive acquaintance with military subjects, and his readiness to yield to superior knowledge and experience of other gentlemen, Mr. G. concluded the first division of his speech, and

On motion of Mr. *Tillinghast*, the committee rose and reported progress, and the house adjourned.

Friday, May 27. Mr. *Pendleton*, on leave given, from the committee on military affairs, made a report upon the establishment of a chain of military posts from council Bluffs to the Pacific ocean, accompanied by a bill to establish two additional military posts.

On motion of Mr. *Pendleton*, the bill was referred to the committee of the whole on the state of the union, and, with the accompanying report, was ordered to be printed.

On motion of Mr. *Stanly*, 5,000 extra copies of the report were ordered to be printed.

Mr. *W. B. Campbell* offered the following:

Resolved, That the committee on military affairs be instructed to report a bill providing for the reduction of the regular army and in the following manner: That each company of cavalry and infantry be reduced to fifty men, rank and file, and that the second regiment of Dragoons be disbanded by the 1st of January, 1743. That said bill shall also provide for reducing the number and the pay of the staff officers of the army and the ordnance and two engineer corps to their number and pay previous to the act of the 5th July, 1838, and for equalizing the pay for all officers of the same grade in the various corps of the military establishment, also, for the abolition or reduction of the military academy at West Point.

On motion of Mr. *Toland*, it was laid on the table.

After the transaction of private business the house adjourned.

Saturday, May 28. The *speaker* laid before the house the following letter, which was laid on the table, and ordered to be printed.

Boston, May 25, 1842.

SIR: Finding myself compelled, by very serious illness in my family, to abandon the hope of returning to congress at the present session, I have this day resigned my seat in the house of representatives of the executive of the commonwealth. I am, with very true regard, your friend and servant,

ROBERT C. WINTHROP.

The hon. JOHN WHITE,

Speaker of the house of representatives, U. S.

The speaker laid before the house:

A letter from the secretary of the treasury, transmitting, the information required in relation to the payments made to James D. Doty, out of the appropriation for the erection of public buildings in the territory of Wisconsin. Referred to the committee on the territories.

A letter from the secretary of the treasury, in obedience to the resolution of the house of 24th February last, transmitting tabular statements showing the export and import of tobacco, together with the import into Great Britain, and estimates of the consumption of tobacco in that country, for the latter and statements were ordered to lie upon the table, and 5,000 extra copies thereof to be printed.

Also two letters from the secretary of the navy on the subject of navy pensions.

Mr. *Kennedy*, of Md. from the committee on commerce, to which had been referred sundry petitions praying the adoption of American labor and the promotion of reciprocal commerce, &c. made a report recommending the passage of the following resolution and bills.

A joint resolution, requiring the president at such times as he shall deem advisable, to give the proper notice for terminating such treaties with European powers as have conferred upon their ships of importing on equal terms other articles than those the produce of the countries in whose vessels the importations are made.

A bill to establish reciprocity in the commercial regulations of the United States in their intercourse with British colonial ports.

A bill to alter the mode of admeasuring the tonnage of ships and other vessels.

Laid on the table and ordered to be printed.

The house then proceeded to the transaction of private business, and adjourned to Monday.

Monday, May 30. The honorable *Thomas M. T. McKennan*, representative elect from the state of Pennsylvania, vice Joseph Lawrence, deceased, appeared, was qualified, and took his seat.

Mr. *Merriwether* asked leave to offer the following resolution, which was read for information:

Resolved, That the secretary of the navy communicate to this house all orders issued to the several navy yards from that department since the first of May instant, in reference to the buildings, equipping, fitting out, and laying up of vessels; and whether any dismissals have been made since the first of May instant, of carpenters and ship-builders, or other workmen, at said yards; and, if so, for what cause, and the number; and what number may have been in each, and the number of said workmen at any time since the first of January last.

The resolution was objected to, but the rules being suspended, it was adopted.

The army appropriation bill was then resumed in committee.

The pending question was on Mr. *Roosevelt's* amendment, to Mr. *C. Johnson's* modified amendment.

Mr. *Gilmer* resumed. He reiterated his conviction that there was no cause of apprehension for war with either Mexico or Great Britain. There was no feeling of hostility entertained by the great mass of the people of Europe, against our institutions. There was a very natural hostility on part of the governments however, against our institutions, and that hostility was transferred to some extent against our people: but the distinction between the people of Europe, and the governments of Europe, was becoming wider and wider every day. With a few exceptions (he was happy to designate France as one) it was their interest based upon the doctrine of legitimacy and inheritance of power, to foster feelings of hostility against the government of the United States. But the day was past when the people of Europe would sympathize with that hostility. The time was coming when the energies of their governments would be required to prevent the progress of reform or revolution among themselves. The beauty of our institutions reflected back the deformity of theirs; and when the people of Europe should come to understand the insidious nature of sowing seeds of discontent and disunion amongst us carried on by her interested despotisms they would not be at a loss to know their true position. The annual aggregate of the United States army was 500 less than he had erroneously stated it the other day. As to the Florida war, there ought to be an end to it. He was in favor of conveying it by armed settlers, letting the possession of the land be the reward of their expulsion of the savages. The secretary of war had proclaimed the war ended. The delegate from Florida on the other hand proclaimed it "still beginning never ending." Ha Mr. G. was not in favor of concluding it by appropriations from the treasury for standing armies, and specified the reductions that might be made in each department, staff, engineers, topographicals, store-keepers, artificers, line, &c. Mr. G. deprecated standing armies. The people themselves were our proper defence. Mr. G. here adverted to some of the abuses of the army the commutation of officers subsistence (extended even to the military band,) forage for horses, double rations, &c. and thought no department called so loudly for reform, as the war department and the army in its ramifications. He was no enemy to the army but in spite of abuses which would bring it down ought not to be tolerated, and he was opposed to *irregular* pay. He was for cutting off every species of extra and irregular allowance. This was the place in the war to begin. He should be for the army. Commutation if absolutely requisite should be fixed in amount by law. Mr. G. specified some of the abuses of which he complained. He would not repeat those that Mr. *McKay* had adverted to. On the face of this bill, he would call attention to the items "for commutation of officers' subsistence $577,354," "for commutation of forage for officers' horses $116,9771," "for commutation of clothing for officers' servants $80,240," "for armament of fortifications, including salary of a special agent to attend to the fortifications employed in making cannon, $50,000 dollars," &c.

These were abuses in his opinion. In the latter item, it was not the amount merely of $150,000 that he complained of, but the appropriation covered abuses unwarranted by law or necessity of the public service. Had any member of the committee thought of the fact that the special agent whom they were now called on to recognise by law had existed not by law but by what were called "regulations of the department," a species of legislation which created almost as much abuse and evoked almost as much money as congress did. We had no national foundry. Therefore the cannon of the United States were made on contracts, and if those contracts were judiciously made, every cannon was required to come up to a certain test. It followed that we did not want a special agent on the part of the government to travel about with a salary of $4,000, and ten cents per mile to see that the contracts were complied with.

This was only one of the many instances. Mr. G. read from the report of the bill appropriating for the military academy the items for commutations of subsistence of officers and cadets $40,077, of officers' horses $5 181, and of officers' servants $120.

He had read from the document received a few days since from the war department, showing the pay and emoluments of the officers of the army above the grade of 2d lieutenant. In it, the pay of the major general stood at $2,400, while it appeared that the whole amount of his emoluments was $4,915. His aggregate pay was within a fraction of $5,000; and while full pay was regular pay, all the rest was irregular pay. The regular pay of the brigadier general was $1,248, and they found that he received $3,165; and so he might show of many other items, but he would not detain the committee. The money was drawn for more rations than were wanted. The rations were commuted at 20 cents for every ration. The money was drawn, and the officer never thinks of drawing the rations at all. He was told that the government was daily charged with some 100 or 200 horses in Washington. How many of them were there he could not tell, but there was fearful abuse. This was an abuse, and so were also the rations for officers' servants.

After adverting to individual instances of similar abuse, he said he perceived by the morning's paper that the present secretary of war had himself issued an order for correcting these abuses. He (Mr. G.) wished it had been done before, but doubted very much whether this order would be effective in the correction of all these abuses. Mr. G. called the attention of the committee to the form of a bill which had been communicated to him from an one-

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nymous source, the author of which, whoever he might be, was a man intimately acquainted with the details of the military service of the United States. He wished at some time to bring it before the house, and have it printed and referred to a committee of those men by whom it would lead to practical results. In first principle was to give every officer and every grade of officers a fixed compensation. If they chose to include in that the whole amount of regular pay and all the contingencies now allowed, granted if it was necessary, but let it be given in a lump, that the government might know what it paid, and the officer might know what he was to receive, that there might be no inducement to officers to eke out their salary by irregular means.

He knew that there was a sort of prejudice—a sort of *esprit de corps* prevading the army, and all the departments hostile to reform, and he knew that it was to be denounced as an innovation. It was natural. He mentioned it as a reason why they should look with more or less distrust on objections coming from that quarter where they proposed reform. It was the duty of congress to judge of the subject on its own intrinsic merits.

He would explain the course he had taken on the navy bill. He did not understand the secretary. He thought the estimates for that service high, but was told by those who understood the subject that they were necessary, and being unwilling to appear opposite money, too much, if it were so, to that arm of defence, than to the other, he did not vote to reduce the appropriation nor to increase it, but voted for the proposition of the gentleman from New York to restrict the navy in its present establishment.

As to the amendment now pending, he would say it might be a reform, but it should be followed up by other amendments. It cut off men, but left the money. If the men were to be cut off, the money ought to be also. The number of the regiments by the proposition was reduced from fourteen regiments to thirteen. That was the most expensive mode of reduction, and left the regiments fully officered, so that the officers pay, the most expensive part of the regiment, remained. But it was said by some gentlemen that this was necessary, in order to keep up the fragments ready for service. There might be some force in this. He merely threw out the suggestion on the subject.

He was favorable to a reduction of the army. He believed a reduction could and ought to be made. Congress, he feared, would be in session a little more longer; he wished there was a more immediate prospect of the close of the session. At all events, they would be here long enough to ascertain the result of the pending negotiations with Great Britain. There was no aspect of war in any other quarter, even to the gentleman from Massachusetts, (Mr. *Cushing*.) If these negotiations terminated amicably, as he all hoped, there was no need for them to replenish the army or add new regiments; but if any such contingency of war should arise, the present organization of the army was too feeble even for a beginning. They could not, by impost duties, raise revenue to carry on a war. If war came, they would have at once to resort to direct taxation and loans, and call out our militia and volunteers. The present army was barely adequate to furnish the recruiting stations necessary for a war to meet that formidable power which we had twice successfully contended with.

Mr. *Meriwether* said he had heard the cry of war, war, till he was tired of it. There was no appearance of war anywhere. There was, perhaps, quite enough till these military appropriation bills came in. The army is an incubus on the country, a burden to bear, and in it is not a wholly confident in war. Who did not know that when the country could be made to believe that war must be resorted to, nothing was easier than to bring up congress at once to the war pageant? Mr. M. approved the amendment which had been offered, as far as it went; but his objection to it was that it did not go far enough. Its operation was too slow, and the proposed reduction too small. It would take two years before the maximum of the reduction could be attained; and it only diminished the appropriation $600,000 a year. Mr. M. preferred the amendment which was originally offered by the gentleman from Massachusetts, to its form as modified by the gentleman from North Carolina.

Mr. M. was satisfied as to the propriety of retaining two regiments of dragoons. This was due to the exposed condition of the west from the vicinity of large bodies of Indians on the frontier. He would, however, cut down the two additional regiments of infantry added in 1838, and would empower the president to convert one of the dragoon regiments into a rifle corps. He complained particularly of the size of the staff, as being sufficient for an army of 400,000 men. The augmentation of the army in 1838 had been made under great excitement, from the aspect of the Florida war. Volunteers were called out, but they found the army in such a state of dilapidation they refused to serve. The officers availed themselves of the juncture to come forward and press for new appointments.

Mr. M. was for cutting down the entire addition then made, as wholly unnecessary now. He would, however, make the reduction prospective in its character, to take effect on the 1st of January next. By that time the negotiations now pending would be brought to a conclusion, and the result ascertained. If it proved favorable, let the reduction take effect; but if otherwise, congress would be in session, and all they had to do would be to repeal the law. Mr. M. then proceeded to offer the following amendment:

Provided, That the recruiting service shall cease until the 1st of January, 1843, at which time the number of regiments of infantry shall be reduced to six, and the number of companies in each regiment of artillery and infantry, and the number of privates, non-commissioned officers, musicians in each company, and the number of staff and line officers, shall severally be reduced to the number fixed by the act entitled "an act to reduce and fix the military establishment of the United States," approved March 2, 1821. *And provided further*, That after the 1st of January, 1843, there shall be paid to no officer mustered out of the army, by the act, any sum higher pay or emoluments than were allowed and paid said officers at the time of the approval of said act. *And provided also*, That the president of the United States may, at his discretion, at any time, convert the second regiment of dragoons into a regiment of riflemen, and they shall receive their pay only as infantry; and in reducing the regiments of infantry mentioned, the seventh and eighth regiments of infantry shall be discharged, and the companies of artillery to be discharged shall be those added to each regiment by the act of 1838.

It had been said that our present army amounted to but one to seventeen thousand of our population—but one man to several miles of boundary—and that we had no soldiers to spare. But the gentlemen ought to recollect that it was only certain exposed points upon our coast that needed any protection liv fortification, and these were, for the most part, all fortified. The country generally was studded through all its extent with defensive works. Nor was it disgraceful at all to the country that these forts had not been completed before now. Mr. M. believe one knew that it was not our national policy to keep up a great military establishment. Foreign nations saw that we had fortifications enough, and they knew that at any moment we could put them into shape. It was not a standing army that we relied on for defence. If war must come, our dependence was on the hardy yeomanry of the land, and we had been the progress of internal improvements in all parts of our country that thousands could be thrown at the shortest warning into all our great cities; so that then, in regard to the city of Boston, the objection had no force. Suppose it to be true that we had but one soldier to seventeen thousand of our population, was there any danger of invasion? We were at war with Great Britain might; but then she had a use for them, which we had not. She wanted them to whip her own people, to keep down a population rendered desperate by starvation.

[A voice, "what do you say to Rhode Island?"]

Mr. M. said he understood that the rebel governor had run away, and that the Rhode Island war was at an end. He had heard the president said that the Florida war was ended, too. The whole argument of gentlemen was founded on a surprising misconception of the principle and character of our government. We relied on the virtue and intelligence of the people for our safety, not on the bayonets of a hired soldiery. Our laws were executed by legal process, not by bayonets. When the country became so thoroughly corrupt as to need a standing army to keep it in order, our freedom would not be worth defending.

Another argument against reduction was, that if we cut down the regular army we must pay twice as much for volunteers. No doubt it was true, supposing the case to be true, but the case existed only in gentlemen's imaginations. And were we in profound peace to keep up an army to avoid the expense of volunteers, for whom there was nothing to do?

The estimates for the war department alone, for the present year, were more than the entire expenditures for the whole service of government in all departments during the administration of the venerable gentleman from Massachusetts (Mr. *Adams*), which had been put down on the floor of congress; and this in a state of profound peace with all the world, save a handful of Indians in Florida; and even there, it was doubtful whether we were at war or not. Mr. M. was not prepared to vote such estimates.

He noticed the fact that the war department was moving in general orders, the object of which it was not hard to understand. There had been two general orders lately issued from the department, in one of which they admitted that they had done very badly in time past, but promised for the future to do better than ever. Mr. M. was gratified to witness movements of this character. He hoped to see more general orders. But if the bill should pass without reduction no more of them would be seen or heard of. Hold retrenchment over the heads of those who controlled the government, and they would be found economical; but let go the reins and the money they asked for, and no abuses would ever be disturbed.

He concluded by a general declaration of his convictions that the war was too large, that it pressed like an incubus upon the treasury, and that he was against it.

Mr. *McKean* had voted for a reduction of the navy. He was no less anxious for a reduction of the army. We had a regularly decreasing revenue. We had a regularly increasing expenditure. There was no way to meet them but by retrenchment. The estimates coming in at the rate they do must be reduced. The gentleman from Massachusetts had told the committee and the country that congress, having voted the blood, he feared would be unable to resist the thirst which had thus been kindled. But Mr. McK. would inquire of the gentleman whether he had ever stopped to ask himself whose life-blood went to glut all these expenditures of the administration? Much noise was made about honor and the glory of the government, but none seemed so much to dread the expense of the war, except the blood of the government was precious in gentleman's eyes, but who cared for the blood of the imperished people? He called gentlemen to remember that personal individuality must come hereafter to pay for these money votes. The record would show that these were no party questions; men of both sides had voted on the appropriation bills. The true people's party consisted of those who went first for bringing down the expenses of government to such as were inevitable and indispensable, and then voted money to pay the bills of just such a government.

Gentlemen insisted that these reductions were attempted without previous investigation: but is congress to wait for the executive departments, to reform and retrench. Their estimates far exceeded those of Van Buren's administration. To await for a "well digested system" would be an impracticable plan for congress to follow. We can relieve the people only on the appropriation bills. The people know not the technicalities of order and looking to us as the sole constitutional organ for giving away their money, they must hold us responsible.

The gentleman from Massachusetts had said that the question came down to this, whether this was a proper time for reducing the defences of the country? But Mr. M. would ask whether it was a proper, at any time, to reduce the burdens of the people? A great effort had been made to portray the miseries and difficulties as in prospect before us—"gorgons and hydras and chimeras dire" had been paraded before the committee; but, after listening to all that the gentleman from Massachusetts had said about the prowess of the war with England, he would put to that gentleman the question once put by Dr. Johnson to a gentleman who asked him whether he did not believe in the genuineness of the poems of Ossian, "do you believe it?" He would ask the gentleman whether he believed that a war was pending with Great Britain?

Mr. McK. could point to difficulties quite as great in another direction. He here referred to the outrages committed by the Mexican government on the persons of our citizens, and its delays in meeting their just demands. Eleven millions were due from that government to our merchants and others. [Mr. McK. here went into some statistics on this subject of the Mexican claims.]

Was the army the instrument on which we relied to obtain the payment of the money acknowledged to be due? No. Was it to march through Texas to attack the country of the lucas? Was there not a better engine and a shorter way? Were he our minister at the court of Mexico he would warn the president that unless that money was paid and that very shortly, our people would commence reprisals, and soon overpay all that was due them. It was rumored that Santa Anna had said said "the United States would negotiate for ten years longer," he was for apprizing that dignitary that he was out of his reckoning.

At this point Mr. McK. yielded to a motion by Mr. *Davis*, of New York, for the rising of the committee; which prevailing, the committee rose and reported; and thereupon the house adjourned.

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CHRONICLE.

BANK STEMS. *Bank of England*, quarterly average, 2d April, 1842:

Liabilities.		*Assets.*	
Circulation	£17,225,000	Securities	£11,899,000
Deposits	8,283,000	Bullion	6,590,000
	£25,518,000		£28,488,000

On comparison with the month of March, the following alterations appear: The circulation has increased £283,000 and the bullion £465,000: whilst the deposits are reduced £374,000 and the securities £638,000.

Mr. Leris, formerly cashier of the Schuylkill bank, Philadelphia, by whom spurious certificates of stock of the Bank of Kentucky to the amount of $1,300,000 were issued, having been protected by a *nolle prosequi* from the indictment found against him for the offence, has returned to Philadelphia from Texas, in order to give testimony as to the use made of the proceeds of said bonds. It is stated that he is prepared to prove that every dollar of it was placed in the vaults of and applied to the use of the Schuylkill bank.

The Bank of Illinois announces that it will resume specie payments on the 15th inst.

COMMERCE OF BOSTON. The arrivals at Boston during the year 1841, were as follows:

	Ships.	Barques.	Brigs.	Schrs.	Sloops.	Total.
Coasting	115	133	613	3,596	177	4,574
Foreign	674	150	584	835	000	1,743

Of the foreign arrivals, 1 ship, 10 barques, 73 brigs, and 587 schooners were British; 1 barque and 4 brigs Sicilian; 1 brig Spanish, 1 barque, 2 brigs and 1 schooner Hamburgeran; 1 schooner Prussian; 4 barques and 6 brigs Swedish; 1 brig and 1 schooner Danish; 1 brig Russian; 1 brig Dutch (*galiot*)—in all, 695 foreign vessels. [*Boston Transcript.*

COMMERCE OF BALTIMORE. There arrived at Baltimore in 1841, from foreign ports, 61 ships, 49 barks, 166 brigs, and 123 schooners. Total, 401. Coastwise arrivals, 14 ships, 35 barks, 296 brigs, 497 schooners, and 6 sloops. Total, coastwise, 758. Grand total of arrivals, 1,169.

CANADA CANALS. The British never neglect an opportunity to "make hay while the sun shines."—The legislature of New York stopped the works on the enlarged canal from Lake Erie to the Hudson, and forthwith John Bull jumps into his (their) connecting Erie and Ontario, cuts out, ups with sleeves, and works away like a fellow on a good job. Half a dozen years hence we shall see Liverpool ships taking in flour at Cleveland wharves! Who doubts it? Read the following from the last St. Catharine's Journal, and then doubt who can. [*Cleveland Herald.*

NEW STONE LOCKS. We are informed, on the authority of a letter just received from Mr. Killaly by the engineer in charge of the new works on the Welland canal, that, in consequence of advices received from England by the steamer Caledonia, at the government house, Kingston, of a full guaranty of abundant means from the home government, preparations are to be made for the immediate commencement of the enlarged stone locks on this work, six of which, near the mountain ridge, a guard lock at the junction, and a ship lock of 185 by 45 feet within the chambers, at Port Maitland, (Broad creek,) will shortly be placed under contract, to be finished with all reasonable despatch.

DEATHS. There were 173 interments last week in New York, of which 36 were under two years of age, and 19 died of consumption.

EARTHQUAKES. Several shocks were felt at Van Buren, Ark. on the 20th April. On the 26th April, at 11 A. M. two severe shocks were felt at sea, in the Indian Ocean lat. 16.30 N. long. 50.30 W. At the same time that the awful visitation was experienced at Hayti,—on the 7th ult. a severe shock was experienced in Louisiana, Porto Rico, St. Jago de Cuba, &c.

EMIGRATION. Eighteen emigrant vessels have left Cork since the 10th of March, with 3,600 passengers, of whom went to St. John, 1542; to Quebec, 1211; N. York, 733; St. Andrews, 204. A London paper says: "The 'Cosmo,' for New York, is lying at King-ton Road, with 300 passengers for New York. The 'Lord Corabury' is almost ready for sea, and will take nearly as many. The emigration will be very large this year to the United States, principally agriculturists and mechanics—so called."

"Private letters announce that a large number of *ladies* and *gentlemen*, who have been residents of the poor houses in England, have been *cut* virtually, assisted with money to pay their passages to the land of liberty."

There were 6,293 passengers landed at N. York, during the week ending on the 21st and 3,890 last week—making 26,143 since the 1st January last.

FLOUR IN MICHIGAN. The Detroit Adv. estimates the wheat raised last year in Michigan at 3,100,000 bushels,—of which one-third is ample for the home consumption, leaving 2,040,000 bushs. for exportation. There were shipped last fall, before the close of navigation, from Detroit 180,000 bbls. flour; from St. Joseph, 68,600; Toledo, 45,784; Monroe, 9,302; St. Clemens, 1,000; Kalamazoo harbour 10,000; mouth of Grand River, 5,380, and from the said several ports 294,715 bushels of wheat. Total, say in bushels, 1,635,123, leaving still a surplus of over 400,000 bushels, or 80,000 bbls. of flour—half of which now in store at Detroit.

FLAX MILL. Mr. J. Marshal, of Leeds, Yorkshire, England, has built a mill for the manufacture of flax, one of which, supposed to be the largest in the world, occupies a space of two acres of ground. It is lighted from the top by skylights, and the position not required for the glass is covered with soil and laid out as a garden. The firm employ in their manufactory at this place upwards of 1,500 persons.

THE FORTY-FIRST. It has been stated in the eastern papers, and copied into this, that the forty-first British regiment which has just been cut off by the Affghans, was disgraced and lost its colours at New Orleans, for not bringing up the *fusees* in time. The Pittsburg American gives this version of the disgrace of the regiment:

"We think there is some mistake about this; unless there are two Britishregiments designed as 'cowards,' and so far disgraced as to be deprived of colors, facings and other honors. The 41st regiment which was in service on the Canada frontier at the commencement of the last war, was actually disgraced, by being, as a mark of dishonor incurred by some act of cowardice many years before. This regiment was in the battle of Moraviantown, on the Thames, in Upper Canada, where the celebrated Tecumseh, were defeated by colonel James Miller. Muir tried to rally his regiment, which had broken and given evidence of disorder. He was heard, even amidst the confusion, 'forty-first, forty-first, will you never regain your facings?' But it would not do; the forty-first was the main line of battle. Tecumseh was the last man in the field, chagrined and out of temper, at the failure of his allies. The British soldiers were said to have thrown away their cartridges on the retreat, to make the Indians believe they had no fire, for want of ammunition. Certain it is, our soldiers found them soon along the ground over which the regiment had retreated."

GHANO. A great deal is said in the English papers about a new kind of manure called Ghano, brought from the Chincha islands in the Pacific ocean, and which, it appears, has the power of fertilizing the soil to a wonderful degree.

GOLD MINES OF GEORGIA. In the neighborhood of Dahlonega, there are from fifteen hundred to two thousand pennyweights found daily. At one mine on Battle Branch there was lately one lump found, worth, it is said, one hundred and twenty-eight dollars. It is supposed from present prospects, that there will be at least from 3 to $400,000 realized in that section from the pursuit within the present year.

INFLUENZA prevailed to an alarming extent in London at our last dates. Many had died of it, and new features are developed in the disease.

INCOME TAX. An English paper remarks that since sir Robert Peel has proposed a tax on incomes, the people who before vied with each other in showing how much they were worth, are now just as earnest in proving how very poor they are.

IOWA. The governor of Iowa has issued a proclamation forbidding persons to settle on a portion of the lands lying between the Des Moines river and the northern line of Missouri, on the ground that the tract of country referred to belongs to the Iowa Indians, and the laws of the United States guaranty to them undisturbed possession of it.

MICHIGAN LANDS. A great tax sale of lands will take place in Michigan early in August, comprising nearly 2,000,000 acres, which will be sold for the dues of 1838, and without redemption.

CHARLES F. MITCHELL, found guilty of forgery after great difficulties notwithstanding the notoriety of the fact, has been allowed to escape punishment "by hook or by crook."

THE MORMONS have found a new book called the Book of Abraham. It purports to have been written by that patriarch, and is said to have been found in the Catacombs of Egypt by an English traveller, who brought it away with eleven mummies. Joe Smith is engaged in translating this book for the Nauvoo "Times and Seasons."

NAVIGATION ON THE LAKES. It appears from a statement in the Commercial Advertiser and Journal, published in Buffalo, that there were built, last season, at that place, and at the other ports above, twenty-three brigs and schooners, whose aggregate tonnage amounted to 2,510, and the cost to $122,500; and that there are now on the stocks, eleven vessels, from 130 to 220 tons which will cost $95,500.

PRESIDENTIAL.—"The Norfolk and Portsmouth Chronicle and Old Dominion evy in relation to the presidential contest of 1844: "When the proper time arrives, we will run up the following banner, under which we shall "stand to win:" let others do as they may—for president, John C. Calhoun, for vice-president, Silas Wright."

STOCKS. Information from India revived the English stock market the first week in May. Consols, for money, New 5% reduced 99¾; bank stock 167⅝; India stock, 247; India bonds, 3022 prem. Money is very abundant, business too dull to give it employment—bill brokers are offered it at 2¼ per cent., they charge 3 per cent. American stocks remain in the same neglected state as for some time past. The last price of Pennsylvania 5 per cent. was 47½, and at that rate there are sellers. Ohio offered at 60 per cent. Some little inquiry for New York state 5's at 72 per cent. The price of stocks in our American market have improved somewhat within the last few weeks. The secretary of the U. S. treasury has returned to the seat of government from the east, having secured sufficient of the loan for present exigencies at something below par.

It is stated that orders have since been forwarded from New York proposing to take the residue of the loan on the same terms.

On the 30th ult. at New York the stock exchange sales were large, amounting to about $50,000; New York 6's advanced ¼; Ohio, 1; Kentucky, ¼; Indiana and Illinois, ½ each; $4,000 New York sixes '62 brought 81¼; $3,000 Kentucky sixes, '79, 415,000 Illinois sixes from 18½ to 18¾; $13,000 Ohio 6's cash; 78¾, 9,000 Indiana fives from 21 to 21½.

TOBACCO. Cool and wet weather for some weeks past has operated against the prospects for a crop in Maryland. A little insect which attacks the plant immediately after it makes its appearance above ground destroys it before it acquires a sufficient size to resist their depredations. For two, and in many instances three successive sowings, the seed have merely vegitated and then been swept by the fly, as if not a seed had been sown.

The English market remained at the last dates without quotation—only the finest quality Virginia leaf in demand.

The New Orleans market has been nearly swept of the article; prices 2½; 4; a 5½ for fair running lots; selections of fine at 2½; 4½ a 5½.

WHEAT. London, May 30. The new corn law is now in operation—present duty on wheat 3s. per quarter, and on flour 7s. 10d. per barrel, little doing in either. Good fair in bond 45 to 47s.

Illinois wheat is quoted at N. York at 1 28; a 1 29.

WOOL. The Lowell Courier states, that the Middlesex Mills, in that city, consume fifteen or twelve hundred sheep every day they operate,—or a flock of 374,400 sheep to supply them for a year.

Manufacture of woollen rags. A. Stern & Co. of Troy, have erected a mill at Troy, N. Y., at which about 1 000 pounds of wool rags are washed, and reconverted into wool per day,—ready to be again carded and spun, and made up anew into goods. The rags are thrown in the first place into a machine in the second story, where they are ground up, and thence pressed through another machine in the lower story, filled with water, which cleanses them from all impurities. The wool thus formed is then passed to free it from the water which it has absorbed, and afterwards sent up a spout with great velocity into the fourth story, where it is dried until fit for use.

About 1,000,000 pounds South American wool were sold at auction at New York on the 18th ult. Full prices were obtained; Cordova, 5; to 9; Merino and Mestizo in fleeces, 8 to 10½; picked Buenos Ayres, 12; to 14.

The farmers of Michigan are said to have a million of dollars invested in the wool business. There are in the state, sixteen fulling mills, thirty-six carding machines, and four woollen factories, besides to new ones now erecting. The amount of woollen goods consumed in the state, a year, is $1,128,000; two-thirds of which is of foreign manufacture.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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CONGRESS. THE APPORTIONMENT BILL, as amended by the senate has finally passed that body by a vote of 27 to 21. The ratio of 70,680 as in the table, page 234 of the congressional proceedings, was adhered to, as was also the district system. The amendments have now to be acted upon by the house.

THE TARIFF BILLS are now fairly under discussion in committee of the whole in the house of representatives. There are, if we mistake not, *five* of those bills. One proposes merely to postpone the operation of the rate of duties which were to take effect on the 1st July ensuing, under the compromise act, for one month, in order to give time for congress to act deliberately upon the new tariff. Another, is the bill reported by the secretary of the treasury, at the request of the house;—a third, is the bill reported by Mr. SALTONSTALL from the *committee on manufactures*, to whom the subject of the new tariff had been referred; a fourth, is the substitute bill reported by Mr. HABERSHAM, from the minority of that committee; and a fifth, is the bill reported by Mr. FILLMORE, from the committee on ways and means, to whom the subject was in the last instance referred.

The last mentioned bill came first in order before the committee of the whole—whereupon Mr. SALTONSTALL moved the bill reported by him from the committee on manufactures as a substitute for said bill,—Mr. FILLMORE then took the floor in an opening speech of some hours in favor of his own bill—and in a review of the whole subject.

The provisions of the tariff bill reported by the committee on ways and means, affix the following as some of the duties:

On unmanufactured wool of over 8 cents value, per pound, thirty per cent ad valorem; under that value, five per cent ad valorem.

On all manufactures of wool forty per cent. ad valorem, except carpeting, blankets, and some other articles, on which special ad valorem duties are proposed.

On cotton unmanufactured, three cents per pound.

On all manufactures of cotton not otherwise specified, thirty per centum ad valorem.

On all articles of silk, according to their character, thirty or thirty-five per cent.

On unmanufactured hemp, forty dollars per ton.

On iron, in bars or bolts, not manufactured by rolling, eighteen dollars per ton: on the same article, made in whole or in part by rolling, thirty dollars per ton.

On lead, in pigs, bars or sheets, three cents per pound.

On cut glass, from twenty-five to forty-five cents per pound; on plain, moulded, and pressed glass, from ten to sixteen cents per pound.

On all articles of china or any other earthen ware, thirty per cent. ad valorem.

On tanned sole or bend leather, six cents per pound; on calfskins, tanned and dressed, three dollars and fifty cents per dozen, &c.

On all bound books in the English language, twenty cents per pound, &c.

On raw sugar, two and a half cents per pound.

On teas, according to their quality, twenty cents, fifteen cents, ten cents, down to Bohea, on which a duty of three cents only is proposed.

On salt, ten cents per bushel.

After going through a long enumeration of specific duties, a duty of twenty per centum ad valorem upon all remaining articles.

An additional duty of ten per cent. on all articles imported in foreign vessels in cases where a specific discrimination is not made in the bill.

All duties hereafter to be paid in cash.

The bill also proposes to *repeal* the proviso of the land distribution act, which suspends the operation of that act in the event of any duty being laid by congress of a higher rate than twenty per centum ad valorem.

THE ARMY APPROPRIATION BILL, as passed by the house of representatives, proposes to disband the 2d regiment of dragoons in September next, and to reduce the aggregate of the army to 6,000 men as speedily as it may be done without further disbanding.

RHODE ISLAND. GOV. CLEVELAND, of Connecticut, having officially refused to surrender Mr. Dorr upon the requisition of Governor King, the latter has issued a proclamation offering $1,000 reward for the delivery of the fugitive within the state of Rhode Island in one year.

A meeting was held by the partizans of Dorr, at Woonsocket, in the northern part of Rhode Island, and sundry hostile demonstrations made, by forming an encampment, obtaining military stores and beating up for recruits—but at the last dates the whole movement seems to have been abandoned.

In the legislature of Connecticut which is in session, there had been two reports made from the committee to whom the Rhode Island topic had been referred—one sympathizing with the Dorr party, and the other from a minority of the committee, in opposition to revolutionary movements.

FOREIGN ARTICLES.

GREAT BRITAIN.

The British steamer Columbia arrived at Boston on June 2, in 13½ days from Liverpool via Halifax. Left Liverpool the 19th May, and brings 12 days later information from Europe; nothing of importance. Trade had not improved and if any thing business was duller. Money was abundant and did not command over 4½ per cent. on loans. There was little variation in the cotton market. Low descriptions had fallen off a trifle.

Seven more ships with 1,600 troops have sailed for British India.

Mr. Washington Irving had delayed his departure to Spain, in consequence of a special invitation to the Queen's ball. The Queen completed her twenty-third year, on the 24th May.

HER MAJESTY'S FANCY DRESS BALL. This brilliant fete occurred on the 14th ult. and excited both astonishment and delight; it realised the liveliest creations of the imagination, and presented as it were the description of the ancient chroniclers bodily before us.

The leading feature of the ball was the assembling and the meeting of the two courts of Anne of Bretagne (the Duchess of Cambridge) and Edward and Philippa (her Majesty and Prince Albert.)

About half past ten the heralds marshalled the procession from the lower suite of rooms, and the Duchess of Cambridge appeared in a magnificent costume, led by the Duke of Beaufort, as Louis XII equally magnificent, and followed by the rest of her court. These were divided by heralds and marshals into quadrilles, and marched in the following order: After the royal party, consisting of Prince George, the Princess Augusta, &c. came the Highland Quadrille, the Greek Quadrille, the Hungarians, the Knights Templars, and the Saracens. These reaching the Throne-room passed before the sovereign, making their obeisances, and then formed themselves for dancing, which immediately commenced.

Her majesty left the ball-room about a quarter to three o'clock, but dancing was continued for about an hour afterwards.

An examination into certain election frauds had disclosed a system of profligacy without a parallel in the history of representation. Mr. Roebuck had made himself very conspicuous in ferreting out these frauds. Several members of the commons had left their seats and gone home, rather than suffer an investigation as to the means by which they got there. Among them were members from Lewis, Harwich, and Penryn.

FRANCE.

On the 13th May, the minister of public works brought down to the chamber of peers the rail roads' bill as adopted the day before in the chamber of deputies by a majority of 255 to 83. It appears that the question remains still open as to whether the branch from Amiens, on the great northern line, is to be carried on to Calais or Boulogne.

The Presse states that it was the intention of certain members of the chamber of deputies to address an inquiry to M. Guizot as to whether he had signed, or intended to sign the right of search treaty, and that his reply would be in the negative. He adds, that no minister, in the present state of public feeling on the subject, would dare to affix his signature to that document; and even goes so far as to affirm that the treaties of the years 1831 and 1833 will be revoked. However this may be, there does not appear to be a doubt that France will not ratify the engagements into which she has entered in reference to the right of search treaty. It was expected that the rail road bill would be considerably amended in the house of peers, and that only one or two great lines would be sanctioned by that house. The remedy of the sugar bill for another year was voted on Monday by a majority of 220 to 25.

The *Courrier Français* animadverts on the injurious effects upon French commerce operated by the recent changes in the tariffs of Spain and the United States, and by the exception of France from the countries which will be benefitted by the new tariff now before the British parliament.

DREADFUL RAILWAY ACCIDENT. A dreadful railway accident occurred on the Rive Gauche-road, from Versailles to Paris, on Sunday evening May 8th. In consequence of the grounds once having played that day in honor of the king's fete, an immense number of persons of all classes and conditions had gone down to Versailles, and the returning trains were, after the amusements had ceased, more than usually crowded. Two extra engines were put on, and a train containing more than 1,000 passengers, and drawn by three locomotives, left at that hour, within three miles of Paris. There, by some accident yet to be explained, the first engine got off the rails and became fixed in the ground, the second engine ran over that, and the third with like impetus followed. The three first carriages and several wagons nearest the engines were dragged by the same force, and as described by the eye witnesses, a pile of scaffolding of disabled engines and overturned carriages of nearly 30 feet was formed. At this moment the fires of the engines communicated to the carriages, and in a short time the whole was a mass of flame. The unfortunate passengers, many of whom had escaped only with bruises from the first shock, unable to open the doors of the carriages, became victims to this fresh disaster, and horrible to relate more then fifty of them were burnt to death. The scene was the most appalling that can be imagined. The unfortunate passengers in vain trying to disengage themselves from the overturned carriages, raised fearful cries of despair, while those in the carriages close at hand were equally desperate, on finding all attempts to open the doors or extricate themselves by the windows, impossible. It is clear that but for the custom of locking the passengers in the carriages, so awful a loss of life would not have taken place.

PORTUGAL

We have letters from Lisbon to the 9th instant. The non-conclusion of the commercial treaty had given rise to great excitement in the north of Portugal.

The French, Spanish and Septembrist parties were still extremely active in their opposition, but no success was to be apprehended from their exertions. A powerful party had been formed at Oporto in favor of the restoration of the old wine company, with all its monstrous privileges of monopoly and

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exclusion, but our correspondent did not believe that their machinations or their intrigues would be ultimately successful. The home minister was "blocked up" with conflicting deputations and memorials upon this subject; but he was firm in his desire to see the treaty immediately concluded.

A commission has just been appointed by the Portuguese government to take into consideration the whole question of the collection of duties, which is to form the subject of the supplemental article to the commercial treaty. The commission consisted of Joaquim Lanchen, a clerk in the ministry of the Alemtejo; Florida Perez, formerly finance minister; and Leita Sampayo, one of the tobacco contractors.

A list of failures for large amounts had occurred at Oporto.

GERMANY.

An awful conflagration occurred at Hamburg, which has laid a large part of that city in ruins. The flames raged four days, before they could be subdued. The fire broke out soon after midnight on Wednesday, May 11th, at a house in the Deichstrasse, one of the narrowest streets in the old part of the town, built as much of wood as of other materials; and it passed from house to house until it entered a square surrounded by large warehouses, and unapproachable by the street. A warehouse of spirits caught fire, and now the flames began to threaten every thing far and near. It was nearly four o'clock, the house was called down, and to arrest the spread of the fire, it was proposed to pull down houses; but that was refused as a needless sacrifice of property. The Burgher Guard was called out, but the services of a body of twenty thousand strong were useless in the management of a few bad fire engines; and, when it was too late, a few houses were ordered to be pulled down.

Extensive subscriptions, led by the queen and prince Albert, were being made in England, to relieve the distressed Hamburgers. Ten thousand pounds had been already sent to government, to relieve and provide shelter for sufferers. The London Insurance offices had suffered severely by the fire. The 'New Hamburg Zeitung of the 13th instant states that the losses are computed as follows:—"30,000,000 of dollars for goods burned in the warehouse; 20,000,000 dollars for furniture and other valuables in warehouses; and that a subscription for the relief of the houses destroyed, which are proposed to be rebuilt by a state loan."

A committee of several leading members of the chamber of deputies of France has published an appeal to the country in favor of the sufferers calling to remembrance that when, in 1829, the south of France and its fertile valleys were laid waste and ravaged by inundation, the population of Germany generously came to the aid of the victims of that awful calamity.

SOUTH AMERICA.

The sloop of war Volage arrived at Kingston, Jamaica, on the 12th of May, from Santa Martha and Cartagena, having on board 350,000 dollars specie. All was quiet in New Grenada. Carmona had surrendered, perfectly resigned to exile himself. The constitutional authorities had been reinstated in Santa Blanda, two of the most conspicuous federalists, Dr. Level de Goda and gen. Carabano, having previously departed for Curacoa.

A detachment of the West India (colored) regiment had left Tobago to reinforce the garrison of Demerara; part of which, it is stated, was under orders to march into the interior, to watch the movements of the Venezuelans, and to protect the territorial limits of British Guiana as laid down by British authorities.

Favorable accounts from Barbadoes had been received. April showers had fallen, very comforting to the young plants and not materially interrupting the manufacture of sugar. Agricultural prospects were cheering. The earthquake was felt at Spanish-town, at three minutes before 5 o'clock, on the evening of the 7th. The shock lasted about a minute, but did no damage.

Accounts from Panama to the 12th of April, had been received. General Flores was still president of the republic (El Ecuador), but it was expected that Rocafortte would come in as minister of war, the being in favor with the peace party. At present the notion of invading Peru was popular among the military. Dr. Leon, the Peruvian minister, had demanded his passport on account of Santa Cruz being allowed to embark, with a military expedition, at Guayaquil, and it had been given to him.

N. Y. Com.

BUENOS AYRES. *March 5.* General La Madrid's party, who took refuge in Bolivia, after their defeat by the Buenos Ayrean forces, had been disarmed and removed into the interior. They were kindly treated.

MONTEVIDEO, *Feb. 9.* A letter of the 3d instant, from the banks of the Uruguay, says—"all the province of Entre Rios is occupied by the Oriental [Montevidean] and Corrientina army. General Paz's head quarters are at Villaguay, with 1,500 men; the rest of his force occupies that part of the province in four divisions. That of General Ramirez, 1,400 strong, has taken the city of Parana; that of Nunez has completely routed Crispin Feraquez, with great slaughter; while our president, at the head of a vanguard of 1,800 men, all cavalry, has overrun this portion of the province, and has driven ex-governor Urquiza into Entre Rios, contemplating him to embark, with the few of his followers who have been fortunate enough to escape. All their horses and wagons fell into the hands of our army.

March 19. The advanced guard of Buenos Ayrean army, under the command of Gen. Pacheco, had reached the *Villa del Rio Cuarto*, a few day's march from Santa Fe.

The ratification by the king of the French of the treaty concluded by admiral Mackau with Buenos Ayres, is officially announced.

The papers contain a sermon "preached on the occasion of the celebration of the obsequies of his late excellency the perpetual dictator of the republic of Paraguay, the citizen doctor Jaspar Francia, by citizen the rev. Manuel Antonio Perez, of the church of the Incarnation." We regret that our limits do not permit us to transfer it to our columns, for it is very curious. It commences, of course, the administration of the doctor—and judging from its effects, probably justly, for at least he preserved peace—and then proceeds to recommends that in order to perpetuate his memory, the month in which he died, September, shall be stricken from the calendar and that of Francia substituted, so that in future the people shall say—August, Francia, September.

[*N. Y. Com.*

March 28. "It is now known that president Orbie, with the main body of the column under his immediate command, has reached the Salado, situated on the frontier of Santa Fe, and distant 30 to 35 leagues from its capital, whilst his advanced guard, under the strength of Colonel Andrade, has penetrated considerably into the territory of the province. General Pacheeho with his division, is already on Arroyo del Medio. These forces, in combination with those under the command of General Echague and General Urquiza, form a body so overwhelming in number and discipline, as to render even the slightest attempt on the part of the Santa Fe, to oppose them, quite preposterous. From present appearances, in a few weeks the federal forces will again be in secure possession of the province of Entre Rios."

Phila. Packet.

PERU. According to an extract from *El Dia*, in the "Venezolano" of March 29, the constitution of 1824 had been proclaimed by colonel Ezeelles, with Gen. Obregoso as president of the Peruvian republic. Obando has positively passed through Napo, on his way to Brazil, with only a few followers, in a state of the most abject destitution.

TURKEY AND GREECE.

The accounts from Constantinople are to be 30th April.

Prince Mavrocordato, the Greek minister, had hitherto made no progress in his endeavors to open negotiations with the porte for a new treaty of commerce.

The Divan continued to be still almost exclusively occupied with the Syrian question. On the 17th, Selim Bey sailed for Beyrout, with instructions to inquire into the state of affairs in the Lebanon, and adopt, in concert with Mustapha Pasha, the measures best calculated to conciliate the interests of all parties. Of the 22d, a note was presented by the Russian ambassador to the Reis Effendi, in which his government remonstrated against the policy pursued by the porte towards Syria, and especially against its refusal to recall Omar Pasha from the Lebanon. The differences existing between Turkey and Greece do not appear to have been yet entirely settled. On the 26th, the Divan held a grand council, at which the preliminaries of a definitive arrangement were agreed upon, and the activity displayed by the porte on this occasion indeed a belief that the affair would be speedily and satisfactorily terminated.

Correspondence from Alexandria of the 26th ult. announces that a revolution had broken out amongst the Neiskers against Chaled Bey, who was compelled to fly into the province of Laehsa.

Letters from Athens, of the 27th April, inform us that two rather severe shocks of earthquakes were felt at Patras, on the 18th. A similar shock was experienced at Patras on the 24th. No mischief was done; but it appears that some houses suffered by a shock which also took place at the same time at Kalamata and Androusa.

AFRICA.

By the schooner Herald, arrived at Boston from cape Mesurado, we have received Monrovia papers to the 6th April inclusive. In the Herald came passengers rev. Dr. Burrows, from cape Palmas, and rev. A. Constantine, of the Liberia mission.

The brig Grecian, from Philadelphia, having as passengers rev. S. Chase, rev. J. G. Pingree, rev. Geo. S. Brown, and Mrs. Ann Wilkins, missionaries to the Methodist Episcopal church, Monrovia, and for cape Palmas, rev. Mr. Payne and lady, Miss Chapin and Miss Coggeshall, arrived at Monrovia, March 18, and with the three last named proceeded to cape Palmas.

The N. Y. Commercial Advertiser has the following additional items:

The rev. Mr. Walker and lady, and rev. Mr. Griswould, missionaries, sent out by the American board of commissioners for foreign missions, arrived at Monrovia on the 22d of January, in the schooner Herald, from Boston. These missionaries are intended as a reinforcement to the mission at cape Palmas.

The Luminary says that the American board intend to penetrate along the coast, southwardly, until they reach the Niger, where it is contemplated to have the general head quarters in Africa.

The rev. Mr. Wilson, with his Baltimore bride, Harriet, arrived the rev. Dr. Barton and rev. Patrick Kelley, priests of the Roman Catholic order. They sailed two days after, in the same vessel, for cape Palmas; where, it is stated, they will form a mission station, and organize a branch of the Roman Catholic church.

THE MENDI MISSION. It is said that the missionaries who came out with the Mendians have concluded to establish themselves at Sherbro (an island on the coast 50 miles south of Sierra Leone) and commence missionary operations there.

The anniversary of the Liberia annual conference missionary society was held on the 12th of January, at which *two hundred and eight dollars* were collected to aid the mission funds.

INDIA.

The financial condition of India appears to be disastrous in the extreme. This seems to be owing to two prominent causes. In the first place the rash attempt to occupy Afghanistan has cost the government already nearly *20,000,000*, a great sum of which enormous sum has been drawn from the legitimate channels of trade. In the next place there is not no although money enough for the old company's monopoly, capable, from its ready means and unbounded credit, of controlling half the finances of the world.

CHINA.

It is said that Amoy, Chusan, and Ningpo had been declared free ports, and that the people of the Che Kiang province had expressed the English to take possession, as they preferred being under the British government to the Chinese.

LATER. The Great Western, Captain Hosker, left Liverpool the evening of May 21, and arrived at New York on June 4, passage 14 days and with two days later information.

There is but little of interest. In the house of commons on the 20th, sir Robert Peel stated that the commission which lord Palmerston had sent out early last year to explore the boundary line with the American frontier had just returned and had made a report with an appendix which would soon be laid before them.

HOUSE OF COMMONS. In debate which occurred in the French chamber of deputies on the 18th May, it was declared by M. Guizot that the treaty providing for the right of search would not be ratified. The minister repelled the idea that the French government would be more ready to ratify after the discussion of the chambers, and concluded with these words:

The line of conduct which I adopted two months ago in refusing to ratify the treaty I will equally pursue when the doors of this building are closed, and, in the actual state of things, I conceive that I should fail in my duty were I to recommend the ratification.

The following remarks on the refusal of France to ratify the treaty are from the London Sun.

So far then, as regards France, there is an end of the controversy. During the life of the present government France will not ratify the treaty, nor will the United States adopt it.

What, then, remains for Great Britain to do? Enforce the treaty alone, and, if resisted, declare war against France and the United States? Heaven forbid that we should be guilty of such madness!

We have already expended more blood and treasure for the suppression of slavery than sound policy and the happiness of the African race would warrant. Sir Fowell Buxter, in his recent clever book on the subject, distinctly states that we have given an impetus to the slave trade, by our ex

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pensive, but blundering, ill-directed efforts to suppress it.

It may be asked what we would recommend the British government to do in the present emergency. We answer distinctly, abandon the treaty altogether.

FRANCE. There is little of interest from France. In the chamber of deputies the budget for foreign affairs being under discussion, M. Billault, the ally of M. Thiers, assailed the quintuple treaty and the conduct of M. Guizot, in not peremptorily refusing to ratify the treaty. He stated that a merchant and shipper of Marseilles had ordered his captains to hoist the American colors should the English cruisers come within sight, and that the same instructions were about to be given at all the French ports. Thus added the orator, "the impotency of the French flag to protect its own commerce will be established.

M. Billault complained that the day after the signature of the December treaty, a note had been addressed to the United States, to notify to them the new alliance of the great powers, thus making use of the name of France to tear from the American government its adhesion against the extended right of search.

M. Guizot, in reply, stated that the treaty *had not been ratified, and in its present form, would not be ratified*, but declined to pledge the responsibility of the crown as to its future acts.

The words of M. Guizot, as reported in the *Moniteur*, were—"in the present state of things, and the neutral disposition of the public mind, I should deem myself wanting in my duty towards the country, were I to advise the ratification of the treaty."

SPAIN. Our accounts from Madrid are of the 12th instant.

The bill relative to the mobilization of the National Guard was adopted in the senate on the 11th by 67 against 12.

The chamber of commerce of Malaga has published a long address condemning violently the proposal of emancipating the slaves in the Spanish colonies. It declares that such a measure, founded on misplaced principles of humanity, would be the ruin of these possessions, and that they (the members of the chamber of commerce of Malaga), would be unworthy the name of Spaniards if they did not protest against it. The chamber grounds itself against the imputation of being the advocates of negro slavery; but it contends that the rights of property in the islands is sacred, and that emancipation should be gradual and progressive, and made in such a manner as the colonists may approve of. The document then examines at much length the state of the slave population in the islands of Cuba, Porto Rico, &c. and concludes by protesting against the propositions made by Great Britain for the emancipating those slaves, the consequence of which would be the ruin of the independence of the Antilles and other colonial possessions of Spain.

WASHINGTON IRVING. On Saturday week a numerous meeting of the gentlemen who wished to show some token of respect to Mr. Washington Irving, to ease he landed in Liverpool, from America, was held at the sessions house. A letter from Mr. Irving was read, concluding with the following paragraph:

"Permit me to add, that from certain passages of your letter, I am led to view this honor intended in a higher light than as a mere compliment confined to myself. I perceive in it a desire to manifest through me, a conciliatory disposition towards my country at a moment when untoward circumstances prevail, and when, as you intimate, inconsiderate and designing men may seek to sow discord between the two nations. Such a conciliatory disposition, I am confident, prevails among the intelligent and right-hearted of the two countries, and, I trust will be sufficient to neutralize any such mischievous effects as those to which you allude. There is no question at present existing between the two countries, however difficult at first it may appear, which is not, in my mind, susceptible of an amicable adjustment, if negotiated in that mutual spirit of forbearance, with that delicate consideration for the peculiar position and circumstances of each other's honor and interests, which ought to govern the opinions and dealings, public and private, of two great kindred nations, whose honor and interests are in so many respects identical."

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE

Gerrard N. Cassin, receiver of public moneys at Little Rock, Arkansas, vice Peter T. Crittenden, whose commission will expire June 16, 1842.

Henry M. Watts, to be attorney of the United States for the eastern district of Pennsylvania, in the place of Wm. M. Meredith resigned.

THE ARMY.

GENERAL ORDERS, NO. 33.

Headquarters of the army, adjutant general's office, Washington, June 2, 1842.

1. The 2d infantry, on its arrival in New York, will proceed by detachments to relieve the 4th artillery, as also the light company of the 1st artillery; when the companies of the 2d infantry will stand distributed as follows: Four in the barracks at Buffalo; one in Fort Niagara; one in Fort Ontario, Oswego; three in Madison barracks, Sackett's Harbor; and one in the barracks at Plattsburg.

2. Being relieved by the 2d infantry, the 4th artillery will proceed by detachments to garrison the following works: Fort Monroe, with six companies; Fort Washington, with two; Fort Severn, with one; and Fort McHenry, with one.

3. On the arrival of any company of the 4th artillery at Fort Monroe, the company of the 2d artillery, now there, will proceed to New York harbor, in which four companies of the latter regiment will be posted, as heretofore; three, (including the light company), at Fort Adams, instead of the four now there, and at Fort Trumbell, New London; and one, as now, at Fort Mifflin, Delaware river.

4. With a view to uniform instruction in the higher manœuvres, the four light companies of artillery will be brought together in pairs, at points which furnish grounds the best suited for that purpose.—Consequently the light company of the 3d and 4th artillery will constitute the permanent garrison of Fort McHenry; and the light companies of the 1st and 2d artillery, on being relieved, will proceed to Fort Adams, to constitute two of the four companies assigned as the permanent garrison of that post.

5. The other companies of the 2d and 4th artillery, and the companies of the 3d artillery, will be designated for their new situations by the commanders of those regiments respectively.

6. The three field batteries of the 2d artillery will take post at Forts Columbus, Adams and Hamilton; and the three of the 4th artillery, at Forts Monroe, McHenry and Washington, respectively.

7. The commandant of the 2d artillery will take post at the Buffalo barracks, and the major of the regiment at Madison barracks.

Commanders of regiments and posts are charged with the prompt execution of this order.

By command of major general Scott:

R. JONES, *adjutant general.*

MOVEMENTS OF TROOPS. To prevent misapprehension, it is proper to inform the public, that the removal of a large number of troops from Florida, and in order to bring together companies of the same regiment for exercise and drill, many changes are in progress in the garrisons of various forts. Among others, two of the four companies now at Fort Adams, Newport, Rhode Island, are ordered to other positions, and their places are to be supplied by an equal number, viz. one light company of the 2d regiment of artillery, and one light company of the 1st artillery, in which case the companies will be enabled to exercise on the very advantageous ground at Fort Adams. [*Mallisonian.*

THE NAVY.

A board for the examination of midshipmen in the navy, whose warrants bear date prior to the 1st of January, 1837, has been directed to be convened at the naval asylum, Philadelphia, on Monday, the 13th instant. The board will consist of commodores Jas. Barron, James Biddle, and George C. Read, and captains Daniel Turner and Isaac McKeever.

URUGUAY. The Madisonian of the 5th instant, publishes an official correspondence communicated to the government by Commodore Morris commanding the United States squadron on the Brazil station. The letters relate to an outrage on an American citizen by certain functionaries of the government of Uruguay, and show the means adopted by Com. Morris and the United States consul at Montevideo to obtain prompt redress.

It appears that the individual in question claiming the protection of the American government is a man of color named George Johnson. He is said to be about 33 years of age, of very decent appearance, and a native of the state of Delaware. He was impressed at San Salvador, and on attempting to escape was subjected to punishment. It appears also that his property was taken from him. A statement of the facts of the case having been made to Com. Morris by the American consul to whom Johnson made complaint, measures were immediately taken to bring the affair before the government of Uruguay. This was done so efficiently that a satisfactory compensation estimated by the sufferer himself was promptly awarded. The government of Uruguay, acting thus honorably in the matter, expressed the desire to preserve the most friendly relations with the United States, not only from the advantages of commercial intercourse, but also from similarity of political institutions, and from a recollection of the early recognition of that country's independence by the United States.

The prompt proceedings of Commodore Morris and our consul, Mr. Hamilton, anticipated the investigation of the government at home in reference to this case. The incident itself, and the successful termination to which the difficulty arising out of it has been brought, may afford a suitable illustration of the important uses which an efficient navy is calculated to perform. We would not intimate that the government of Uruguay, which has exhibited so fair a specimen of justice and friendly feeling, would have done otherwise if no naval force had been at hand to back the application of the injured party in the affair—but it is very certain that the presence of Commodore Morris on the coast, with his squadron, constituted an important item in the negotiation. [*Baltimore American.*

STATES OF THE UNION.

MAINE

The legislature has agreed on the districting of the state for representatives, in anticipation of the passing of the apportionment law by congress, assuming that it will pass in such a form as to give Maine ten representatives. There was some difficulty in framing the bill for this purpose to meet the views of the two branches of the legislature, but the object was accomplished on the 28th ultimo, and the house adjourned on the 30th.

MISSOURI.

THE STATE DEBT. The debt of the state is very small compared with the southern and western states generally, and consists of the following items, viz:

Five and a half per cent. stock		63,000
Six	" "	514,000
Seven	" "	12,000
Ten	" "	253,261
		$842,261

From which may be deducted this amount of six per cents, held by the Bank of the State of Missouri, against an equal amount of bank stock owned by the state 272,263 60

$569,937 40

So that in fact the whole debt of the state, assuming the bank stock to be good, is less than six hundred thousand dollars.

IOWA.

The governor has issued a proclamation forbidding persons to settle on a portion of the lands lying between the Des Moines river and the northern line of Missouri, on the ground that the tract of country referred to belongs to the Iowa Indians, and the laws of the United States guaranty to them undisturbed possession of it.

PROPOSED STATE OF IOWA. A law was passed at the late session of the legislature of Iowa, providing for an expression of the sentiment of the people for or against a state government. At the election in August next, the people are to vote for or against a convention, and if they determine in favor of one, an election is to take place on the second Tuesday of October thereafter for eighty members of a convention, who are to meet and form a constitution of state government, which, at the next general election, is to be submitted for the ratification of the people.

MISCELLANEOUS.

BALTIMORE AND OHIO RAIL ROAD.

On the 30th May, the Baltimore and Ohio rail road was opened for travel westward as far as Hancock, and the president and directors of the company, the mayor and city council of Baltimore, with other gentlemen, made the journey from Baltimore to Hancock and back. The cars set out from the depot in Baltimore about half past seven o'clock in the morning, reached Hancock in about seven hours, and returned to Martinsburg, were the gentlemen remained all night, and were treated with great hospitality by the citizens. They returned to Baltimore the next morning.

The completion of this new division of 41½ miles, added to that previously in operation from Baltimore to Harper's Ferry makes a continuous line of

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121½ miles of rail road now open for the travel and transportation. The various lines of stage coaches which previously ran between Frederick and Wheeling or Pittsburg, have all been taken off that part of the route lying between Frederick and Hancock; and the latter town is now the place at which travellers to or from the west by this route, take or leave the stage coaches. The rail road trains between Baltimore and Hancock run the distance in seven hours—making a gain of *ten hours* in time, besides avoiding the fatigue and dust encountered on the old route.

The passage from Baltimore to Wheeling is now performed in about 41 hours, viz. from Baltimore to Hancock by rail road in 7 hours; and from Hancock to Wheeling in stage coaches, 173 miles, in about 34 hours.

ENCAMPMENT AT DANVILLE, PA. On the 24th, 25th, and 26th May, thirteen companies were present. On the 25th Gen. Scott, reached the city, and was welcomed in behalf of the citizens by J. Conger, esq. As he passed the female seminary showers of roses, flowers, and a magnificent wreath were thrown upon his barouche. In the evening he visited Camp Washington in a citizen's dress, on the next morning reviewed the troops, and dined and partook of a complimentary dinner, at which near a hundred sat down. During the dinner several young ladies of the Danville Female Seminary presented the general with a very handsome and elegantly arranged arch of flowers, accompanied by the following note:

"GENERAL SCOTT: The members of the Danville Female Seminary would respectfully present this simple token in commemoration of the heroism displayed at the battle of 'Lundy's Lane.'"

"This ephemeral arch made of buds and flowers, culled from nature's fairest bowers, will soon droop and die, and dying exhale more *profusely* its odor heaven-ward—such odors will rise to heaven when you will have achieved your last and greatest victory."

Whereupon General Scott offered the following sentiment:

"*The scholars of the Female Seminary at Danville.* Their fair and delicate fingers have woven a monument of flowers, more beautiful, more sincere and precious, than any ever cut out of marble, or offered to a monarch.

On the next day a number of young ladies waited on Gen. Scott at the dwelling of Dr. Wm. Gilman, and presented him with a beautiful bouquet, and with the following short address, by Miss Moore:

GENERAL SCOTT:

"We, the representatives of the young ladies of the town of Danville, present you a bouquet, which simple offering is but a very small token of the respect due to one who has rendered such signal services to our country."

On receiving it, the general remarked that the recollection of the scene would be indelibly engraved on his memory in characters which would endure while life lasted—subject only to matter of regret that the splendor of the foliage, and the perfumes of the flowers would partake of the transient and evanescent nature of the joys of this life, and not partake of the duration of the *Battle American.*

THE SENECA INDIANS. The dispute between the Seneca Indians and Ogden Land Company appears to be adjusted. A grand council of the tribe was held a few days since, at which Ambrose Spencer was present, as commissioner of the U. States, Mr. Hoare on the part of Massachusetts, and Mr. Dixon on the part of New York. The council was held to consider certain propositions made to the Seneca tribe by the Ogden land company, modifying the treaty of 1838, which was neither just to the Indians nor fairly obtained by the company. Sixty-four chiefs, headmen, and warriors were present on the part of the Indians.

The treaty of 1838, which is complained of, made over to the Ogden land company the Cattaraugus, Allegany, Tonawanda, and Buffalo reservations, and engaged that the Indians should emigrate to the west of the Missouri. The modification of the treaty now proposed, with the consent of the company, is, that the tracts called the Cattaraugus and Allegany reservations shall be restored to the Indians, and that the time fixed for their removal from the two other tracts shall be extended from one year to two. The chiefs gave their assent to the treaty thus modified. [*Evening Post.*

INDEMNITY TO MERCHANTS. By advices received from abroad, we learn that the project of a law providing for indemnity to Belgian and foreign merchants for the destruction of goods at Antwerp which passed the Belgian chamber of deputies some time since, has passed the senate, and received the approbation of the king. The amount appropriated for the payment of these losses, is eight millions of francs. The law also provides for the appointment of a board of commissioners to adjudicate upon all claims.

We also learn that some difficulties are likely to arise between Holland and Belgium on the one side, and the kingdom of Naples on the other, on account of some claims by the citizens of Holland and Belgium upon the Neapolitan government which have been denied, and that some apprehension is felt lest the former government should authorise reprisals by their citizens on the Neapolitan commerce.

[*Madisonian.*

MAJOR GENERAL BARON DE KALB.

IN THE HOUSE OF REPRESENTATIVES, MAY 27.

A bill for the relief of the representatives of Maj. General Baron de Kalb, being in order—

Mr. CAVE JOHNSON objected to the claim.

Mr. WASHINGTON, of North Carolina, said he hoped the gentleman from Tennessee, (Mr. JOHNSON), would not persist in his objection. This claim had been examined with great care and attention by the committee on revolutionary claims, and had been allowed without a dissenting voice. Our very vigilant chairman even (Mr. HALL, of Vermont), who is proverbial for his strong and conscientious opposition to all such claims, united in the favorable report of the committee. [Laughter.]

Mr. JOHNSON said the concurrence of the chairman, (Mr. HALL), was certainly a very strong circumstance in favor of the claim; but he should like to hear the report read before he withdrew his objection.

Mr. WASHINGTON said the report was elaborate and long; but if the committee would indulge him he would briefly state the grounds upon which the committee to whom the subject had been referred had arrived at the claim. The history and services of Baron de Kalb were, he supposed, well known to the members of the committee of the whole. He was among the first of those gallant foreigners who espoused the cause of the United Colonies in their struggles for freedom. He came to this country in the spring of 1777, in the same vessel with General Lafayette. They received the same rank, and their commissions bore the same date. From the time Major General de Kalb entered the service he remained with the main army at the north until the spring of 1780. In the month of May, 1780, of that year General Washington, having obtained the consent of congress to reinforce the southern army with the Maryland and Delaware line, and the first regiment of artillery, placed the whole under the command of General de Kalb, and he was directed soon after to march to South Carolina. On the 16th August following, the battle of Camden, in South Carolina was fought, in which the gallant De Kalb, while leading on his troops and animating them by his example, was pierced with eleven bayonet wounds, of which he died on the 19th following.

His widow, not long after his death, applied for the balance of his pay due him at his death, and for the seven years' half pay to which she was entitled under the act of 24th August, 1780, but her claims were not allowed. It was admitted by the auditor of accounts that, after charging the Baron de Kalb with all the money paid to him on his arrival, and crediting him with *his monthly pay only*, making no allowance for the rations, forage, transportation, and all the other emoluments to which a major-gen. in full command was entitled, there was still a balance in specie due him of $2,433 61. But it was alleged that, in May, 1780, $226,000 continental money was placed in his hands, for the subsistence and clothing of his troops on their march to the south; and, as no vouchers were produced for that money, thus charged to him, that amount must be considered as a set-off to his private claim. The subject was referred to a committee of congress, who, on the 12th day of May, 1784, reported as follows.

"That, in May, 1780, the sum of $226,000 of the old emission was advanced to the Baron DeKalb for the use of the troops under his command when he marched to the southward; that, in the action of the 16th August, 1780, when the baron was killed, his baggage and papers and money fell into the hands of the enemy; to which your committee submit the following resolution.

"That the sum of $226,000 of the old emission, paid into the hands of the late major general DeKalb, in May, 1780, for the use of the troops under his command, be passed to his credit without requiring vouchers for the expenditure, his accounts and vouchers having fallen into the hands of the enemy."

The resolution, though adopted on the same day that it was offered, seems never to have been acted on by the superintendent of finance. Very soon after its adoption, the gentleman then in that office (the celebrated Robert Morris) resigned, and the office was abolished, and a new board of treasury established, and it does not appear that Mr. Morris ever communicated this order of congress to Mr. Pearce, the commissioner of army accounts. The claim is unsettled and ought to be closed.

The seven years' half pay was refused at that time by the paymaster general, upon the ground that the act of congress by which it was granted prescribed that it should be made up by the *respective states*; and, as the baron De Kalb was not a resident of *any one of the United States*, the claim could not be paid without express authority from congress. His communication was referred to a select committee, who reported the following resolution:

"*Resolved*, That the paymaster general be, and he is hereby, directed to settle with widows and orphans of officers who did not belong to any of the U. States, entitled to seven years' half pay under the resolution of congress of August 24th, 1780, and to issue to them certificates therefor."

Which resolution was adopted on the day on which it was presented. But the death of the window of the baron, which is said to have taken place about this period, the minority of the children, their residence in a foreign land, and the political troubles which agitated France at that time prevented the claim from being further pressed till 1819. From that time to the present, it has been diligently pressed upon the attention of congress, sometimes through the diplomatic organ of France, at others through the solemn and imposing form of a message from the president of the United States, and oftener by direct appeals from the memorialists to the two houses of congress.

The third auditor and the register of the treasury have both certified that no part of this claim has been paid, and I have referred to the committee on revolutionary claims that a debt due for services so meritorious and so honorable—due to the children of a foreign nobleman who had died down his life in our service, ought no longer to remain unsatisfied. They therefore reported this bill; and as a member of that committee—as a member of the house of representatives of the United States—as an American citizen, I do hope that the gentleman from Tennessee will withdraw his objection.

Cries of "O yes! O yes! All right!"

Mr. JOHNSON immediately withdrew his objection, and the bill was laid aside to be reported to the house.

ARMY AND NAVY EXPENSES.

The recent proceedings in congress in relation to appropriations for the expenses of the army and navy, which decided majority of the house of representatives approve deeper cuts down any considerably below the estimates which have been reported from those respective departments, for the service of a present year, has a wide and very general attention to the subject. As affording brief and compact review synopsis of the arguments adduced in support of the proposed reduction, we extract from a letter of a correspondent of the New York American newspaper, however, that the editor of the American disagrees with his Washington correspondent on this as well as some others of his opinions, especially the ultra abolition view, though he continues to publish his letter. The letter we extract from is dated 30th May, 1842.

"You have failed to appreciate the justice and expediency of the retrenchments made by the house in the naval and military expenditures. Their refusal to grant the vast appropriations asked by the secretaries is justified by reasons derived from both the present very peculiar condition of the treasury and the present equally peculiar character of the administration, but from a sound and judicious system of general policy, an economical, practical policy—the only true democratic, republican whig policy.—And these reasons which have determined the action of the governing power here, are reasons that will be understood and felt with convincing force by the great body of the American people throughout the whole country, without distinction of section or party. On such subjects as these, the opinion of the great mass of electors, the majority of the consumers of tax it articles, is the final and the last question.—Those who pay for the expensive luxuries of large military and naval, and civil establishments, are to decide on the amount and time and manner of expenditure upon them. The partial judgments and personal feelings of those immediately profited by these expenditures, the dwellers around navy yards, and naval depots, and the great fortifications of the country, will be taken into small account.

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"In the first place, as the army—those who think that our regular military force is to be increased at any rate whatever, as the population of the country increases, have very much mistaken the disposition and character of that population. The question is not, after all, what defences does the country want,—but what do the people think they want? And all the regular armed force that the people will tolerate in time of peace, is just as much as is necessary to keep our coast fortifications in order, and to garrison the line of forts on our Indian frontier. As to keeping such an army on foot as will prevent the least show of defence against foreign invasion or general insurrection at home, it is a thing quite out of the question. Our only dependence in either case must be the militia; and all that we forbode is, how the power from throwing an army across our borders, is the certainly as a *terre en masse* of the folds of the sod. Does any man pretend to say that the 12,000 soldiers now scattered over the country are to be *gianing* of an obstacle to an invasion in any quarter? Or that the difference between those 12,000 and 6,000 will be appreciated in calculating the chances of an invasion by such a force as a European power would employ against us in either case? Let a war sudden, or even doubtful between us and Britain, (the only power in the world with which we ever can be at war,) and suppose a British army of 60,000 men to be promptly landed from the south on the south side of Long Island, twenty or thirty miles south of Sandy Hook. Six hours would bring them with their artillery upon the heights of Brooklyn, from which their rocket and shell would be thrown into Brooklyn.

"Who would then look to the garrisons of your forts for the means of defence? Who would think for a moment of any United States troops as defenders of the city? What difference would it make to you whether the forts in your harbor and bay were occupied by six companies, or six battalions? For in either case, a town could be spared from them.

"There is not a city or a town, throughout all our coast that would give any other results than these, on an examination of their exposures and defences. Our sole reliance, at this moment, and at any future period, against such dangers, is, and must be, the rapid concentration of all the fighting men of the country, after the fact, for the defence of the attacked point of coast. Why talk, then, of our standing army for repelling aggression? If we are not "armed," without a regular army capable of repelling aggression, we are already "ruined," and ruined, too, in the twenty six years. A British secretary at war, or commander in chief, would laugh at the idea of such a resistance as would be offered at any point of our northern, eastern, or southern coasts, by the combination of a regular force of either 6,000 or 12,000, or even 20,000 or 30,000 men. But they know well that once means of internal communication made us to concentrate a hundred thousand well armed and equipped men, (better soldiers now than any two regiments in Europe are they,) at any one of our great cities, within two days or the news of an invasion, and they know that every additional day would increase this force by tens of thousands, until the total destruction of any possible invading army would be certain. These are our "cheap defences," and it is only a knowledge of their existence and immediate availability that prevent the British government fro n presuming on our "peaceable nature." If they were at this moment at peace with all the rest of the world, and of Canada were so loyal and contented as to be safely left to itself, and if, then, our pending negotiations should terminate in mutual hostility, the only means of an invasion upon which the great venture, would be the destruction of all our merchant vessels abroad, the blockade of our coast and the sudden attack of one or of our sea ports by a squadron of steamers, the only sort of naval force that they dare introduce into any of our principal harbors, distinguished, as they all are, by narrow entrances, where a contrary wind or a calm would keep any sailing vessel, caught like a rat in a trap. Deb ieveless as we were in the last war, they dared not enter any of our principal ports. Their little, solitary "experiment" on Stonington point, a bare, open spot, was not particularly encouraging.

"Perhaps, however, your anxieties extend to this unfortunate region, to the Patuxent and the Potomac? Perhaps you fear another attack on a sleepy old metropolis, and dread the infamy of another Private President and another burned and plundered capitol? Perhaps you sympathize with secretary Upshur in his timely alarm for the precarious condition of the peculiar institutions," and want an army and navy huge enough to keep the threatened 20,000 free West Indians off from the southern coast! If so, perhaps you will tell me what portion of our 12,000 soldiers will suffice for that object.

"Notwithstanding some disgraceful instances in the last war, I am alone to believe that there is a single state in the union, which will gain shame itself incapable of checking an actual invasion of its soil by a foreign force until the militia regiments around it poured to an overwhelming body of troops to its assistance. In all this I leave out of view the possibility of embarrassment to the enemy's fleet by the rapid organization of such an humble naval force as we have at present.

"Have you not faith" enough in the judgment, patriotism, humanity and good of Independence of our friends in congress to conceive of satisfactory reasons which may justly prevail with them in carrying these retrenchments? When did John Quincy Adams make his first manifestation of a disposition to count or put a floating pillar at any coast," or cut the risk of national honor and national safety?" Look at the whigs associated with him in this movement, and judge whether they are men likely to be influenced in such a matter, by any considerations other than those of sound policy, or any motives of partizan tickery or insincerity? Do you suppose that they are incapable of a due sense of national honor or national danger, or ignorant of our foreign relations, the chances of war, the means of defence, and resources against invasion. Is Adams the man to lend a hand of popularity seeking demagogues on a false quest of "economy and reform?" Or is he so ignorant of diplomacy, of the present state of Europe, and of the resources of Britain that his foresight has fallen short of John Tyler's? I put my trust indeed, in no man, and shall not be surprised at any thing, but I see no reason according to my own feeble judgment at ascertained facts, but when I find myself arrayed in such a question of national policy against John Q. Adams, I shall be a day or two before I change my sentiments to the public. Wrong he may be, as wrong he often has been, by his own acknowledgment, but his motives are unanimous on such a subject, "until give us pause," at least.

"You cannot make any intelligent person here believe in the possibility of a war with Britain, now, or in some years to come, without a blockade of our ports attacks. What are we to fight about? The Creole? The Maine boundary? As likely one as the other. As to the right of search, I know, they may claim no such thing, and they ask nothing but the power of visitation which we have always exercised over British merchant vessels in the high seas, and which we always will, and which we have seen over all nations, and which we must permit them to exercise. In what hole or corner of diplomacy, in what distant region shall we find the cause of war between two nations so situated? Those who are bent on picking a quarrel here will probably go to the north, west coast, to Nootka sound and to California. If the British ever do, they will just wait for a favorable, lovely, time use it for a while, and be at the expense of settling and improving it. If it is ours by right, we can take it at any moment, and we shall, if we will.

"Now, on the well grounded confidence of the continuance of peace, of the removal of the Florida Indians, and the pacification of the Indian frontier by the nominal presence of our regular forces, according to our arrangements with the border tribes, calculations have been made as to the precise amount and description of permanent armed force which the general government will need to employ during this year. Let it upon those calculations that reasonable and judicious and dispassionate men here have come to the conclusion that "the peace establishment" of 1821 will suffice for the country.

"Well, then, as to the navy, I must say, that within the last few months I have begun to share to certain extent, impressions which I have on this subject, that are spreading and strengthening among those who have before been rather thoughtlessly inclined to favor of an indefinite increase of our navy on the present system. As to this multiplication of frigates, and corvettes, and ships, I never did believe in it.—And to pretend, as many of our visitors do, that, that our naval force should bear the same proportion to our commercial tonnage, as the naval force of Britain and the European powers does to their mercantile tonnage, is a thing I never can swallow to go down just now. Who in Europe ever pretended to proportion a navy to a commercial marine? To defend peaceable and discreet merchantmen, or to go cruising in search of them in time of peace, and dry-nursing them and tending them, as if they were all stupid little children that could not blow their noses without help,—nobody but some mere physician, or abstractionist, or some other studious, sleep-going ass ever could think of such a thing.—Our merchantmen are all able to take care of themselves; and the only use of our men of-war to them, is, to prevent piracy, punish an occasional attack of savages, and negotiate now and then on a semi-bar barous coast. And if our merchant vessels in every sea and on every coast were doubled or centupled in number immediately, we should not want any more men-of-war to defend them than we do now, and if we had but one merchant vessel on any coast where we have twenty now, we should need just as much and just as little of a national navy. Put an end to a much right to claim it as the many, and would be more likely to have occasion for it.

"But it is not what Britain and France keep great navies for, as every body knows, or might if they know. They multiply their ships of war to keep their colonies in order, to maintain "the balance of power," and all that sort of humbugery, with which Americans have nothing at all to do. Have the British and French been keeping twelve or twenty line of battle ships apiece in the Mediterranean for the greatest part of the last three years, merely to take care of their merchant vessels there? No; but it was to prevent each other from meddling in what was none of their business, and from a piece of folly, from which I trust, we shall always keep clear.

"I must say that I do not see but that our navy is already about large enough for present purposes.—Who wants any more? Some people long to be rocking and rolling away piece-meal, like several that have not been used to sea in twenty years and more,—and cruising, in ten years, more for useless repairs than it would to build as many new ships of the same size?

"What we shall ultimately want, and what we should go on to provide for a future purpose, is a considerable fleet of large ships of the line of battle," technically and significantly so called.—We ought, in the course of eight or twelve years, to have a fleet of from 60 to 80 of the line, of 80 to 120 guns, besides what we may need for general purposes.

"The late nations, the question of naval supremacy, the navies of the seas, are not composed of little flotilla of brigs and schooners, or corvettes, nor by frigate duels. The destiny of naval empire for a hundred years, is to be determined in some the great naval battle like Copenhagen, Camperdown, Trafalgar, and Navarino, to be fought somewhere along shore between Halifax and Havana, and in this great contest, ships of the line of Russia, Denmark, France, Spain and the Ottomans, are to be arranged on the long insolent victor, while the combined Europe and all chivalrous souls will be with us in the contest, and shall unitedly hail our victory.

"Our eighty or ninety gun ships, yearly added to our navy would be all that we would require in the state of the treasury. War-steamers, for long cruises or deep sea service, or for anything but coast and harbor defence, are to be out of fashion.—The distance from the coastdepot will always determine the limit of their utility.

"Meanwhile keep our present force in good preservation, and in reasonable activity. Put an end to long furloughs and make every naval officer earn his pay by actual service every year. If officers want to be employed they must be out of six,—officers thing altogether of pay and service. Half of them are now a set of useless drones, eating the bread of idleness at the expense of the taxed people, and forgetting what little they ever learned of the business of a seaman.

R. M. T. H."

THE RIGHT OF SEARCH.

PROTEST OF GEN. CASS AGAINST THE DEMANDED CONCURRENCE OF THE FRENCH GOVERNMENT IN THE TREATY OF DECEMBER 20, 1841.

Extract from the U. S. Paris, Feb. 13, 1842.

SIR: The recent signature of a treaty, having for its object the suppression of the African slave trade, by five of the powers of Europe, and to which France is a party, is a fact of such general importance that it may be assumed as the basis of any diplomatic representations which the subject may fairly require.

The United States, being no party to this treaty, have no right to inquire into the circumstances which have led to it, nor into the measures it proposes to adopt, except so far as they have reason to believe that their rights have been affected by either of its execution. Their own desire to put a stop to this traffic is every where known, as well as the early and continued efforts they have adopted to prevent their citizens from prosecuting it. They have been invited by the government of Great Britain to become a party to a treaty which should regulate the action of the contracting governments upon this subject, for the reasons satisfactory to themselves, and I believe satisfactory to the world, they have declined this united action, and have chosen to pursue their own measures, and to act upon their own citizens only, without subjecting these to any kind of foreign jurisdiction.

In a communication from Lord Palmerston, her Brittannic majesty's principal secretary of state for foreign affairs, to Mr. Stevenson, the American minister at London, dated August 27, 1841, Lord Palmerston claims a right for the British cruisers, and

avowa the intention of his government to exercise it, to search American vessels at sea in time of peace with a view to ascertain their national character.—He adds, that "this examination of papers of merchantmen suspected of being engaged in slave trade, even though they hoist a United States flag, is a proceeding which it is absolutely necessary that British cruisers, employed in the suppression of the slave trade, should continue to exercise," &c.

In a communication from the successor of Lord Palmerston, Lord Aberdeen, to Mr. Stevenson, dated 13th of October, 1841, the views and determination announced in the preceding letter are confirmed, and Lord Aberdeen thus states the ground upon which rests this pretension to search American vessels in time of peace: "But the understanding and observe, that the present happy concurrence of the states of Christendom in this great object (the suppression of the slave trade) not merely justifies, but renders indispensable, the right now claimed and exercised by the British government," that is to say, the right of entering and examining American vessels to ascertain their true nationality.

It is no part of my duty to offer any comments upon this pretension, nor upon the reasons advanced in support of it; and, if it were, I should find the duty too little performed for me. Than I could inform itself in the annual message of the president of the United States to congress of the 7th of December, 1841. In that document will be found the views of the American government upon this subject, and it is there emphatically declared, that however desirous the United States may be for the suppression of the slave trade, they cannot consent to be drawn into the maritime code at the mere will and pleasure of other governments. We deny the right of any such interpolation to any one, or all the nations of the earth, without our consent. We will receive a voice in all amendments or alterations of that code, and when we are given to understand, as in this instance, by a foreign government, that its treaties with other nations cannot be executed without the establishment and enforcement of new principles of maritime police, to be applied without our consent, we must assume a language neither of equivocal import nor susceptible of misconstruction.

You will perceive, sir, by these extracts that the British government has advanced a pretension which it seeks to be indispensably to the execution of its treaties for the suppression of the slave trade, and to which the president of the United States has declared that the American government cannot yield. This claim of search, it will be observed, arising, as is asserted, out of existing obligations, has relation to the isolated treaties for the abolition of this traffic which were in force at the date of the communications of Lord Palmerston and Lord Aberdeen. It is now known that the combined treaty upon this subject is more extensive in its operations, and more minute in some of the details of its execution, than the separate treaties with France, which preceded it, and equally indefinite in the duration of its obligations. Of course measures which were then fully justifiable but indispensable, for the execution of the latter, will find equal justice and necessity in the obligations of the former.

With this previous declaration made by one of the parties to this quintuple treaty, concerning its operations, the American government cannot shut their eyes to their true position. The moral effect which such a union of five great powers, two of which are eminently maritime, but three of which have never, perhaps, had a vessel engaged in that traffic, is calculated to produce upon the United States and other nations, which, like them, may be indisposed to those combined movements, though it may be regretted, yet furnishes no just cause of complaint—that the subject assumes more the aspect when they are told by one of the parties that their vessels are to be forcibly entered and examined in order to carry into effect these stipulations. Certainly the American government does not believe that the high powers, contracting parties to this treaty, have any wish to compel the United States by force to adopt their measures to its provisions, or to adopt its stipulations.

They have too much confidence in their sense of justice to fear any such result, and they will see with pleasure the prompt disavowal made by yourself, sir, in the name of your country, at the tribune of the chamber of deputies, of any intentions of this nature. But were it otherwise, and were it possible they might be deceived in this confident expectation, that would not alter in one little their course of action. Their duty would be the same, and the same would be their determination to fulfil it. They would prepare themselves, with apprehension indeed, but without dismay—with regret, but with firmness, for one of those desperate struggles which have sometimes occurred in the history of the world, but where a just cause and the favor of providence have given strength to comparative weakness, and enabled it to break down the pride of power.

But I have already said the United States do not fear that any such united power will be made upon their independence. What, however, they may reasonably fear, and what they do fear is, that in the execution of this treaty measures will be taken which they must resist. How the state of war, if the parties, putting its construction upon its own duties, and upon the obligations of its co-contractors, may involuntarily be any unlooked for consequences, either by the adopting of new principles, or of their rejection, I do not presume to judge. Certain it is, however, that if the fact and the principle adopted in the treaty of Ghent, concerning the treaties for the abolition of the slave trade cannot be executed without forcibly boarding American ships at sea in time of peace, and that the obligations created by that treaty are so great as to render it to violate the American flag, but make this measure a duty—then it is also a duty of France to pursue the same course. Should she put this construction upon her obligations, it is obvious the United States must do to her as they will do to England, if she persist in this attack upon their independence.

Should she not, it does not become me to investigate the nature of her position with respect to one of her associates whose opinion concerning their relative duties would be so widely different from their own. But I am sure, sir, that the wise government of his majesty, before ratifying this treaty, will examine maturely the pretensions asserted by France, and ascertain how far they can be reconciled, not only with the honor and interest of the United States, but with the received principles of the great maritime code of nations. I may make this appeal with the more confidence from relations subsisting between France and the United States, from a community of interest in the liberty of the seas, from a community of opinion respecting the principles which govern it, and from a community in danger, should it ever be menaced by the ambition of any maritime power.

It appears to me, sir, that in asking the attention of his majesty's government to the subject of this quintuple treaty, with a view to its reconsideration, I am requesting nothing on the part of the United States inconsistent with the honor of France or her power. If, during the course of the discussions upon this treaty, preparatory to the arrangement of its provisions, England had asserted to the other parties to the negotiations, the new assertion for the United States, as a necessary consequence of its obligations, I cannot be wrong in presuming that France would not have signed it without guarding against this impending difficulty. The views of England have been disclosed to you, but fortunately before its ratification; and this change of circumstances may well justify the French government in requesting such a remedy as it may think is demanded by the greater interests involved in this question.

As to the treaties of 1831 and 1833, between France and Great Britain, for the suppression of the slave-trade, I do not consider it my duty to advert to their stipulations. Their obligations upon the contracting parties, whatever these may be, are now complete; and it is for my government alone to determine what measures the United States ought to take to avert the consequences with which they are threatened by the construction put upon them by the parties has given to these instruments.

I have the honor to transmit herewith a copy of the message of the president of the United States to congress, in December last, and of the annual documents which accompany it. Among the latter will be found the correspondence between the British secretaries of state and Mr. Stevenson upon the subject herein referred to. From these you will learn the respective views of the American and British governments.

It is proper for me to add, that this communication has been made without any instructions from the United States. I have considered this case as one in which an American representative is to be a sign power should act without awaiting the orders of his government. I have presumed, in the views I have submitted to you, that I express the feelings of the American government and people. If in this I have deceived myself, the responsibility will be mine. As soon as I can receive despatches from the United States, in answer to my communications, I shall be enabled to declare to you either that my conduct has been approved by the president, or that my mission is terminated.

I avail myself of this occasion to renew to your excellency the assurances of my very high and distinguished consideration. L. CASS.

His excellency M. Guizot, minister for foreign affairs.

BRITISH TARIFF.

THE NEW TARIFF. In the house of commons, on the 10th May, Sir Robert Peel brought on the new tariff, and made the leading speech on that subject, at great length. He also gave notice of his intention to bring in the income tax bill, for its third reading, on the 23d of May. The following is a condensed report of Sir Robert's speech:

Sir R. Peel said, he was bringing forward the proposal of the government for the revision of the tariff. The right honorable baronet commenced by stating, that the great objects of himself and his colleagues had been to do all prohibition, by reducing prohibitory duties; and to reduce the duties on raw materials, and on materials partly manufactured. By these means he hoped to diminish the general expense of living in this country; not, indeed, that any individual article would be so cheapened as to afford any great relief, but that, on the aggregate of consumption, the relief would be considerable; and therefore it was that the government had made its reductions on a great variety of articles, so as to give to almost every one of those classes, which might inevitably suffer from some one or more of the reductions, a compensation upon others. For instance, the reduction of the duty on various kinds of seed would by benefit in a single year from abroad, import the profits of particular dealers; but the benefit thereby conferred upon agriculture in general would be an important one. Again, the suspect of Brazilian woods, the high duties had greatly discouraged the industry of the cabinet makers here, and induced importations of foreign furniture. He trusted that the reduction of the duties would establish an export trade in that manufacture, and lead to the extensive use of mahogany in some branches of ship-building to which it was peculiarly applicable. Next, as to foreign corn, and copper. He at present, that metal was smelted abroad, and copper could be there sold, and applied to the sheathing of vessels and other purposes, at a much less price than at which the same objects could be executed in England, notwithstanding our coal and our manufacturing advantages. Spermaceti and other whale oils were important articles of manufacture, and it was now proposed to reduce the duties upon them, because whale oil had been 100 per cent. dearer in this country than in the United States. Our manufactures generally consuming this article and successfully competing with ours. He reminded the house of Mr. Deacon Hume's dictum, that this country, by having a free market, and plenty of untaxed coal, wanted only plenty of untaxed wood to give ample employment to her industry; and this was the principle on which government now proposed to reduce the duties on timber. He trust it was said that such a reduction, unless accompanied with a repeal of the corn laws, was great injustice to the British operative. But in fact, there had been, as the amount of duties in this very week evinced, a very great reduction in the duties on grain. Salt provisions, too, which had been hitherto under a total prohibition, would, under the new system, be admitted at a duty of about a penny a pound. So, as to live animals, about which he trusted he should be able to make a fully satisfactory explanation. He would begin with the articles which the poor were most interested, namely, herrings. The Irish peasant now paid 20s. per barrel; henceforth, he would get that barrel from Scotland. The duties on salted preserve herrings of his own coast, by means of that improved craft which the reduced duty on timber would enable him to obtain there. The duties on rice he proposed to be reduced; and articles of potatoes, rice, and hops, on the last of which articles the reduction of duty would be from £3 11s. to 40s. 10s. He trusted, therefore, that a full discussion would take place on the part of government to lower the prices of those articles of food which are principally consumed by the poor.

He expressed the entire commonly prevalent about the comparative cheapness of living in the great manufacturing towns of the continent, where, although food was indeed produced cheaply, the workman had always to pay it dear, by reason of the entrat duties payable at the gates of every city. He then argued as to the straw-plait and other manufactures, that under the present extent of smuggling as induced by high duties, there was in actual practice no protection at all. Now, he came to the great question touching the importation of live cattle. He had been strongly pressed to defer to the apprehensions entertained on this subject; but he believed it to be a groundless panic. Advertisements had been published for supplying English cattle from a firm at Hamburg with meat at 3d a pound, and people

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had been frightened by those offers into selling their cattle at a sacrifice. If they had waited to inquire, they would have found that no such firm existed at Hamburg, and that meat in that city itself was at 6d a pound. He would not say that there would be no reduction in the price of meat—there would be some; and some there ought to be for the price of meat in England was too high. The influx of cattle from Scotland and Ireland by steam, within the last fifteen years, had been immense; yet the price of meat had still gone on increasing. All this, it must be remembered, went to swell the navy estimates.

The meat consumed by Greenwich hospital alone cost £1,000 more in 1841, than in 1835. The chief objection made against the introduction of cattle was, that the duty was proposed to be uniform per head, on the fat as well as the lean. Now, the admission of the lean cattle was of course an advantage to the grazier, whose business was to buy them for fatting; and so far there was a clear benefit to one important class of agriculturists, which benefit would be diminished if lean cattle of a large size were made to bear a heavier duty than lean cattle of a small size. But now as to the fat cattle. The great protection on fat cattle was not amount of duty, but the length and roughness of the voyage, no fat ox could ever cross the bay of Biscay. France, however, was nearer, and the agriculturists feared an influx from her shores. But France, for many years, instead of exporting, had, on the balance, been importing them, and the price of all sorts of meat had been rising throughout that country. He showed that the danger was greatly chimerical of importation from Belgium, Holland, Germany, and the Prussian League. England had another security in the quality of her meat. So great was its superiority, that he did not despair of seeing England an exporter of that article. He was asked why not impose the duty by weight instead of per head. He would answer fairly, that the duty, if it was meat somewhat cheaper in London, but still the increase of our population, and the scarcity of continental stock, gave a complete security against any very great diminution of price. We were exporting horses even now; and he saw no reason why we should not hereafter export other cattle likewise. On the whole, the fullest communication and consideration had strongly confirmed his government in their intentions as to the duty upon cattle. He would not revive the discussion on the corn question; that he considered as decided by parliament; but, at the proper time, he was prepared to state the reasons why the government did not consider the general principles of free trade (which they fully admitted) as applicable to the present state of the sugar and timber questions. They had endeavored to act in the spirit of Mr. Huskisson, and to do as much general good, with as little individual hardship, as possible. Even for individuals, they trusted, the measures would provide compensation; and they believed that for the people at large the benefit would be extensive. He regretted that other gentlemen had entered into their views, and he had reserved some subjects for arrangement with them; but let them take what course they might, it would still be easier for them to buy cheap and sell dear. The day would come when those nations who would see their interest; their perseverance in high duties would be met by that inevitable correction—the smuggler; and the example of England, contrasted with that of states pursuing opposite principles, could hardly fail of ultimate effect, and of reciprocal benefit. The right honorable baronet concluded his speech in the following terms: "I have now fulfilled the purpose for which I rose, which was to state the general scope of the measures and arrangements of your majesty's government, and to vindicate those portions of it which have been most exposed to exceptions, from many gentlemen who were the most strenuous advocates of the principles of free trade; for, with respect to the principles themselves, I apprehend there can be but little difference, that is to say, with respect to the advantage of purchasing in the cheapest market. (Cheers.) I know the meaning of that cheer; but I do not wish now to enter into discussion with respect to the articles on which an exception has been made, in the course of what I have stated, and I am ready to state again, the reasons that, in my belief, make this article an exception from rules generally applicable; but I do not wish now to enter into this discussion. Some objection has been made to this arrangement, on account of its limited extent. It has been said, that the question ought to have been dealt with, with a more unsparing hand. I am, however, of a different opinion. I think we have gone far enough; and that, if we had made a greater change with respect to the corn laws, it would only have aggravated the distress under which the country labors. I think, considering all the contingent circumstances, we have made as great a change as is justifiable. It is impossible to deal with such great interests without feeling their vast importance; and, in doing so, we must take care to do as little injury as possible to individual interests. I have acted on the principle laid down by Mr. Huskisson, with whom I acted in 1825, in carrying out his commercial reform. I have acted in the same spirit of his words that I and my colleagues have acted and have attempted to act. We have attempted to simplify the tariff, but with care and circumspection, so that as small an amount of individual suffering as possible shall be inflicted. I deeply regret that it should be necessary to create any, or increase the least apprehensions of it; but, if you admit that objections on that ground ought to weigh against the change, then you must postpone it indefinitely. I sincerely hope that the result will be an increase of the commerce of the empire and comfort and ease of life on the part of industry. We have made this proposal in a time of considerable financial difficulty, setting the example to other countries not to seek to repair their finances by restrictions on commerce and trade with foreign countries, and I regret that other enlightened communities have not done the same; but at the same time I am bound to say, that I think it is for the interest of this country to buy cheap, even if other countries will not buy cheap too. Notwithstanding temporary obstructions, I believe finally the sum total of the benefit will prevail; and although other countries may entertain a delusive hope of repairing their finances by restrictive duties, yet experience would prove that they would not succeed. A loss of revenue would be the consequence. What was the consequence of restriction and prohibition in Spain, where they existed in full force? Any, large conflicts on the frontier, and no revenue. In the United States of America, I am sorry to say, the same attempt has been made; and in the empire of Russia; where the attempt is now in operation, it will be found to be punishment. The example of England, if she pursue her course in the right path, must tell on foreign countries; and I plead for a consistent policy, that they might not to discourage you. Act on the principles you believe to be sound, and though they may be, for a time, unpopularity to yourselves, yet they will tell to your advantage among those who are wise enough to follow them."

There is but little doubt of the prevalence of sir Robert Peel's measure, by a large majority.

AMERICAN INTERESTS.

No. I.

From the Richmond Whig.

The extraordinary condition of our country at the present time, without money or sound credit, and with all the elements of prosperity in it, induces me to address a few observations to our friends engaged in the cultivation of cotton; and perhaps the views I shall present, may apply to other articles, the produce of our soil.

I will here remark, that I have been an actor and close observer of, and, in the affairs of this and other countries for the last twenty-five years. My purpose heretofore has been, and I hope it will be to the march of improvement at home and abroad—Great Britain in particular, with her vast and colonial possessions, and colossal power, has been constantly before me. The proceedings of parliament, the East India company, and individuals engaged in extending the possessions of the British empire, I have observed with a deep and thinking interest.

It is known to many persons of the southern, and in fact all the states, that an effort is now in progress to increase the quantity and improve the quality of cotton in British India; that powerful skill and intelligence in this branch of agriculture, have gone from several of our cotton-growing states to India, for the purpose of carrying out the views of the East India company, and the British government. I wish now to call the serious and candid attention of the cotton planters to a few facts touching this great interest, in their home and family, and in relation to their fancied security, and look at their true situation.

In order that we may understand our own position, it would be well to examine some of the remarkable revolutions that have taken place in the world, through the instrumentality of commerce, within the last two centuries.

These changes have not been confined to this continent or that of Europe, but have extended and become of late years marked and striking in the east. The immense productiveness of the soil in the East Indies have assumed an importance that may well engage the attention of us, in this new world.

These revolutions have not generally been produced or achieved by the sword, but by the introduction of the mechanic arts, manufactures and agricultural products, which have been transferred from one country to another, and with them the power of producing at cheap rates, arising from more genial climates, better soil, greater skill, or cheaper labor; and perhaps, as is the case in some instances, all these advantages combined. This adaptation in produce the same articles at lower prices, in different countries, has been carried out to an extent that seems almost miraculous, besides having been of the highest importance, in point of civilization, to mankind. These commercial enterprizes are the great missionaries, if I may so speak, that have opened up the way to the introduction of christianity, which, I think, has always been preceded by an introduction of the common arts of life.

To proceed with my illustrations of the importance and interest of commerce with its changes—Tea, for example, was first brought to England, about the year 1660, and now more than 30,000,000 pounds are imported into that realm annually, yielding a revenue of $15,000,000.

There are also 30,000,000 pounds imported into the United States, which is now admitted free of duty. Coffee was introduced a few years earlier than tea, into Europe, the consumption of which, upon the continent is much greater in proportion than that of tea. We import and consume annually nearly 90,000,000 pounds of coffee, and without duty. Sugar, which has become almost a necessary of life, was not known in Europe, as a much esteemed article than tea and coffee. Rice, which has become one of the great staples of South Carolina and Georgia, and a very important article to the whole country, was brought to the former state from India, not earlier than the year 1700.

These four great articles of European and American consumption, and the most important product cotton, are all natives of the east. The soil of South Carolina, but fifty years since, produced more than 1,000,000 pounds of Indigo, which, at that period, constituted the principal commerce and brought to her people wealth, in the commodities of foreign countries. Now, what has become of her Indigo plants? Why, the cultivation has been transferred to Bengal. And the cotton of India, transplanted to the soil of South Carolina, has become her most valuable production.

It may be asked, how this transfer of the Indigo culture was made? And how the quality was improved, and the quantity increased to the large amount of nine millions of pounds for exportation, which commands the markets of the world? This revolution was accomplished through the aid furnished in money to the cultivators, by the British government, combined with the persevering industry and talent of individual enterprize and power. Precisely the same means were then adopted, as regards the cultivation of Indigo, as are at the present time in progress in regard to the growth of cotton.

No. II.

Opium is another article of commerce, which will illustrate the fact I have endeavored to prove. It was formerly produced in Turkey, for the China market, and 4000 or 5000 chests were annually shipped from that country. The quantity exported to China has ceased altogether, in consequence of the prodigious increase of its cultivation by the British in India. The exports of this drug from India to the celestial empire, notwithstanding the late troubles in that country, reached the enormous quantity of 35,000 chests, valued at more than twenty millions of dollars. There is opium yet cultivated in Turkey, but the market is formerly found in China has been annihilated, through the transfer of its production to a country, where, from cheaper labor, and perhaps better climate, it can be produced and shipped at a much lower price. This revolution has taken place within the last twenty years.

Rice is an article that finds its way from India to Europe, and at no distant day will materially interfere with that of our own country.

Tobacco is also cultivated to a large extent, beyond the Ganges, in Great Hindo, and is increasing. The East Indies are addicted to the use of tobacco, and grow it for their own consumption. The article is one of more revenue to England, and in fact, in all the countries of Europe. The value of the tobacco shipped to Europe from this country is seven or eight millions of dollars, from which there is collected a revenue of twenty-five millions of dollars, much more than the whole annual expenses of the United States. But for this revenue, Great Britain would import her tobacco from India. How long it will be suffered to remain with this enormous tax upon it in foreign countries, remains with the lawmakers to determine.

It is apparent that the destiny of nations often depends upon the transfer of the products of the soil, as well as those of the arts of life. I could multiply examples if it were necessary, that would satis-

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fe the most sceptical upon this point. I will only add those who have full confidence in the stability of their occupations, to examine the history of the woollen manufacture in England. Within two centuries the great seat of this vast trade was in Flanders. England, however, for a long time past, has enjoyed the great markets of the world in this branch of commerce.

Since the peace of 1815, the cheaper labor of the continent appears to be attracting much attention, and the manufacture of broadcloth, especially, appears to be returning to its original soil. Cheap as labor is now in Great Britain, it is cheaper upon the continent of Europe.

The fabrics of Germany compete successfully in this country, and elsewhere, with those of England, particularly those of wool, as well as some kinds of cotton goods.

A continuance of peace will do much towards perfecting almost every description of manufacture upon the continent, so that British capital and skill will find competitors in all foreign markets.

Nothing can be more striking in this connection than the manufacture of cotton. In former times, the supplies of cotton goods, the consumption of which was very limited, and confined almost entirely to Great Britain and this country, were drawn from India. The tide has now turned, and not a package of cotton fabrics is imported from India for the consumption of either country; but an immense quantity of fine, as well as coarse cottons, are shipped to India and other parts of Asia.

All kinds are sent from England suited to those markets; the coarse descriptions only can be shipped from the United States at present, and these are sent in large quantities, and the demand is constantly increasing, the fabric being superior to the British, from being manufactured from better cotton.

The rapid strides made by Great Britain in wealth and power, (for, in the annals of time it is but a short period since she was very poor,) arose from the liberal encouragement given by the government, and final encouragement of her manufactures, which stimulated the foreign and domestic commerce of the whole empire.

This great stroke of policy has been the foundation of England's power and glory. It has been well said, that the spindles of England, in modern times, have fought all her battles, and made her the mistress of the ocean, besides subsidizing all Europe at one time, and bringing the rest of the world into her debt.

And all this has been done by the revolution produced through the magic power infused into the steam engine, the spinning jenney, and the power-loom. But the day of monopoly, in supplying the world with articles and wants, has passed; the people of Great Britain have seen and been made to feel, that not only France, Germany and Russia, but this country, will soon manufacture for themselves, all that may be required for their own people, and to spare.

The policy of Great Britain is obvious to all who have noticed her legislation since the peace of 1815. She has seen that the continent of Europe is closing to her manufactures, and that her future hopes for the sale of her home productions must be found in her colonies; and from these colonies the *raw material* must be drawn. She sees that she is crowded out of other countries, and that the 100 millions of people under her dominion in India, must be the consumers of her manufactures: and in return, the product of the Indian soil are to be taken in payment. This will give her a certain and permanent market; which is a cardinal point with a manufacturing people.

This policy has been steadily kept in view by every British statesman, for five and twenty years, and openly avowed by the candid of both political parties.

No. III.

The question of free trade, which has been so much discussed in England, has no validity and not the slightest ingredient of sincerity, from the time of Mr. Huskisson to the election which took place last autumn. Not a measure has been, or will be, adopted by the British parliament, that will affect a single British interest.

It is upon her colonial possessions in the east, that Great Britain rests her hopes of sustaining those mighty interests which are the foundations of her power; a power, in point of territory, population; wealth and physical force, infinitely greater than that of the Roman empire in its palmy days. It is to the east, and not to the West Indies, that her skill and capital is now directed. In the former colonies, more than 100 millions of people are dependent on British power, capable too of producing every article that is brought from the West Indies, and at much lower prices. A field hand can be hired in the east, for less money than it would cost to feed the same laborer in the West Indies. Men at the east can be hired for from six to ten cents per day, and support themselves. How can the laborer of this continent stand up against such odds!

Such is the competition between the products of the East and West Indies, that a discriminating duty has been maintained and must be continued; for example:

Coffee from British America pays 12c. per pound.
Coffee from British possessions in East Indies 18c. per pound.
Sugar from the West Indies 5; cts. do. do.
Sugar from the East Indies 6; cts. do. do.

So it is with many other articles; yet with these bounties upon the products of the West Indies, and the lower charges of freight, insurances, &c. nearly all the islands in the West Indies, even Cuba, the richest of them, are languishing, and becoming worthless from the cheaper labor of the East Indies.

My object is to glance merely at the history of the cultivation of a few of the great articles of consumption, and to show that not one country has yet been able to retain the exclusive power of producing a single important article of general consumption, from the soil or the loom. Tea only excepted, and that article is likely to be produced in quantity by the English at Assom.

The cheap labor of the East Indies is at this moment competing with the labor of our southern country. A revolution is in progress, which, at no distant day, is to burst upon the heads of our cotton growers, and will change materially our domestic, as well as our foreign relations. After a careful examination of the feasibility of producing the short staple cotton in India, there can be no longer much doubt, and as an evidence of the opinions entertained in England, I submit an extract or two from late British papers, selected from many others in my possession; and, also, a statement of the quantity of cotton, grown in and about Bombay for a few years past.

Extract from the Bombay Mercantile Register of Sept. 1840:

"*Cotton.* Several contracts have been made at lower prices for delivering in November and December next, when a considerable reduction may be looked forward to, in this market, as a considerable stock is likely to accumulate here by that time, and the accounts from England will probably be more encouraging—the export from hence, this year, to Great Britain, having been greatly in excess of last year's, as will be seen from the following comparative table, viz:

EXPORTS.

	1839.		1840.	
	Bales.	*1 bales.*	*Bales.*	*1 bales.*
January,	3,573	248	5,434	206
February,	5,164	108	7,955	277
March,	15,362	140	4,619	153
April,	5,476	301	29,092	962
May,	15,071	465	17,775	246
June,	15,932	391	29,947	916
July,	15,016	600	13,869	245
August,	1,498	80	22,833	778
September,	1,972	77	4,806	101
	85,062	2,360	136,211	3,884
			85,062	2,360
Excess of shipments in 1840,			51,149	1,524"

Extract from the Bombay Times of July, 1841:

"*Cotton.* In the article of cotton alone, it appears we have received a supply exceeding that of the same period in the previous year, by 51,149 bales, or assuming a screwed bale to average 3; cwt. equal to 105,874 bales, which, if we take the *actual* increase at fifty-six lacs, as already stated, would give an average price of Rs. 5,33 a-rate, we fear, as every merchant will acknowledge, not very wide of the truth. We state this as confirmatory of the general accuracy of the statement, the same results being deduced from different data.

"On carrying out our inquiries further, and examining into the supplies of cotton brought to market during the 12 months ending the 1st May, we find that the result is well calculated to astonish those who have not been marking the progressive increase of this product, but have been dwelling with fancied security on their recollections of what used to constitute a large supply, viz. 200,000 to 250,000 bales. It appears, then, that from the 1st June, 1840, to the 1st June, 1841, the imports of cotton into Bombay have amounted to 174,212.755 pounds, or, on the previous average of 3; cwt. to the bale, 478,606 bales, little short of half a million screwed bale. This is a larger quantity than America produced upon the year 1826, and *more* than was consumed in England during the same year.

"In 1825, the entire production of the United States amounted only to 169,560,000 pounds through twelve years after, 1837, it had reached 444,211,537 pounds. [Vide, McCulloch, article 'cotton.']

"As a further encouragement to the cultivators, we may state that the consumption of East India cotton into Great Britain has increased in a greater ratio, than that of any other quality whatever. In 1816, at which period the average price of American Uplands was 18; pence, and that of Surat 15; pence, the consumption of American was 4,036 bales, and East Indian 207 bales, per week. In 1839, when the average price of Uplands was 7; pence, and Surat 5; pence, the consumption of American was 15,644, and East Indian 2,142 packages per week; the increase in 23 years of the last being in the ratio of ten to one, and that of the first barely four to one. In the same period, consumption of Brazilian, Egyptian, and West Indine qualities had not *doubled.*"

NO. IV.

Extract from the circular of Messrs. Freeman and Cook, dated London, January 1, 1842.

"*Cotton.* The cotton trade with India, for the last two years, has been highly important in every point of view. The imports in 1841 reached nearly one third those from the United States, which has a very depressing influence on the value of American cotton. The manufacturers, however, have been benefitted by an ample supply, at very low rates. The imports from India for the three years preceding 1840, average only about half the present amount, of 174,600 bales annually. There were taken for home consumption, of India, 148,000 bales against 117,800 in 1840—for exports, 65,960, against 61,160—leaving the stock of 157,500, against 98,600, and the following are the prices—Middling, 3; d. January, 3; d; Dholeieh, 3; Surat, 3; to 4; Toomel, 4; to 4; Madras, northern and western, 3; to 3; Quinevally, 4; to 4; and Bengal, 3; to 4; being 10 per cent. lower than the prices last year."

Extract from the circular of Messrs. Freeman and Cook, dated London, Feb. 1st, 1842.

"The extensive public sales of East India cotton on the 28th of last month, attracted considerable attention, there having been offered no less than 30,000 bales. So large a quantity was seldom brought forward by the East India company, and except in 1836, no sale of equal magnitude has taken place for the last twenty years. There was a numerous attendance from different parts of the country, but as transactions in the market had been for some weeks before almost suspended, the sales commenced quietly. It was, however, soon discovered that exporters were in possession of considerable orders from the continent, when the bidding became spirited, and so continued until the end. Three fourths of the quantity were disposed of at full prices, and the whole thirty thousand bales could have been readily sold, had the proprietors been disposed to meet the demand; and indeed a much larger quantity. *The experiments which the East India company are making for the improvement of this staple, are likely to be attended with success; for they have recently received some very interesting specimens of cotton, produced in the province of Bengal, both from native and American seed.*

The reader will notice the vast increase of India cotton, and should remember that the efforts to increase the quantity have but just commenced, and that the same means and appliances have been put into operation in regard to the production of cotton, that were adopted to increase the production of indigo and other articles, and will doubtless be attended with the same successful results. Judging from past experience and the course of legislation in Great Britain, we are rapidly approaching the time when we shall see and feel the fatal effects of a strong discriminating duty laid in England in favor of cotton of *their own* colonial cultivation.

The consumption of cotton in this country is now 350,000 bales of 400 pounds each, or 140,000,000 of pounds. I have been informed from an undoubted source, that the consumption of cotton can be brought up to 700,000 bales, or 280,000,000 of pounds in ten years.

Why, then, should we not seek a market at home for this most important staple? Instead of being the practice, and not to the professions, of every government in Europe, what are we to expect from them? Can the agricultural states hesitate? Where is the market in Europe for our flour, pork, beef, fish, lumber, &c? Tobacco is received by them with a duty of 500 per cent. Pork, beef, fish, lumber, flour, &c. with such duties as amount to utter and entire prohibition.

What, then, shall we do in this posture of our affairs? Wise men, and what shall Virginians do to secure their national advantages, and protect their own interests, and those of the whole republic?—

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There can be but one course left for us to pursue—we have a great country, combining almost every soil and climate, advantages far greater than are enjoyed by any other country under heaven, and with a free government of our own choice, and in our own hands. We have, too, an intelligent, enterprising and virtuous population, competent to supply themselves with every article of necessary food and raiment. What then, it is again asked, shall we do?

The answer should be in the mouth of every true-hearted American—let us set about clothing as well as feeding ourselves from our own industry—let us import less, and manufacture more. The establishment of manufactories in this commonwealth would at once create a home market for our agricultural products, we should then diversify labor, and turn a part of the producers of corn, wheat, pork and beef, to consumers.

It is the division of labor we require in this country, and in no state of the union more than Virginia.

Let us at once improve the mighty water power which the God of nature gave us for some other purpose than to run to waste. Upon our James river the site for mills is unrivalled; perhaps there is no water power in the world which it is superior—That beautiful water power upon the Potomac, at Georgetown, can be purchased for a trifle, and yet it remains unoccupied, and why? Is it not, that we have too little confidence in our own capacities and powers, and look to foreign countries with a child-like fetching, that we could not think and act for ourselves? The time for action has arrived, we must do something; we owe it to ourselves, to our children, and above all, to our country.

We have a primary heritage, let us preserve it.

I shall leave this important question for the present, with a sincere hope that the people may consider fairly the hints I have given; with an intention, however, of pursuing, in some future numbers, another branch of the same subject in our

NATIONAL ECONOMY.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

June 1. The president of the senate, the hon. *Willie P. Mangum*, laid before the body a communication from the treasury department, made in compliance with law, showing the number of clerks in that department, their names, salaries, &c. for the year 1841. Referred to the committee on printing.

Also, from Amos Kendall, asking congress to relieve him from the judgment recovered against him in the circuit court of the District of Columbia by Stockton & Stokes. The petitioner states that he acted on the advice of the late president of the United States, and that the legality of his course was sustained by the attorney general.

Mr. *Huntington*, from the committee on commerce, reported a bill for the relief of Barzillay & Livingston, owners of a British vessel called Gulnare.

The bill was considered in committee of the whole and ordered to be engrossed.

The senate then proceeded to the consideration of the apportionment bill, the question being on concurring in the amendment of the committee on the judiciary.

When a long and animated discussion ensued, in which Messrs. *Henderson, Woodbury, McRoberts, Wilcox, Tallmadge, Rives, Merrick, Allen* and others participated.

The question was then taken on concurring with the committee, and decided in the negative as follows:

YEAS—Messrs. Berrien, Barbanan, *Linn*, Wright—4.

NAYS—Messrs. Allen, Archer, Bagby, Barrow, Bates, Bayard, Benton, Calhoun, Clayton, Conrad, Crittenden, Cuthbert, Evans, Fulton, Graham, Huntington, Kerr, King, McRoberts, Mangum, Merrick, Miller, Morehead, Porter, Preston, Rives, Sevier, Simmons, Smith, of Conn. Smith, of Indiana, Sprague, Sturgeon, Tallmadge, Tappan, Walker, White, Wilcox, Woodbridge, Woodbury, Young—40.

Mr. *Wright* rose to give his reasons why he should vote in the affirmative in this case, and entered into the general subject of districting the states at very considerable length, concluding by offering an amendment to strike out the words "no state shall allowing more than one representative," and to insert the following: "So far as can be done in conformity with the established election system of the states; but that no state shall, by virtue of the provisions of this section, consider itself called upon to divide counties or other election districts, for the purpose of fixing single districts."

It was now near 5 o'clock; when

Mr. *Crittenden* rose to address the senate, but gave way at the suggestion of Mr. *Archer*, and the bill was passed over.

The bills received from the house were then read a first and second time by their titles, and appropriately referred.

A message was received from the president, in compliance with a resolution of the senate, in relation to the conduct of N. P. Taylor, receiver of public moneys in the state of Illinois; which, on motion of Mr. *Benton*, was referred to the committee on printing.

And then the senate, a few minutes after 5 o'clock, adjourned.

The reporter, in his sketch of the proceedings of the senate of the 31st ult. remarks that Mr. *Huntington* as being *in favor of the amendment of the committee of the senate* to the apportionment bill, relating to the subject of the election of representatives by districts. Mr. *Huntington* was opposed to the amendment as reported by the committee, which *does not* prescribe a regulation that the election *shall be* by districts, and spoke in favor of the provision on that subject in the bill as it passed the house of representatives, which is, "that in every case where a state is entitled to more than one representative, the number to which each state shall be entitled under this apportionment, shall be elected by districts, composed of contiguous territory, equal in number to the number of representatives to which each state may be entitled, no one district electing more than one representative."

June 2. Mr. *Miller* presented a petition from citizens of New Jersey, asking such a revision of the tariff as will secure protection to the domestic industry of the country.

Mr. *Young*, from the committee on roads and canals, offered a joint resolution directing the transfer of the stock of the United States in the Chesapeake and Ohio canal company to the state of Maryland and the cities of Washington, Georgetown and Alexandria.

Mr. *Benton*, from the committee on military affairs, presented the bill to provide for the armed occupation and settlement of the unsettled peninsula of East Florida.

Mr. *Walker*, from the committee on public lands, presented the bill from the house to amend an act entitled "an act to carry into effect the cessions of Alabama and Mississippi the existing compacts with those states with regard to the five per cent. fund and the school reservations.

On motion of Mr. *Walker* the bill was then considered in committee of the whole; and on motion of Mr. *Bagby* laid on the table for the present.

The senate then proceeded to the consideration of the special order, being the bill to fix the ratio of representation among the several states according to the sixth census; the amendment pending being that moved by Mr. *Wright*, viz:

"Strike out the words 'no one district allowing more than than one representative' and insert the following: 'So far as can be done in conformity with the established election system of the states; but that no state shall, by virtue of the provisions of this section, consider itself called upon to divide counties or other election districts, for the purpose of fixing single districts.'"

Mr. *Crittenden* rose and addressed the senate at some length in reply to the argument of Mr. *Wright* and in the favor of the district system, and was followed by Messrs. *Woodbury, Preston, Benton* and *Miller*, when Messrs. *Berrien* and *Bagby* both rose to address the senate, but the hour being somewhat late, Mr. *Archer* suggested that the bill be passed over, which was agreed to.

The bills from the house relating to the District of Columbia were referred to the committee for the District of Columbia. And the senate adjourned.

June 3. On motion of Mr. *Archer*, the chair was authorised to appoint a chairman to the committee on naval affairs.

Mr. *Woodbury* submitted the following, which he desired might lie over one day.

Resolved, That the secretary of the treasury be directed to report to the senate how much money has been borrowed since the statement in his annual report on the finances, the rates of interest and discounts for the same, and the length of time for which such sum may have been borrowed.

The senate passed to the consideration of the special order, being the apportionment bill, the question being the motion of Mr. *Wright*, viz:

"Strike out the words 'no one district allowing more than one representative,' and insert the following: 'So far as can be done in conformity with the established election system of the states; but that no state shall, by virtue of the provisions of this section, consider itself called upon to divide counties or other election districts, for the purpose of fixing single districts.'"

Mr. *Bagby* rose and addressed the senate from a few minutes after twelve until near three P. M. Mr. *Bagby* admitted that congress had the power to prescribe the time, mode and place of elections. It could not prescribe the qualifications of voters nor elect members. But in regard to time, place and manner, there was a power in congress equal to the power in the states. Mr. B. however contended that it was expedient to leave the subject with the states entirely, and that it was an improper interference on the part of congress to regulate it. It would be time to do so when the section of this bill. It would not do to enforce it upon Alabama. It would not do, he thought, to enforce the district system upon the states. They would not submit if congress undertook to enforce it. There was power to do it he admitted, but there was not power to enforce it. Congress might direct and execute its mandate, but the states need not obey unless they chose. Mr. *Bagby* closed with some general reflections as to the encroachments of the federal upon the state governments. He regarded them as many, and particularly by the present congress, and seemed to think that the time had come when a bold stand should be taken in resistance of the outrages complained of.

Mr. *Graham*, of North Carolina, replied to the argument advanced by the senator from Alabama, (Mr. *Bagby*), as to the necessity of adopting the districting system advocated by other senators. Mr. G. could see no necessity for it in this country, that it was right, expedient, practical and not new. It had been advocated formerly and might be now without danger.

Having concluded, Mr. G. was followed in the debate by Messrs. *Walker, Rives* and *Henderson*,

And the senate adjourned.

June 4. Mr. *Tallmadge* presented a memorial from the manufacturers of shoes in the city of New York, in relation to the times.

Mr. T. said the memorial was very short, and, emanating as it did from the hard-working and honest class, he should read it. The petitioners state their belief that all the pecuniary embarrassment of the country is owing to the want of a good stiff tariff. It states also that business is dull, money scarce, wages low, and little to be had even at that.

A report was made by Mr. *Williams*, from the committee on naval affairs a bill for the relief of the legal representatives of Henry Eckford, deceased; and by Mr. *Preston*, from the committee on the library, with a bill to provide for publishing an account of the expeditions made by the exploring expedition, under the command of Lieutenant Wilkes, of the United States navy, without amendment.

Mr. *Linn* submitted a resolution that the secretary of the treasury be directed to collect and communicate to the senate during the second week of the next session of congress, information in reference of the cultivation of hemp, its growth, quantity, value, manufactures, consumption, in the navy, kinds, domestic, or foreign, and such general information as he may be able to communicate in reference to the cultivation of the same and raw-rested, &c.

A bill relating to the school reservations in the states of Alabama and Mississippi, was taken up and passed.

On motion of Mr. *Buchanan*, the senate then proceeded to the consideration of the apportionment bill, the question being on that section requiring the states to elect on the district plan.

Mr. *Morehead* replied, in a speech of about two hours, to the arguments which had been advanced in opposition to the district system of election, and read extracts from Mr. Madison's reports of the proceedings of the convention, which, in 1789, commenced to frame the constitution—showing the contemporaneous construction which the Framers of that instrument attached to it. He believed the constitution granted to congress a revisory power over the proceedings of the state legislatures, full, ample and unsurpassed. This was a question which concerned the states collectively; and it was their duty individually to concur in any measure, which congress, exercising a discretionary power, might deem proper to adopt for their general interest.

Mr. *Buchanan* was in favor (and believed his state entertained similar sentiments) of the general ticket system, the adoption of which he considered the surest means of obviating the prevailing defects in the mode of conducting congressional elections. He did not doubt the constitutional power of congress to pass the bill; but, without making any threats, would return to assert, that if passed, the bill would either be repealed or followed by the most deplorable effects.

The debate was continued by Messrs. *Tallmadge, Smith*, and others.

And the senate adjourned.

June 6. Mr. *Bates* presented a remonstrance from sundry inhabitants of the town of New Bedford, in Massachusetts, against a reduction of the appropriations reported in the house bill for the support of the navy. He stated that the town of New Bedford

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owned more than two hundred vessels, ranging from three to six hundred tons.' Some of them were round Cape Horn, some in the Austral Atlantic, some in the Indian ocean, the north of Europe, indeed every where; and the people have a deep interest in the subject of their memorial. As the bill is upon the table, he moved that the remonstrance be laid upon the table.

Mr. *Evans*, of Maine, presented a memorial signed by citizens of Portland, complaining of the reduction of the estimates in the navy appropriation bill which passed in the house of representatives. Mr. E. said the petioners were engaged in commerce and navigation, and he commended their prayer to the consideration of the senate.

Mr. *Phelps*, of Vermont, presented a memorial from citizens of Vermont, formerly opposed to the principles of protection, but who have since changed their minds. The memorialists say that the change of sentiments is common with the people.

Mr. *Conrad*, of Louisiana, presented a memorial from the jewellers of New Orleans, praying for a small duty in order to prevent smuggling.

All of the above memorials, with one presented by Mr. *Buchanan*, referring to the tariff generally, were referred to the committee on manufactures.

Mr. *Benton* called up his bill making provision for "the armed occupation of Florida."

Mr. *Buchanan* appealed to the senator from Missouri not to press his motion at this time. He would move that the special orders of the day be called.

Mr. *Benton* said he had no objections, and on motion of Mr. *Buchanan*, the apportionment bill was called up.

The secretary of the president appeared with executive messages and informed the senate the signing of certain private bills which had before passed the two houses of congress.

Mr. *White*, of Indiana, expressed his great surprise at the zeal manifested by some of the members of the senate in opposition to the districting system. He conceived that the power was ample, and being full and undoubted, he conceived that congress might adopt it, and the states would acquiesce in it.

The relative powers between the general and the state governments were considered in detail, and an argument advanced that the federal government should fix upon the time, place and manner of election.—Mr. *White* argued also to show that there was an exigency which required the adoption of this system. The people required it, approved of it, and could, as he contended, sanction and approve it. There could be no abuse of power by the federal government upon the great question, that of determining the qualification of voters.

Mr. *Bates*, Massachusetts, spoke in defence of the second section of the bill—a part of it being in reply to Mr. *Bagby*, of Alabama, who last week denied the constitutionality of a law which should directly, or in its effect, compel obedience from the states.

Mr. *Smith*, of Connecticut, further defended the provision under consideration, and opposed the idea that congress ought to require the states to adopt the districting system.

Mr. *Kerr* sustained the district system, and on motion of Mr. *Serier* the senate adjourned.

June 7. Mr. *Choate* presented a memorial from Boston, remonstrating against the reductions proposed in the house to the navy appropriation bill; also a memorial praying congress not to impose cash duties, but either to preserve the present system, or to adopt the warehousing system.

Various memorials were presented in reference to revision of the tariff.

The consideration of the apportionment bill was resumed.

Mr. *Wright* had been classed among the nullifiers, but he objected to this unless he could put his own definition upon the term applied to him. Mr. W. proceeded to apologise for what he called the impetuosity of his remarks when introducing his amendment now pending. He was prompted to this petulance, he said, from the appointment of a senator from Maryland, (Mr. *Merrick*), who indirectly argued that it was time for the small states to resist the large ones by voting down the amendment which was averse to the proposed districting of the states. His remarks were petulant, he admitted. He regretted them, and offered his excuse for them. Mr. W. had hitherto admitted the constitutional power of congress to pass the bill, but he would not affirm that. If congress directed the states, it could not compel them to obey. It could not require them to come to the aid of the general government, yet he admitted that members of the state legislatures were required to support the constitution of the United States, and the constitution of the legislatures. Yet the member of the legislature acted with the same discretion that the member of congress. They could, Mr. W thought, resist the government by refusing to obey the constitutional injunctions of congress. Having discussed the constitutional question at considerable length, he then debated the expediency of the measure. He was opposed to the measure and not only, and finally come to the gist of the question by speaking to the amendment. Though his own, he said he was opposed to the principle; but he should vote for it; yet if the senate incorporated the amendment, he should vote against the bill. Mr. W. closed with a brief reply to his colleague (Mr. *Tallmadge*.)

Mr *Tallmadge* expressed himself as willing to compare notes with his colleague on the subject of democracy. He gave some reminiscences which afforded amusement to the senate. One of them was the resistance of a law by Mr. *Wright*, empowering the people instead of the legislature to elect electors for president and vice president. Some other reminiscences were cited, which Mr. *Wright* took very kindly, and he said that he thought he were for the most part true. He had offended the people of New York, he admitted, and they had most severely castigated him for his offence. A question of venality, however, in regard to Mr. *Wright's* course at a subsequent time created some remarks. Mr. T. made a charge which his colleague denied. Mr. T. said he would undertake to prove what he had said, and that not only in regard to one or many but all the points of the law.

Messrs. *Walker*, *Cuthbert* and *Linn* opposed the districting system upon the ground that the election of members of congress by general ticket would require additional and expensive legislation by the states.

Mr. *Berrien* defended the general ticket system, but he believed that there was power under the constitution to adopt the district system.

The question was then taken on the amendment submitted by Mr. *Wright*, and it was decided in the negative, as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Cuthbert, Fulton, King, Linn, McRoberts, Sevier, Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—19.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clayton, Conrad, Crafts, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Rives, Simmons, Smith, of Conn., Smith, of Indiana, Sprague, Tallmadge, White, Woodbridge—29.

Mr. *Walker* offered the following amendment, to come in at the end of the section, viz:

Provided, That the provisions shall not be so construed as to invalidate the first election to congress in any state under this act where the election in such state, under the existing laws thereof, takes place at a time preceding the ninetieth day succeed of the meeting of the respective state legislatures.

Mr. *Linn* asked the senator to accept the following as a substitute:

Provided always, That the provisions of this section shall not affect the elections of representatives to the twenty-eighth congress.

Mr. *Walker* said that he would do so, with the understanding that, if this amendment should fail, he would again submit his own.

The yeas and nays were ordered; but, without taking the question,

On motion of Mr. *Serier*, the senate adjourned.

June 8. The senate proceeded to consider the bill for the settlement of the accounts of Silas Deane. The bill was advocated by Messrs. *Clayton*, *Smith*, of Conn. and *Phelps* and opposed by Mr. *King* and others, and finally laid upon the table for the present.

Mr. *Evans* moved that the bill from the house making appropriations for the army, which he thought looked more like a bill for reorganizing the army than for making appropriations for it, be referred, so much as relates to appropriations, to the finance committee, and so much as relates to this new system of military discipline to the military committee.

Mr. *King* said this was clearly out of order; the bill could not be cut up and parcelled out.

Mr. *Evans* admitted his motion to be somewhat extraordinary as was the bill itself; but maintained that the distinct subjects of the bill required distinct committees to consider them.

Mr. *Preston* thought it extremely objectionable to insert in an appropriation bill a provision, which struck at an important branch of the public service. Appropriations ought to be made in accordance with the laws found on the statute book; and yet here was a bill modifying or repealing most important provisions, under the guise of an appropriation bill. By the spirit of the rules the bill should go to the committee on finance; and if that committee should think the state of the treasury is such that the expense of the present army cannot be sustained, the senate might instruct the committee on military affairs to report a bill for its reduction.

Mr. *Serier* moved to refer the bill to the committee on military affairs—

When the debate was further continued by Messrs. *Preston*, *Serier*, *Bayard*, *Woodbury*, *Archer*, and others.

Mr. *Buchanan* desired to be informed by the chair whether it was proper on a mere question of reference to go into a debate on the general merits of a bill? Because, if this was the case, it was matter of doubt whether the apportionment bill would be reached to-day. The legislature of his state would meet to-morrow, and he should therefore be compelled to move that the subject be laid on the table, unless the question could be taken at once. (Cries of "and no.")

Mr. *Serier* withdrew his motion, and the bill was then referred to the committee on finance.

The senate then proceeded to the consideration of the apportionment bill; the question pending being the amendment of Mr. *Linn*, to add a proviso: "That the provisions of this section shall not affect the election of representatives to the 28th congress."

The debate was then kept up between Messrs. *Linn*, *Bayard*, *Walker*, *King*, *Williams* and *Phelps*, when Mr. *Bayard* moved to amend the amendment of Mr. *Linn* by inserting at the close the following: "In those cases in which, by the existing laws of any state, the election is by general ticket."

The question having been taken on the amendment to the amendment, it was decided in the negative: yeas 19, nays 24.

The question was then taken on the amendment of Mr. *Linn*, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Bagby, Benton, Berrien, Buchanan, Calhoun, Crafts, Cuthbert, Fulton, Henderson, King, Linn, McRoberts, Rives, Sevier, Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—23.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Clayton, Conrad, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Preston, Simmons, Smith, of Ind. Sprague, Tallmadge, White, Woodbridge—22.

Mr. *Serier* moved to reconsider the vote which had just been taken; which motion prevailed.

And the motion having been taken by yeas and nays, was decided in the affirmative: yeas 23, nays 22. The vote was then taken on the same question, and agreed to by yeas and nays.

Mr. *Allen* moved to strike out the 2d section as amended, and it was decided in the negative, as follows:

YEAS—Messrs. Allen, Bagby, Benton, Berrien, Buchanan, Calhoun, Cuthbert, Fulton, King, Linn, McRoberts, Rives, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Woodbury, Wright, Young—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Clayton, Conrad, Crafts, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Preston, Simmons, Smith, of Indiana, Sprague, Tallmadge, White, Woodbridge—24.

Mr. *Berrien* said that the change of ratio adopted by the senate would require the bill to be amended. He would therefore, send to the chair the following amendment, viz:

	Strike out.	*Insert.*
Maine,	10	7
New Hampshire,	6	5
Massachusetts,	15	10
Rhode Island,	0	0
Connecticut,	6	4
Vermont,	6	5
New York,	49	34
New Jersey,	7	5
Pennsylvania,	34	24
Delaware,	2	1
Maryland,	9	6
Virginia,	21	15
North Carolina,	13	9
South Carolina,	9	7
Georgia,	12	8
Alabama,	10	7
Louisiana,	6	5
Mississippi,	6	4
Tennessee,	15	11
Kentucky,	14	10
Ohio,	30	21
Indiana,	14	10
Illinois,	10	7
Missouri,	7	5
Arkansas,	2	1
Michigan,	4	3

The *Chair* was in the act of reporting the bill to the senate as amended, when the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, May 31. The army appropriation bill was resumed in committee of the whole on motion of Mr. *Fillmore*, with Mr. *Underwood*, of Kentucky, in the chair.

Mr. *McKeon* resumed his remarks. He was for the lowest of the proposed amounts of reduction. Our negotiations with a civilized fire cannot be influenced by an army as can negotiations with Indians

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merely. Mr. McK. had hitherto had but little confidence in Lord Ashburton's mission. Now, he thought, however, that a better feeling existed. Mr. McK. then glanced at the situation of England, three millions of men demanding universal suffrage, and the vote by ballot, and threatening the aristocratic institutions of that country; and the chance of revolution in Ireland, and thought that they were carrying out the doctrine spoken of by an English statesman, that the time had come when principles, and perhaps, arms united, would sweep like a simoom over the land. Her war also with China, and with Afghanistan, whose people fought with all the hate of the veiled prophet of Khorasan, had put her out of a situation to be willing for a war with America also. The provinces of Canada present but the appearance of a camp. The attitude of France too entered into the considerations of her cabinet. They remembered Canning's eloquent peroration, or the subject of marching troops into Portugal.

Cuncta solet Zeuhus arce
Sceptra tenens.

What were now their efforts to sustain their present power at home, to grasp "no barren sceptre." They threw rested on elements of discontent and the poverty of millions of people, and he did not think it in a favorable condition to wage war with us. He had confidence in the devotion and character of our army. But the present financial condition of the country require us to curtail its expenses. We are majorly charged with opposition to the navy. The average annual expenditure of the navy for the last six years have been $6,153,365; the amount passed in our late bill for this year is $6,339,894, making the whole amount applicable to service of this year, about the bill finally pass, $12,493,259. We have afforded to the present head of the navy certainly not less than we did to it in Jackson's or Van Buren's administration, or to his immediate predecessor. He could use economy to manage the affairs of our navy by the length of our sea coast, or our army by the number of yards on our frontier; but rather by the length or depth of our purses. If any friend of the administration, however, could assure him of any just apprehension of war, he would go most cheerfully for all its necessary appropriations. No administration had been treated more generously than our present one, in the management of our foreign relations. We had scarcely made an inquiry of it, and we were, as far as foreign affairs were concerned, "riding with darkness." He wished those who quoted Gen. Scott's report and recommendations as authority, would give the example of a full, instead of a partial adoption of the Gen. Scott's recommendations. Though differing in sentiments from the political majority of this house, in the spirit of one who felt that we are all equally interested in the welfare of the country, he called upon that majority to pause before following the lead of those who would increase our expenditures. The majority have assumed a responsible position, remaining with them whether their profession shall be sustained by their votes, whether their promise to administer the government on $13,000,000 shall be fulfilled, or the estimates of the secretary of the treasury for $33,000,000, shall on the other hand be confirmed. My opposition to these appropriations is based on the ground of injury to the country in increased tariff. Mr. McK. was in favor of the army as a military nucleus. Science could not be instinctive, but men could. Chateaubriand, he believed it was, said of France, that France was a soldier; *La France est soldat.* Every citizen of the U. States must generally was trained from his infancy to the use of fire-arms, and would be ready to accept the summons of the nation. He was disposed to reduce the army to 6,000 men. The increase at the Black Hawk and Florida wars was *pro tanto* for peace. He would prefer to preserve the dragoons, however. Ms. Mck. next rebulted the argument of Mr. Cushing, that we must arrange our forces in reference to foreign powers, and to do so gave an analysis of their respective strengths, and then referred to the fact that the recommendation for reduction came from the oldest and wisest of the house. He is sustained by the gentlemen from Massachusetts, (Mr. *Adams,*) from Tennessee, (Mr. *Johnson,*) from North Carolina, (Mr. *McKay,*) among the most prudent, economical, and far-seeing of this house, who had long been members of this body and knew the wants of the country. To their voice was opposed arguments addressed to them in a most specious garb, particularly with the power of poetry added to them. He thought that the allusion to them was not fortunate when opposed to the sound advice of the patriarchs of the house. Their opinions were not met by the language of one of those beautiful creations of the poet's fancy, the language of a prudent, wily, and sagacious statesman, but the wild raving of the seeie where a weak old man, ruined in fortune, and above all in mind, dreams that he needs his followers. It was the language of the maniac and not of the case.

Mr. *Fessenden* agreed with the gentleman from Va. (Mr. *Gilmer,*) that there were many abuses in the army. But, because there were abuses, it was not for congress in say they were to take from him of our defence. That there were abuses in the army he did not doubt. As an instance in proof of this he referred to a report from the department, made to the senate in answer to a resolution of the pay of a certain officer, in which it was stated first at $17,000, next at $37,000, and third about half way between the two sums, and there was no certainty that this was correct. It was an abuse that they had not been able to find what the exact pay of the officers of our army was; but it did not follow, because we could not find out, that we ought to cut from off any appropriations for the army at the present time.

The question of the reduction of the army was an exceedingly important one. It was idle to talk of this question as a question of war with Great Britain or any other country. The gentleman from Massachusetts (Mr. *Cushing*) had adverted to the impression that would be made by the present condition of the country on the mind of Lord Ashburton. Did not Lord Ashburton know (he asked) how that this was a peace establishment, and that the strength of the United States was not the little army we now had, but that it consisted in our wealth, our people, the energy of our people, and that we had to bring a sufficient force into the field in one moment. We might reduce our army one-half and it would not affect our relations with Britain. We might be a little more unprepared for war, but in reference to all those considerations which entered into the minds of negotiators, the number of men in our army, whether it was one, or two, or three, or was reduced one-half, would not enter into the question at all. What then were the questions which ought to be considered in settling a number of this army? They were questions having reference entirely to the uses of the army in time of peace.

Its use in peace was to preserve a proper organization, and whether we garrison our forts on our maritime frontier. Mr. F. adverted to the exposed situation of Maine, with the neighborhood of the British depot at Halifax, and asked, if it was strange that she should feel a deeper interest in this matter than did Tennessee or North Carolina. There thousand men would take care of all the public property and all the purposes of military defence, and they accomplish the other object, i. e. garrison the forts and keep up a knowledge of the military arts. In 1821, we had but five military posts, we now had twelve. Atlantic coast, the gulf of Mexico thirty-two, and on the northern frontier, five more. How many men were necessary in order to garrison these posts? Could the gentleman from Va. (Mr. *Goggin*) or from North Carolina (Mr. *McKay*) tell him?

Mr. *Goggin*, in reply to the inquiry, referred to document No. 168 of the present session, being a communication from the secretary of war, which estimated the number of men required to man all our forts in time of peace at three thousand one hundred and ninety.

Mr. *Fessenden.* This was the number of men required to preserve the public property only.

Mr. *Goggin* continued conversation between Messrs. *Goggin* and *Fessenden*, in reference to the nature of this estimate of the secretary of war, the former gentleman reading from the document that it was a statement of the number of men required to garrison our forts in time of peace, and the latter gentleman contending that garrison duty was to take care of the public property, and that the secretary did not in this document pretend to answer the question of how many men were necessary to keep up a military spirit and discipline in the army.

Mr. *Fessenden* continued. The two things, viz: to take care of the public property, to perform garrison duty, and at the same time keep up the necessary military knowledge, were necessary.

Mr. F. referred to the report of the secretary of war of 1837, which stated on a report made by Gen. Macomb, that the thirty-two forts on the Atlantic coast would require about 3,000 men. The next question was, do we stand in reference to our western frontier as we did in 1821. Mr. F. pointed out some of the differences of that frontier for those respective periods, and argued that 10,000 men, the force which in 1836, was stated to be absolutely necessary for a peace establishment, was necessary also now. He adverted to the fact that gentlemen had argued that the increase of the army in 1838 was predicated entirely on the ground of the Florida war, and referred to a document of the second session twenty-fifth congress, containing a communication from the Major General commanding the army, in which this increase was recommended, for the purpose of distributing four regiments of artillery on the Atlantic sea-board, in Alabama and Florida, &c. The gentlemen were mistaken, and had conveyed an erroneous impression, when they had said its increase was a peace establishment.

Mr. *W. B. Campbell* explained that the bill of 1838 was passed by both houses of congress, on the ground of the Florida war, if it was not on this ground recommended by the secretary of war.

Mr. *Fessenden* said this was very probable, as all bills in the house were not passed on the real reasons for them. He did not doubt but at that time it was found more convenient and effective to talk of the Florida war for the purpose of the passage of that bill than to talk of the necessity of placing our forces on a peace establishing. And gentlemen pretended to tell him that this army of 12,000 men was predicated on a war establishment, and that now in a time of peace it was unnecessary and should be reduced.

The gentleman from Virginia had said that they might reduce the topographical corps; that it was too large. Here was a population of 17,000,000, with a vast extent of territory and of rivers unexplored, a thousand points of defence and attack to be considered, and he had asked a topographical corps of 36 men, and the gentleman talked about reducing it! The duty of this corps was to examine our whole coast for the safety of commerce in peace and of defence in war. The library man of this was employed the whole year, yet the gentleman talked as if those 36 men who had this labor to perform were idling on the sea-shore. He, continued Mr. F. for the mere purposes of saving money they should not cut down the institutions of the country.

[Here a message was received from the senate announcing the death of the hon. *W. P. Mangum*, as president of that body.

Mr. *Warren*, of Georgia, had not been able to see any utility in continuing any more of our army than was necessary to take care of our forts and the property connected therewith. According to the report of the secretary of war, to which the gentleman from Virginia (Mr. *Goggin* had referred), a much less number than our present army was sufficient for this purpose, and he should therefore vote for the greatest reduction proposed. He did not desire to see a standing army—he thought it was wrong to keep a military spirit from one end of the country to the other. He did not intend to be controlled by any one department in reference to this matter; for, if they were to be guided by the recommendations of military men, in less than fifty years our country would be one entire military camp.

Mr. *Fessenden* was opposed to the reductions of the navy. Mr. W. said he had voted for the amendment to the bill, but he denied that he had voted to reduce the navy. He had voted to reduce the estimate for the ships of war, but not because it was larger than was necessary, unless a fraud had been committed on them by the officer making the estimate. For the appropriation of the bill he thought there was no necessity for an estimate in the bill they had passed. He had voted to reduce the appropriation also for the purpose of throwing on the department to show the sufficiency of the appropriation when a further appropriation was called for. Mr. W. also explained that he had voted for the amendment of the gentleman from New York (Mr. *McClellan*) to the navy bill, to limit the appointments in the navy, and stop the executive department of the government from increasing the navy to any amount it thought proper. When the service of the country required an increase in the *personnel* of the navy, let it be set before the house by the proper department, and he would come to the rescue of the navy, and go for its increase at the discretion of the legislature, and not the executive. He came from a portion of the country which did not believe it is blessing to be taxed—a portion of the country where the appropriations were not expended, and therefore felt called on in a peculiar manner to watch the appropriation of government. We had not now the means to pay the appropriations if made, and would have to obtain them first by loans and then taxation. Were they, under those circumstances, to allow the executive to increase the army and navy to any extent it saw proper? If he represented such a constituency as the gentleman from Maine (Mr. *Fessenden*) did, where it was possible that these fortifications would be built, possibly he should call this an institution of the country which it was necessary to retain.

Mr. W. said he cared not if there was not a man, not a single regular soldier left in the army. This talk about the necessity of keeping up a standing military force was all flummery and nonsense. He looked to the people for our safety and defence; to

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the people alone. To talk of keeping up a standing army for the purpose of deterring foreign nations from attacking us, is a thing he never dreamed of. We wanted no army—nor did we want a navy save to protect our commerce from the inroads of pirates and others who might molest it.

Mr. W. said he meant in these remarks to present no a general outline of his views on this subject. He should not go into the statistics of the army, but he must protest against such a plan of reduction as seemed to be advocated by his colleague (Mr. *Black*); who would have, as the very first step, the three companies now stationed in Georgia disbanded, because of the outrages committed by them upon citizens of the state; one company, however, was an exception—that of captain Casey, belonging to the 8th regiment; had all companies of our troops behaved like them no complaints would ever have been heard.

Mr. W. expressed regret that his colleague had deemed it necessary to speak in that house of the relations subsisting between the citizens of their state and the United States army; because the men who composed it, while within the bounds of the state, were subject to her own municipal laws, and if they were guilty of crimes could be tried and punished in the same manner with all other persons. The state had no just cause of complaint against the army, as such, but only of the conduct of individuals, and this she was competent to try and punish. If any acts of violence had been perpetrated by order of an officer or officers of the army, the case would be different; but when they were the lawless acts of private soldiers, there could be no ground for complaint in congress against the army of the United States.

Here Mr. *Black* interposed to explain and a controversy concerning the Georgia militia, and Georgia politics ensued. Mr. *Warren* was unwilling that questions belonging to a Georgia tribunal should come before congress. He was happy to state that the military committee were about to make a report on the whole subject; and when that came in, he hoped that his colleague and himself would be found acting together, side by side, in attempting to make a report, fitting to pay the militia for their services in defending the state.

Mr. *Ward* expressed his astonishment at witnessing the representatives of the south, and the north Atlantic cities advocating the destruction of our little army. He referred to the local position of his own district, and dwelt on his obligations to increase the safety of New York as immediately connected with the interests and prosperity of his own constituents. He considered it peculiarly unwise and inexpedient to reduce our army at a time when parts calue juncture. Yet such seemed to be the combination of political influences in resisting this bill that he was now convinced that the army would, at the present was but the incipient stage of the proposed attack upon it. All who were peculiarly jealous of standing armies would unite against it; who all were for retrenching to the last notch the expenditures of government, necessary or not, would be against it. All the enemies of the tariff would go against it. The army must be destroyed—and what next? Down with the navy. The army, they said, cost us ten millions, and the navy fifteen; dismiss both and you would save at a stroke twenty-five millions of dollars a year. Glorious! What a saving! Twenty millions was sufficient: the militia was the safeguard of free government. Well; and without an army and without a navy, what need of fortifications? Down with all appropriations for forts. And then, what did we want with ordnance? Away with arsenals and foundries; away with the whole ordnance department. What remained? The civil and diplomatic corps. And what need of a diplomatic corps? Foreign ministers were useless—a burden on the state—a public nuisance; let us save the whole heavy expense of their outfit and salaries; here would be another grand triumph of economy! Almost all those positions had already been taken; some in express terms. As to the post office, that was of little necessity; we could do away with that, too. And what then? Why, pretty soon, the people, finding so much of their burdens were needless, would begin to say to members of congress, "gentlemen, please to look a little to yourselves; down with your pay. What need of your eight dollars a day, and forty cents mileage? Is a economy!" What would you say to that? Yet the gentleman from Virginia, (Mr. *Gilmer*) a man of the highest talent and most exalted character, had complained of the allowance of ten cents mileage to an officer recalled, with his wife and children, from a distant post as a most exorbitant allowance, while he himself was receiving his forty cents.

Mr. W. here glanced at the allowance of pay to brevet officers, and the complaints made against it. He gave a history of the origin of brevet rank and the provisions of law in regard to the pay of those who were thus honored. Gentlemen claimed to be great friends, to the army and navy, yet could not bear to hear a word said on the meritorious services, the noble, the gallant, the heartstirring achievements for which brevet rank had often been given. Oh no! it disturbed their nerves; it too strongly affected their feelings. From such friends to navy and army good Lord deliver us! Let us not break down our army. It was an easy thing to get again such a body of men so disciplined, so educated, so brave. He did not believe there existed such another body of men on the face of the earth. Meet them where you would, you were sure to meet gentlemen. Their urbanity of manners, their polished address, their intelligence, as well as their gallantry and patriotism, were just objects of national pride and exultation. He alluded to the upright administration of army officers when disbursing the public money as contrasted with former waste and defalcation.

Here Mr. W. recounted some of the feats of the militia and concluded a long eulogy on militia prowess by a touch at the battle of New Orleans.

[Cries of 'true, rise!!']

Mr. W. refused to yield for a motion to rise, and proceeded to make an effort by Mr. Poinsett to introduce a better organization and discipline of the militia, and the political use which had been made of his report on that subject. He had looked into the debates in the convention for the formation of the constitution, as well as in those held in the various states to discuss the adoption of that instrument, and he found that the very arguments employed against Mr. Poinsett's scheme were then urged with equal earnestness against the militia system of the United States as now established. Patrick Henry denounced it as a standing army, but the wisdom of Madison and his compeers prevailed, and the system was retained. A very able report had once been made in this house, and adhered to ever since, on this position, that the organization and discipline of the militia belonged exclusively to the states and congress had nothing to do with it. In this opinion Mr. W. could not concur. He thought that congress had something to do with it. In 1792 a general act had passed establishing a militia system, declaring who should be liable to be enrolled and drafted, and had decided that all persons exempt by the state laws should be held exempt under that law also. Yet it was attempted to be maintained that congress had nothing to do with the militia.

Mr. W. expressed the opinion that the plan of relying on the militia alone was more odious among a large portion of the people than any that had been; if the army and the navy were to be cut down, what was to become of the defence of the country? Mr. W. concluded with some general remarks in opposition to the proposed reduction.

The committee, (the hour growing late) rose and reported, and the house adjourned.

Wednesday, June 1. The speaker laid before the house a letter from Arthur Middleton, of South Carolina, which was read:

To the speaker of the house of representatives:

Sir: I have the honor to solicit your acceptance, on behalf of congress, of the accompanying por rait, representing the great discoverer of our hemisphere—the immortal Columbus; none of whose likenesses, hitherto extant, can be regarded as authentic.

While in charge of our legation at Madrid, it was my good fortune, after many fruitless searches in Italy, to obtain possession of a copy of this that of which I now present the copy, executed for me by Jenne Madrazo, director of the royal museum in that capital.

The artist pronounced in the portrait, by Don Fernandez M. Navarrette, will no doubt appear conclusive as to its superiority over other likenesses, to all accounts (and all who know him are so) as well of his high sense of honor as of his unrivalled acquaintance with the history, private and public, of all the great discoverers. And if, after referring to his testimonials, (also bending to my request) your acceptance, my satisfaction will be shared by every true American, in seeing it placed, as it ought to be, among the effigies of the fathers of our great republic. I have the honor to be, sir, with the greatest respect, your obedient servant,

ARTHUR MIDDLETON.

It was referred to the committee on the library.

On motion of Mr. *Gwin*, the house took up the bill entitled "an act to carry into effect, in the states of Alabama and Mississippi the existing compacts with those states with regard to the five per cent. fund and the school reservation."

By ayes 84 noes not counted, the bill was passed. The business relating to the District of Columbia was then taken up.

On motion of Mr. *Underwood*, the house took up the bill to suspend for a limited time the operation of a part of the act entitled "an act to revive and extend the charters of certain banks in the District of Columbia: which said bill had been returned from the senate with the following amendment:

In line 13, after the word "three," insert: unless the banks of Richmond or Baltimore shall before that time resume specie payments, when the suspension the privilege granted by this act shall cease and determine.

Mr. *Powell*, of Virginia, moved to strike out the word "or" and insert "and:" in order that the District banks which could not safely resume before those of Virginia, to use until then, the Virginia paper as heretofore.

After discussion, the amendment was rejected by a vote of 102 to 76. The question then recurring on the amendment of the senate, Mr. *Underwood* said that as the vote just taken had destroyed the importance of the bill, he moved to lay it on the table. It was accordingly laid upon the table. Several bills relating to the District were then passed and the house adjourned.

Thursday, June 2. The house resumed the business relating to the District of Columbia. The bill to incorporate the national institute was passed by yeas 86, nays 56. The bill to regulate the solemnization of marriage, and to incorporate the Washington Manual Labor school, and Male Orphan Asylum, were also passed. The bill to amend the charter of the city of Alexandria, which then recommitted and an amendment having been adopted authorising every male citizen over 21 years and of 12 months residence in the city to vote at the election for the adoption of the bill, Mr. *Adams* moved to recommit it with instructions to strike out the word "white person," the effect of which amendment would be to allow persons of all colors to vote. He challenged the mover of the original amendment to show why a man in Alexandria, who had performed all the duties of a citizen, should be excluded from the elective franchise, merely because his skin might not be snowy white. He had done all he could to prevail on the chairman of the District committee not to bring in the bill in its present form. Even when the bill had failed, he had now no alternative but to move to strike out the word "white," so that hundreds of good citizens now excluded, might vote. "What," said Mr. A. "is the meaning of the term "white man?" Does it refer to the color of the eyes or of the skin? If it do, I can point to several members of this house who are not white—[laughter.] After order had been restored, Mr. *Adams* said he would pledge his word that he could go out into the District and bring in a hundred respectable men, called "colored" persons, whose complexions were whiter than the twenty men in this house. [Renewed laughter.] Mr. A. proceeded to show that, in some cases, it was impossible for a man to tell by his color whether he was a white man or not. The only way in which it could be ascertained was by going back to the genealogy. [Laughter.] He said that throughout the commonwealth of Massachusetts there was no political distinction as to color. He therefore contended that the free colored citizens of Alexandria ought to have the same privileges. With what consistency could it be said that these men, paying taxes, and ready to shed their blood for their country, should not vote? Tell it, said Mr. A. to the human race that the reason of it. He then asked why it was that this question of universal suffrage had been thus forced upon the house by the mover of the amendment, in the absence of any request of the people of Alexandria on the subject.

Mr. *W. Cost Johnson* made some remarks to show that the question, whether or not negroes shall vote, is not the subject of agitation anywhere, but in the house itself, notwithstanding all that Mr. *Adams* had said to the contrary. Mr. J. then denounced the course of Mr. *Adams* in making such a motion. He had expressed no desire for any other object the gentleman could have, but to increase the irritation on this subject in the south. He concluded by moving to lay the motion of Mr. *Adams* on the table.

The motion prevailed—yeas 87, nays 66. So the motion of Mr. *Adams* was laid on the table, and by the rules of the house, the whole bill was laid on the table with it.

The bill providing for the establishment of a police guard for the city, in lieu of the present watchmen employed to guard public buildings, was next taken up, and after discussion and amendment passed by a vote of 84 to 77. The house then adjourned.

Friday, June 3. Mr. *Davis*, of Kentucky, offered a resolution, calling upon the president of the United States for information in reference to the New York custom house commission. The information called for was, whether the commission be now in existence. If not, when dissolved. If in session, for what purpose? The expenses of such commission,

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and from what funds paid. Objections were made, the rules were suspended, and the resolution adopted.

Mr. *Wm. P. Campbell*, of Tennessee, presented a joint resolution to the effect that the two houses of congress would adjourn on the 11th of July.

Objections were made when Mr. *Campbell*, of Tennessee, moved a suspension of the rules. The rules were not suspended.

Mr. *Fillmore* presented a revenue bill from the committee on ways and means, accompanied by a message that the bill be printed and five thousand extra copies of the same for the use of the house. Objections were made to the extra copies, and a division of the question called. The regular and the extra copies were ordered to be printed.

Mr. *Fillmore*, after an ineffectual effort to go into committee of the whole, presented a resolution proposing that on Monday next all debate should cease on the army bill, and that the committee should proceed to vote upon the amendments. The resolution was adopted by a vote of 95 to 83.

A bill was reported for the armed occupation of Florida, and referred to the committee on the whole on the state of the Union.

Mr. *Kennedy*, of Maryland, on leave given, reported from the committee on commerce, a bill to establish reciprocity in the commercial regulations of the United States in their intercourse with certain British colonies.

Also, a joint resolution concerning the termination of certain commercial treaties.

Both of which were severally read twice, and referred to the committee of the whole on the state of the Union.

The house then went into committee of the whole upon the army bill, by a vote of 69 to 66, Mr. *Underwood*, of Kentucky, in the chair.

Mr. *Halsted*, of N. J. spoke at considerable length against the general heading reduction of the army. He wished the rank and file preserved as it was, and willing, he said, to bring down the staff, which was too large, and connected with which there were some abuses, and to make some reductions so far as it was safe and practicable, from the increase of 1838.

Mr. *Cross*, of Arkansas, continued the discussion, and in a brief speech opposed the reduction of the army. He thought in the end the reduction would prove a much more expensive than practical or economical measure.

Mr. *Fillmore* stated, after Mr. *Cross* had closed, that there were but forty-five members within the bar, and not five of these were listening to the speeches which had been made. He submitted to gentlemen whether it was not better to vote upon the amendments than to talk to bare walls.

Mr. *Giddings* alluded to the wide range of the debate—to the talking of affording protection to the northern frontier, of which he was an inhabitant, and would assure them that his people would as soon ask congress for protection against the people of Pennsylvania as against those of Canada. He protested against the proposed reduction of the army. The country had more need of an army in 1821, than it has now. The Indians transferred to the west were a protection and barrier to the country, to his best information, instead of objects to protect ourselves against. Ohio never had a U. States post in her limits in time of peace, or even a soldier sent for marching, nor did she need them. Her people were hourly crossing and recrossing to Canada, and would as soon think of fortifying themselves against Pennsylvania as against their Canadian neighbours. Even in the last war, Ohio never called on the general government for protection. Why were not the people of New York, whose numbers were so earnest for forts and U. States troops, able to defend themselves as those of Ohio? In peace, neither needed protection; and as to Canada, Mr. G's people knew no difference between her people and our own. Commerce, and the arts of peace, and christianity, have taught nations in a great measure to lay aside their arms, and seek glory and honor in measures more conducive to human happiness. What did we of this republic want an army for? To protect us in peace? Against whom? You had as well call for protection from the bolts of heaven, from lightning and tempest, for we are more exposed from them, than from any force which would assail our frontiers. There had been a time when the 3 or 400 men in Maine were needed, but now, since the last war, the reduction of the army would involve their removal. There is no need of men to even man our sea-board fortifications. The progress of science and arts has been and is such, that in a few years they will be regarded as antiquated and useless expenditures. Mr. G. alluded to the number of men required to protect the public property, to Gen. Scott's report, which he did not understand as recommending a guard or garrison of 75 men in each post for that sole purpose. Mr. G. intended to write out his remarks more at large hereafter. The Florida war he considered as an executive war from beginning to end, and a violation of the constitution in having been commenced and carried on, and variously renewed without the action of congress. As far as the army was necessary for it, it ought to be retrenched and disbanded. In 1825, the stripping of Indians had commenced. Mr. G. next referred to Gen. Jesup's order for a list of runaway negroes and their description, names, &c. to be furnished to the national government at Washington. Mr. G. contended that herein the adjutant general of the army was empowered to determine on the liberty of American citizens, that the white people of Florida were slaves, and that this was usurped. It was an enormous usurpation of power. It was, he believed, the first of the kind in our national history. Great numbers of colored people were seized, and no record could now be found in the war department of their names, their owners, or any of the facts attending their seizure. It appears by an official report that more than 400 were thus captured, but how many more, whether 500 or 1,000, did not appear. He thought it a flagrant violation of the constitution and not a little. Mr. G. contended that slave refugees from Georgia or Carolina or Alabama, having escaped, and being in Florida, were as much entitled to liberty as those who captured and carried them away. The plea was the purpose in sending the army to Florida; this was their occupation, and as the negroes and Indians were now nearly all removed, the regiments there would suffice, and in a short time they also might be gradually withdrawn. Mr. G. next noticed the Creole case, and denied that it was any legitimate ground for complaint against the British. The general government has the power to protect the slave trade. It also has the power to destroy it. If congress has any jurisdiction over the trade it is then its jurisdiction not to protect. This government not to be connected with slavery, be contended, in any matter whatever. Mr. G. having concluded, the house rose informally.

Saturday, June 4. The unfinished business of yesterday was the motion of Mr. *Cooper*, of Pennsylvania, to refer to the committee on Indian affairs, a letter which was laid before the house yesterday by the speaker from the secretary of war.

Mr. *Cave Johnson* moved instructions to the committee to send for persons and papers, and be enforce the production, if it had the power, of the information withheld.

Mr. *Cooper* of Pa. spoke at length upon the letter of the secretary of war. He contended that it was an insult to the house—that the department transcended its honor—that the house owes to its dignity and power to require the production of the papers kept back.

Mr. *Cushing* of Mass. said the case was an important one. The department had a right, all must admit, to withhold information not compatible with the public interest to communicate. The secretary of war had a right to withhold such information as related to negotiations. There was no want of courtesy in the letter of the secretary of war. Mr. C. however, contended that there was no power in the house to compel the transmission of information from the executive departments. The powers of the executive in such cases were correlative. The president sent information of this kind here as an act of comity. They were papers voluntarily sent to the house. Mr. C. also argued to show that great injustice was done very often by the publication of *ex parte* evidence. Great injustice had been done to individuals by the publication of *ex parte* evidence, in the New York custom house commissioners' report.

Mr. *Adams* spoke of the question as one of great magnitude, and not a new one, as had been supposed. With great reluctance respect he said he must differ from his colleague. He contended that the house of representatives had a right to the possession of every kind of information in the power of the executive department. Mr. A. supposed that a majority perhaps of the members would be as much startled by this position as they were by the opinions of his colleague: nevertheless, he contended that he was right, and he founded the rights of the house in the power of impeachment. Establishing this opinion, he proceeded to give precedents to sustain his position and in support of his colleague to the conclusion of his colleague. The precedents cited by Mr. *Cushing* were considered, and a different construction placed upon them. And other precedents were also stated.

Mr. *McKay*, of North Carolina, sustained the rights of the house under the impeaching power given to under the constitution, as contended for by Mr. *Adams*. Mr. *McKay* thought in the specific case under consideration that the answer of the secretary of war was satisfactory. To get rid of the whole subject he moved the previous question.

There was a second—the main question was sustained and the instructions were not adopted as proposed, and the letter was referred to the committee on Indian affairs.

The army bill was then again resumed, and

Mr. *Pope*, of Ken. concluded his remarks in favor of the adoption of the pending amendment. He was not influenced by the alarmed inequalities of pipeclayments. It was said Virginia got a great proportion of the appointments. Who, he asked, got all the appointments in the custom houses at Philadelphia, N. York, Boston, &c.? None of his constituents. He found, from the east to the west, from the north to the south, in every branch of the government, and under every administration, the sweat of plunder, robbery, dishonesty and defalcation prevailing; and he was in favor of economy, retrenchment and reform in every branch of the public service. He had himself resided six years in Arkansas and regarded the Indians there as peaceably disposed, and all alarms about Indian hostility and war were totally unfounded. We wanted no army to protect us from foreign invasion. He confessed he was under the idea till very lately that our difficulties with England would not be terminated without a war, but he had recently become perfectly satisfied it was not so. He believed it was the determination of England, France, and every power in Europe to have no war with this country.

Mr. *Giddings*, in reply to Mr. *Giddings*, to the subject of the congressional powers in reference to slavery, brought his remarks to a close, and the committee rose and the house adjourned.

[Monday, June 6. Mr. Gary presented the memorial of James C. Patton, a highly respectable citizen of Petersburg, (Virginia), praying congress to assist him in constructing two machines invented by him, one for passing through the air with immense velocity, by which he proposes to reach London or Liverpool from this country in sixty hours, the other machine is so constructed as to generate enough air for respiration, and with which, he thinks, he can pass through water at any depth it will allow, and under ships or vessels of any size, and with such apparatus as he is in possession of explore or blow up, in 6 or 8 hours, fifteen or twenty ships of the line. Patton estimates the expenses of constructing these machines at $5,000 each.]

Mr. *Gary* added its reference to the committee on naval affairs. Ordered accordingly.

On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole on the state of the union, (Mr. *Briggs*, of Mass. in the chair), and resumed the consideration of the bill making appropriations for the support of the army and of the military academy for the year 1842.

Mr. *Gary* addressed the committee, chiefly on the subject of the Florida war, and in reply to Mr. *Giddings*.

Mr. *Adams* continued the discussion, and gave his views generally upon the whole subject, viewing the question under a practical one, but merely. He gave to the house a vast deal of statistical information connected with the army. Mr. A. regarded a large standing army as inconsistent with the genius and spirit of our institutions. Upon this principle, commissions were granted only for a limited period, which was during the war. General Washington resigned his commission as soon as the war ceased. Mr. *Adams* was alarmed at the increase of the army, and had brought in a resolution to this effect. It was objected to the amendment, that it did not come from the regular committee. He was ready to adopt it, come from what quarter it might.

Mr. *Stanly* addressed the house, and the hour of one having arrived, the committee, in pursuance of the order heretofore adopted, proceeded to vote on amendments pending or to be offered.

Mr. *Cave Johnson* modified his amendment by adding after the words "term of service," the words "or other cause."

The question being, first, on the substitute amendment of Mr. *Bonwell*. Tellers were appointed, and the vote stood: ayes 63, noes 102.

So the substitute amendment was rejected.

And the question recurring on the amendment of Mr. *Cave Johnson*—

Mr. *Merriweather* offered the substitute amendment heretofore indicated by him; but, a question of order being raised by Mr. *Fillmore*, Mr. M. withdrew it.

The question again recurring on the amendment of Mr. *Cave Johnson*—

Mr. *Moore*, of La. asked a division of the question, (so as that a separate question be taken on each provision); and it was ordered.

And the question was taken, first, on the following part of the proposed amendment:

Provided, That the recruiting service shall cease until the number of non-commissioned officers and

privates in the various companies of the several artillery and infantry regiments shall be reduced by death, expiration of term of service, and such discharges as the president may from time to time direct, to the number fixed by the act entitled "an act to reduce and fix the military establishment of the U. States," approved, March 2, 1821.

And the vote stood: ayes 102, noes 64.

So the first branch of the amendment was agreed to.

And the question recurring on the second part of the amendment, to wit:

And provided further, That no part of this appropriation shall be applied after the 30th of September next to the payment of the regiment of dragoons established and authorised by the act of the 23d of May, 1836.

Mr. *Merriwether* moved to amend the amendment by striking out the words "30th of September next," and inserting "1st of January, 1843," which amendment was rejected.

And the vote on the second proviso being taken, stood: ayes 90, noes 70.

So the second branch of the amendment was agreed to.

Mr. *Cave Johnson* moved to amend the amendment by adding another proviso limiting the amounts of money to be paid to officers in the different branches of the service for pay or emoluments to the sums now paid to officers of the same grade in the infantry and artillery service.

And the question being taken, the amendment, by ayes 91, noes 62, was agreed to.

The committee then proceeded with the item of the bill, after which,

Mr. *M. A. Cooper* moved an additional section, providing (as the reporter understood), for the reduction of the force at the armories. [Lost.]

Mr. *Chittenden* moved the following amendment:

Strike out after the enacting clause and insert the following:

That the present army of the United States shall be disbanded on the 4th day of July next; and on that day it shall be the duty of the president of the United States to commission experienced officers, in state of Rhode Island, as major general of the United States, with authority to enlist as large an army of able bodied soldiers, who shall be opposed to all civil authority and in favor of the largest liberty, as he shall be enabled to do, with the aid of his friends in Tammany Hall, before the 30th day of December next; and the sum of one thousand dollars is appropriated to defray the expenses thereof, and of the late expedition against the state of Rhode Island and its legal authority.

Some confusion, partly of a serious and partly of a comical character, followed.

The *chairman* decided the amendment to be out of order.

Mr. *Bowne* inquired of the chairman if the amendment offered by the gentleman from New York would go upon the journal?

The chair replied in the negative.

Mr. *Bowne* said he regretted it, as he wished to have the infamous act on record.

[Some cries of order, and some laughter.]

Mr. *Reynolds* moved to strike out the second section of the bill, or that appropriating money for the academy at the West Point; which motion, by ayes 27, noes 104, was rejected.

Whereupon the committee rose and reported the bill and amendments to the house.

And, on motion of Mr. *Sprigg*, after some conversation, the further consideration of the bill was postponed until to-morrow, and the bill and amendments were ordered to be printed.

The house then amended and passed the navy pension bill, and the bill to provide for the settlement of the claims of the state of Maine for militia services, and adjourned.

TUESDAY, JUNE 7. The chairman of the committee of ways and means reported from the committee of ways and means a bill to extend the existing revenue act until the 1st of August, 1842.

Mr. *Fillmore* stated that it had become apparent that the revenue bill now reported to the house could not be disposed of before the 30th of June. It was doubtful whether any revenue could be collected under the compromise act, and therefore it became necessary to extend the existing act until the revenue bill could be disposed of.

On motion of Mr. *Fillmore*, the bill was read twice and referred to the committee of the whole on the state of the union, Mr. *Fillmore* giving notice that he should call for the consideration of the bill as soon as it was printed.

A bill was then reported making an appropriation for expenses incurred in suppressing and preventing Indian hostilities in 1838. This bill was twice read, and referred to the committee of the whole.

The army bill before the house for concurrence upon the amendments adopted in committee of the whole, was now considered.

The previous question was moved, but there was no second, and the debate was continued upon the proposed amendments to the bill submitted by various members.

Mr. *C. J. Ingersoll* moved to recommit the bill with instructions.

Mr. *Reynolds* moved to amend the proposition of Mr. *Ingersoll* by adding—

And to inquire into the expediency of abolishing the military academy at West Point, or changing the laws in such manner as to render the academy more acceptable to the public.

Mr. R. proceeded to remark that, if every individual would peruse the document, if it got before the people, the farmers and mechanics of our country, in his estimation there was no doubt but that academy would be abolished, or amended in such a way as the people would desire. The gentleman before him (Mr. *Green*, of Kentucky) represented a state whose legislature had passed resolutions in favor of abolishing this institution, or amending it in such a way as would be acceptable; and so the legislature of Tennessee had also passed resolutions of a similar character. Thus he was not alone in his opposition to the academy. It was contrary to the constitutional question, and contended that there was no clause of the constitution which would sustain this institution.

He referred to the plan submitted by Washington for the establishment of a national university, and contended that that was wrong; that there was not an individual in this country that would subscribe to it. The military academy rested on the same foundation, and every individual must condemn it. He spoke of the former representative from Richmond who had said he did not wish to be buried in Washington, because he should be buried at public expense, and he believed it unconstitutional. He hoped that the gentleman's successor would in the same manner for a short session, and that the gentleman would at least far enough to vote with him against the military academy.

Leaving the constitutional argument, Mr. R. proceeded to speak of the improprieties and objections on other grounds to this institution. He referred to the report of Mr. Smith of Maine, made during the time when Mr. Calhoun was secretary of war, in which the message of Washington, of 1796, recommending the establishment of a military academy, and also of a national university, was alluded to; which showed that the number of cadets at West Point was about 250 all the time; and out of that number that 40 annually graduated, 22 of whom only were wanted in the army, leaving 18 commissioners annually. On the principle of the necessity of this institution, were gentlemen ready to have 18 more commissioners annually, and to expend the public money on individuals who did no good whatever for the country? He was not opposed to education—it was the corner stone of our happiness here and hereafter; but it must be acquired in a proper way.

The offices in the army required only twenty-two individuals annually, and for this gentlemen's sons were selected, while handed entry in the language of William Leggett, sustained by the country, and doing nothing for it. He would vote for this bill, if the military academy was in it. He would vote for nothing, that was not authorised by the constitution.

Was it right for them to establish such an academy, and educate bishops? It was a great argument against this institution, that it could not be perverted from the army to the church, because the church stood on a permanent basis—on the basis of its own means and sanctity, and would reign forever. It needed not these cadets, graduated at West Point, to sustain it.

At the time of the formation of this institution, Mr. R. admitted that country perhaps needed such an institution more than it did now. Was there not now enough of talents, patriotism, and education in the country to fill our army without such an institution? Was not every thing there taught throughout the country, except shouldering a gun, and was it not much better to see what a man was before he was put into the army than to take him up from a mere child? Would any man feel safe to see the interests of the country in the hands of West Point cadets in time of danger? It was a wrong institution. The country did not need its service, and he hoped it would be either abolished or so amended as to make it acceptable to the public.

Mr. *Holmes*, after remarking that, from listening to the remarks of the gentleman from Illinois, (Mr. *Reynolds*,) one would be very apt to suppose that there was no other class of people in the world save that of farmers, and that he it he had been reminded of the narrative of Gulliver, who, in his travels, found it exceedingly difficult to convince the Lilliputians that there were any larger people in the world than themselves proceeded to say that he had yet to learn that all the wisdom and science on which this country must depend for its glory was concentrated in the farmers.

Mr. H. was in favor of Mr. *Ingersoll's* proposition, because, although the opinion in favor of reduction was almost unanimous, yet its mode and manner were of vital importance. This bill would disorganize the army. Mr. *Holmes* then defended the military academy. He was of opinion that there was no analogy between it and the United States Bank: the one was a corporation, the other was not. The power to discipline the army was granted to congress, and necessarily included the power to raise up officers to organize it and render it effectual. He thought that those who left the academy and the army for civil life, still repayed their country by the diffusion of the scientific information they had acquired there. Many of the officers engaged on our various rail roads had been educated there, and had not the means for being educated anywhere else.

Mr. Barnard said addressed the committee, and offered a substitute for Mr. *Ingersoll's* motion, but the previous question was called, and thereby all debate, with the motion for recommitment, was cut off. The main question (being first on the amendments, and secondly on the engrossment of the bill) was ordered to be now taken.

Mr. *Bowne* referred for a division of the question on the several provisos or amendments to the first section, which was ordered.

The first question was on concurring with the committee of the whole on the state of the Union in the following proviso:

Provided, That the recruiting service shall cease until the number of non-commissioned officers and privates in the various companies of the several artillery and infantry regiments shall be reduced by death, expiration of term of service, or other causes, and such discharges as the president may from time to time direct, to the number fixed by the act entitled "an act to reduce and fix the military peace establishment of the United States," approved March 2, 1821.

Mr. *Lowell* asked the yeas and nays, which were ordered; and, being taken, resulted as follows

YEAS—Messrs. Adams, Arrington, Atherton, Averrigg, Beeson, Bidlack, Black, Boardman, Boyd, Briggs, Aaron V. Brown, Charles Brown, Jeremiah Brown, Burke, Patrick C. Caldwell, Calhoun, John Campbell, Wm. B. Campbell, Wm. J. Campbell, Caruthers, Cary, Casey, Chapman, Clinton, Colquit, Mark A. Cooper, Cowen, Daniel, G. Davis, R. D. Davis, Doherty, Doan, Doig, Eastman, Egbert, John G. Floyd, Chas. A. Floyd, Fornance, J. Lawrence, Foster, Gamble, Gerry, Giddings, Gilmer, Goggin, Patrick G. Goode, Wm. O. Goode, Graham, Gustine, Irwin, Hall, Harris, John Hastings, Hays, Holmes, Hosack, Houston, Hubard, Hunter, Jack, Cave Johnson, John W. Jones, Keim, Lane, Lewis, Linn, Abra. McClellan, Robert McClellan, McKay, McKeon, Mallory, Maclay, Maxwell, Medill, Morehead, Mitchell, Moore, Morgan, Newhard, Patridge, Payne, Pickens, Plumer, Pope, Read, Reding, Rencher, Reynolds, Rhett, Rogers, Wm. Russell, James M. Russell, Saunders, Shaw, Shepperd, Shields, Slade, Snyder, Sprigg, Steenrod, Stratton, John T. Stuart, Sumter, Sweney, John B. Thompson, Turney, Underwood, Van Buren, Wagener, Watterson, Weller, Westbrook, Christopher H. Williams, A. Young—112.

NAYS—Messrs. Allen, Landaff W. Andrews, Baker, Barnard, Barton, Birdseye, Blair, Botts, Bowne, Brewster, Brockway, Bronson, Burnell, Wm. Butler, Chittenden, J. C. Clark, Staley N. Clarke, Clifford, James Cooper, Cranston, Craven, Cross, Cushing, Dawson, Dean, John C. Edwards, Everett, Ferris, Fessenden, Fillmore, Thomas F. Foster, Granger, Habersham, Halsted, Howard, Hunton, Hunt, Chas. J. Ingersoll, Joseph R. Ingersoll, James Irvin, Wm. W. Irwin, James, William Cost Johnson, Isaac D. Jones, John P. Kennedy, King, Lowell, McKennan, Alfred Marshall, S. Mason, Maxwell, Miller, Morris, Morrow, Oliver, Osborne, Pendleton, Powell, Ramsey, Benj. Randall, Alexander Randall, Randolph, Ridgway, Riggs, Rodney, Roosevelt, Saltonstall, Tra. Smith, Stanly, Stokely, Taliaferro, Tillinghast, Toland, Tomlinson, Trumbull, Van Rensselaer, Ward, Washington, Joseph L. White, Thomas W. Williams, Joseph L. Williams, Wise, Yorke, J. Young—85.

So the first division of the amendment was agreed to.

The question then recurring on the second division, in the words following:

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And provided, further, That no part of this appropriation shall be applied, after the thirtieth day of September next, to the payment of the regiment of dragoons established and authorized by the act of twentieth May, eighteen hundred and thirty-six.

Mr. *Moore*, of Louisiana, asked the yeas and nays, which were ordered; and, being taken, resulted in yeas 97, nays 98. So the second division of the amendment was rejected.

The third division of the amendment, being that the pay of the staff officers, shall not exceed that of officers of the same grade in the line, then came up, and was agreed to by yeas 110, nays 89.

The amendment to item 3, providing that no additional rations shall be allowed to the commanding officers of separate posts, was then adopted by yeas 105, nays 87.

Mr. *Andrews*, of Ky. moved to reconsider the following rejected amendment:

"*And provided, further*, That no part of this appropriation shall be applied, after the thirtieth day of September next, to the payment of the regiment of dragoons established and authorised by the act of twentieth May, 1836."

Mr. A. called for the yeas and nays on his motion, which were ordered; and being taken, resulted as follows:

YEAS—Messrs. Adams, Landaff W. Andrews, Arnold, Arrington, Ayerigg, Beeson, Black, Boardman, Boyd, A. V. Brown, Milton Brown, Wm. Butler, W. O. Butler, P. C. Caldwell, Cathcart, J. Campbell, William B. Campbell, Thomas J. Campbell, Carothers, Cary, Casey, Childs, M. A. Cooper, Cowen, Daniel, Garrett Davis, Dean, Doherty, Eastman, Egbert, John G. Floyd, Charles A. Floyd, Fornance, A. L. Foster, Thomas F. Foster, Gerry, Goggin, Wm. O. Goode, Graham, Green, Gwin, Hall, Houston, Hubbard, Hunter, Jack, Cave Johnson, John W. Jones, Keim, Lewis, Linn, Abraham McClellan, McKay, Mathews, Mattocks, Maynard, Mirewether, Mitchell, Morgan, Osborne, Owsley, Patridge, Payne, Pickens, Pope, Reed, Redding, Rencher, Reynolds, Rhett, Rogers, Roosevelt, Wm. Russell, James M. Russell, Shaw, Shepperd, Shields, Snyder, Spigg, Stanly, Stanford, Stratton, John T. Stuart, Summers, Sweeny, Tillinghast, Toucey, Warren, Washington, Watterson, Westbrook, T. W. Williams, C. H. Williams, Wise, John Young—94

NAYS—Messrs. Allen, Baker, Barnard, Barton, Birdseye, Blair, Botts, Briggs, Brinson, C. Brown, Jeremiah Brown, Burnell, Chittenden, John C. Clark, Staley N. Clarke, Clifford, Cranston, Cravens, Crews, Cushing, Richard D. Davis, Dawson, John C. Edwards, Everett, Ferris, Fessenden, Fillmore, Gamble, Granger, Gustine, Habersham, Harris, John Harper, Hastings, Hoffman, Howard, Hudson, Hunt, Charles J. Ingersoll, J. R. Ingersoll, Wm. W. Irwin, James, W. C. Johnson, Isaac D. Jones, John P. Kennedy, King, Lane, Littlefield, Lowell, Robert McClelland, McKennan, McKeon, Alfred Marshall, S. Mason, Mathiot, Maxwell, Miller, Moore, Morris, Morrow, Newland, Oliver, Pendleton, Plumer, Powell, Ramsey, Alexander Randall, Randolph, Ridgway, Riggs, Rodney, Saltonstall, Truman Smith, Stokely, Sumter, Taliaferro, Richard W. Thompson, Tillinghast, Toland, Tomlinson, Trumbull, Van Buren, Van Rensselaer, Ward, E. D. White, J. L. White, Joseph L. Williams, Yorke—89.

So the vote was *reconsidered*.

And the question recurring on concurring in the said proviso,

Mr. *Wise* asked the yeas and nays, which were ordered; and, being taken, resulted as follows: Yeas 94, nays 93. So the proviso was concurred in.

The various amendments having been rejected or agreed to, Mr. *W. C. Johnson* moved to recommit.—Mr. *Cave Johnson* called the previous question and the main question being put, the bill was passed by a vote of 163 yeas to 22 nays.

Mr. *Cushing* asked to be excused from voting.—The house refused to excuse. Mr. *Cushing's* name being called, Mr. C. said "I decline to vote."

The question being on the title of the bill—

Mr. *C. J. Ingersoll* moved to amend it so as to read simply a bill making appropriations for the army.—Mr. I. said he wished to preserve the military academy; and, to order its preservation, it should be radically reformed. The cadets should not be paid.—No cadet should be educated for the staff of officers, and not for the army at large. No cadet should be allowed a commission until he had served in the ranks for a certain period, as was done by all the princes and nobles in European countries.

Mr. I. then withdrew his motion to amend.

The speaker laid before the house communications from the secretary of the navy called for in relation to contract of lake steamer, and of the non-launching of certain frigates of war, also from secretary of treasury with list and salaries of clerks in his department for the year 1841. The house adjourned.

WEDNESDAY, JUNE 8. Mr. *Fillmore* made an inefectual effort to have the house to act on the tariff bill reported by him yesterday.

Mr. *Cushing* arose on the subject of the following resolution reported by the committee on foreign affairs.

Resolved, That the president of the U. States be, and he is, requested to enter into negotiations with the British government for the purpose of effecting a permanent equitable, and commercial arrangement of the commerce between the U. States and the British colonies in America.

Mr. *Cushing* said that it had been his intention originally to move its reference to the committee of the whole, but as a report had since been made by the committee of commerce as well upon this precise subject, as upon the commercial treaties and reciprocity relations with foreign countries in general, and as much time had elapsed since the presentation of that report, he would detain the house by a few observations on the motion which he now submitted to refer this resolution also, to the committee of the whole. Mr. C. said that his object was that the house might have the entire subject as viewed by both committees presented before them in one body. He said that appended to the report of the committee on foreign affairs was a variety of documents. Since that report, congress had there had come in additional resolutions from the legislature of the state of Maine, adopted during the present year, recommending a similar and commercial ration of congress. Upon these resolutions, upon the various memorials which had from time to time been presented, and upon the diplomatic history of the country, as exhibited in documents, it appeared to be conclusive: that, under the arrangement made between the United States and Great Britain in the year 1830, for the regulation of our commercial relations, the arrangement itself had not been executed in good faith by Great Britain or the colonies of Great Britain; and that there had been no such reciprocity as was contemplated in the arrangement; that it was a mere pretence of reciprocity, having no *fact* of reciprocity in it. Basing himself upon these positions, Mr. C. then gave a rapid outline of the effects of the arrangement, for the purpose of establishing and illustrating them.

Mr. *Pickens* said that the motion contemplated a new mode of doing business. The gentleman proposed to make this house the organ of the executive in negotiations, a business belonging exclusively to the executive. He objected to this mode of proceeding. If the house of representatives of the resolution was pressed, he would move an amendment calling first for information. It went to make the house take possession of the negotiating powers and duties.

Mr. *Kennedy*, of Md. said that the report of the committee on commerce would be in the house in a few days. He hoped the resolutions would now. The act of 1830 had failed in its intended purposes of reciprocity; discontent justly existed and the bill about to be reported was intended to at once present a question which would bring on a negotiation. In the report of the committee on commerce other subjects quite as important as this were contained. He hoped they would all be considered upon their merits and not upon any party bearings. Mr. K. concurred in the propriety of the motion of Mr. *Cushing*.

Mr. *Fessenden* could not see the force of the objections of the gentleman from South Carolina, (Mr. *Pickens*). This matter had always been regulated by legislative acts and not by arrangements and not by treaty, and he was satisfied that any negotiation for putting it upon a fair basis would entirely fail.

Why, sir, we have been attempting to place it upon a treaty basis ever since the commencement of this government, but without effect. After the passage of our first act making discrimination in favor of our own tonnage, and for the purpose of protecting it, and the effect of which was to make us the carriers of other nations, whereas before we had been unable to carry our own products, in 1806, I believe, the state of trade between this country and Great Britain was taken into consideration by a committee of the privy council. That committee recommended an arrangement with regard to the *direct* trade, similar to that afterwards established by the treaty of 1815. But in that very report, the committee say, in substance, "if a similar arrangement should be proposed with regard to the colonies, that proposition cannot be entertained, even as a subject of negotiation." In the treaty of 1815, there was an express exception of this colonial trade, although a strong effort was made, on our part, to place the question upon a firm basis at that time. And it was not until compelled by our acts of 1818 and 1820, that Great Britain would hear of negotiations upon this question, upon any thing like reasonable terms. And, said Mr. F. it is well known that the venerable member from Massachusetts, (Mr. *Adams*), while secretary of state, and afterwards while president, made every effort to regulate our intercourse with the British colonies by treaty. His despatches and instructions developed the true state and bearing of the question, and if any effort or argument could have prevailed to relax British pretensions in relation to the trade with their colonies, and to place it upon a fair footing, it would have been done long ago. But every effort and every argument failed, and up to the present day this trade has been regulated by legislation, and by legislation alone. Even since the passage of the British act of 1825, Great Britain has expressly refused to consider the trade with her colonies as a subject of negotiation. How then can we, with a due regard to our own dignity, again ask that such negotiations may be opened? And how can the gentleman from South Carolina contend that legislation is an improper mode, and that it can only be regulated by treaty? Legislation is the only mode left to us. All attempts to negotiate would, if experience teaches any thing, be entirely useless. Great Britain is now in possession of every advantage under the present arrangement. Our commerce is languishing under it. We are driven out of our own trade. What desire can Great Britain have to open negotiations at the present time? We might suffer her to retain possession of all her advantages for two or three years longer, in vain attempts to form a treaty, and then find ourselves just where we are now. And he hoped that this house will have no hesitation in saying that our commerce is of too much consequence to be subjected longer to the disastrous effects of the arrangement of 1830, and he possess the power to protect and restore it. He had no objection to the proposed reference of the resolution, and he hoped it would be so referred.

After a few words from Mr. *Adams*, of which the reporter heard nothing.

Mr. *Lowell* obtained the floor. But the speaker announced that the morning hour had expired.

The house then proceeded to the consideration of the unfinished business of a former day, being the motion of Mr. *Cushing* to print 5,000 extra copies of the message of the president, with all the accompanying reports, documents, and testimony of the commissioners appointed to investigate the affairs of the New York custom house.

To which said motion Mr. *Underwood* had moved to amend by adding thereto the following words:

"But in printing the message and accompanying documents, the house does not intend to approve or sanction the institution of this commission, it being the opinion of this house that the president has no right or authority to appoint and commission officers to investigate abuses, or to procure information for the president to act upon, and to compensate such officers at public expense without authority expressly given by law."

Mr. *Cushing* resumed his remarks, and spoke at great length, mainly in defence of the eastern manufacturers from the charges brought against them; and, having concluded—

Mr. *Underwood* appealed, but Mr. *Arnold* refused to withdraw his call, and the main question was ordered. Mr. *Underwood* arose then to a point of order, and offered a modification of his amendment, so as to form an issue with the argument of the gentleman from Massachusetts, and with the president's message of Feb. 1841, but Mr. *Beeson* objected.

Mr. *Ingersoll* moved to lay on the table the motion to print the amendments of Mr. *Underwood*. Mr. I's motion to lay on the table was rejected by noes 99, yeas 89.

The first division of Mr. *Underwood's* amendment was then adopted by yeas 86, nays 83.

The second division was then—on motion of Mr. *Adams*, laid on the table by yeas 96, nays 76.

The house then on motion of Mr. *Saltonstall* resolved itself into committee of the whole.

Mr. *Saltonstall* moved that the committee proceed to the consideration of the bill heretofore reported by him from the committee of manufactures on the subject of the tariff.

Mr. *Fillmore* moved that the committee proceed to the consideration of the bill reported from the committee of ways and means, entitled "a bill to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes."

Mr. *Saltonstall's* motion was rejected by noes 91, yeas 58.

Mr. *Fillmore's* motion was adopted by yeas 91, noes 65. The bill was read through, (occupying something over an hour in the process.)

Mr. *Fillmore* then took the floor, but yielded to a motion by—

Mr. *Morgan*, that the committee rise; and the committee rose and reported, and the house adjourned.

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CHRONICLE.

THE ABOLITIONISTS of Vermont held a state convention at Brookfield on the 1st inst., and nominated C. K. Williams for governor, E. D. Barber for lt. gov. and Harry Hale for treasurer. Only five counties were represented.

ARMY. Four companies of U. S. infantry reached New York, on the 6th inst. from Savannah. On the same day 75 U. S. troops left Fort Mellenry, Baltimore, for New York.

BANK FRAUD. The printer of the Long Island Bank of Brooklyn, had his pocket cut whilst crossing the ferry on the 4th inst. and checks and bankable money to the amount of $24,000 abstracted—about $10,000 were in notes.

A convention of the several banks of Lancaster county, Pennsylvania, consisting of the Lancaster bank, the Farmers' bank, the County bank, the Columbia bank, and the Bridge bank, assembled on the 1st inst. and resolved unanimously that their several institutions should resume specie payments on the 1st September next.

The banks in Louisville, Ky. have voluntarily resumed specie payments, and Kentucky notes will now be at par.

The officers of the Alabama banks are said to be making arrangements to resume.

COTTON MARKET. *Liverpool, May* 18. Only a very moderate business was done in cotton to-day; there was, however, no change in prices; and the transactions altogether amounted to 2,000 bales—1,500 American, 4|a6|d; 120 Egyptian, 7|d; 100 Pernam, 7|d; 200 Surat, 3d and 4d; 80 Maranham 5 1-2d and 6|.

London trade report, May 18. There has been little business transacted in the market since this day week.

TEA. To-day the operations in free tradetea were trivial and prices are still unsteady, 1s. 7|d. to 1s. 8|. is the value of com. Congou, cash The ships that have arrived of late have brought a large quantity of common black and green tea.

Coffee. 1,700 bags of East India nearly all sold at about previous rates, in some instances rather cheaper. Good Mahattan kind, 47s. to 50s; cost, 44s; good ord. Singapore Java 40s. 6d. to 43s. 6d; Pedang 39s. 6d. to 35s. 6d.

Rice is in good request and prices are firm, middling to good Bengal 9s. 6d. to 11s. per cwt.

Sugar. The only public sale to-day consisted of 2,400 bags of Bengal, which went at about former rates. Low to good brown, 46s. to 52s; yellow, 62s. to 64s. The quantity of West India on show being very small, the business was limited to 40 or 50 hhds.

THE CREOLE CASE. The Richmond Enquirer says: "The *Creole case* is one of the knotty questions which will enter into the negotiation at Washington. It is now said, that Lord Ashburton is authorised to make some *prospective arrangement* to guard against future cases, but not to allow any indemnity for the Creole. Great Britain wishes to place it in the predicament of the Enterprise."

DEFALCATIONS. J. S. Schermerhorn, secretary of the Ocean Marine Insurance Co. New York, which institution was about to close the concerns of the old company, finding that he could no longer conceal the fact, came forward a few days since and confessed a train of deceptious entries upon the books which he commenced ten years ago, and which enabled him up to this time, to abstract about $137,000—or say one-third of the capital of the institution, without being suspected! He states that he lived in a state of mental wretchedness for the whole period, and has been committed to prison.

DICKENS, the favorite author who, with his lady, has been on a rapid tour of our states, sailed from N. York on the 7th inst. in the packet ship George Washington, "homeward bound."

ELECTION. The election of a representive from Boston in consequence of the resignation of Mr. Winthrop, took place on the 3d inst. The votes stood, for Nathaniel Appleton, (whig) 2,725, Washburn, (V. B.) 1,395: scattering (abolition candidates) 125; Appleton's majority over all 1,235.

The election for mayor, aldermen and common council of Washington, D. C. took place on the 6th inst. Mr. SEATON, (whig) was elected mayor, receiving 108 votes over both the other candidates. The votes stood, for Seaton 553, Ingle 263, Hanly 182.

THE EARTHQUAKE which visited Hayti so awfully on the 7th ult., was felt, of course, in various directions and distances, from that island. At Catahouta, Louisiana, the shock was very sensibly felt about 12 time it occurred at Hayti, causing the water to rise six feet in two minutes. A violent shock was also felt at Mayaguez Porto Rico, on the same day about four P. M. which caused dreadful confusion. Accounts from the other West India islands are looked for with much interest, as it is feared that the injury has not been confined to the places heard from.

The accounts of the total destruction of Cape Haytien are confirmed. It took place about 5 o'clock P. M. and in two minutes every building in the city was in ruins, although erected mostly of massive stone. The tide flowed into the principal streets, and receded again in a few minutes. Soon after the earthquake, the combustible parts of most of the buildings took fire separately, and were consumed. Captain Tucker states that the entire population of the place was estimated at from ten to twelve thousand, and from the best information he could obtain from many of the survivors, not more than two thousand escaped with their lives. All, or nearly all the officers of government were killed, there was no authority to control the surviving population, and they were continually fighting, and shooting each other for plunder. The cargo of the Dirigo was dug out of the ruins of the earthquake. There was only one shipmaster lost, the captain of a Norwegian vessel. Contrary to anticipation, it appears that many of the principal merchants survived the calamity; among the rest Mr. Carvalho, an eminent merchant, who visited Boston a year or two since, and was much esteemed by his acquaintance.

MENDIE EDWARDS. The trial of this person for forgery is progressing at New York and attracts much attention.

PROFESSOR EAYRE has been re-appointed professor of mathematics in the U. S. navy. The professor is at present lecturing in the city of Baltimore.

EXCHANGE. Bills on London are selling in New York at 7|a8 premium; exchange on Boston, Philadelphia, Baltimore par a ¼ dis.; Richmond 3|; Charleston 1|; Savannah 1|; Mobile 2a2½; New Orleans 3|; North Carolina 3|; Cincinnati 7|; Louisville 3; Nashville 10a12; St. Louis 11; treasury notes ¼ dis.

EXPLORING EXPEDITION. The ship Clarendon, arrived at New York on Wednesday from Canton, sailed on the 30th March, in lat. 27 S. lon. 40 E. U. S. ship Vincennes, from Singapore, bound to N. York. Was to stop at Cape Town and St. Helena. The U. S. brigs Porpoise, command't Ringgold, and the Oregon, lt. command't O. C. Duncan, of the exploring expedition, called at St. Helena on the 24th of April, and sailed the same day for Rio Janeiro and New York—all well on board.

FORTIFICATIONS. We learn that the site for a fortification near this city has at length been purchased for the general government. The land selected, contains twenty-four acres, from the front of the lot of R. A. Forsyth, now occupied by the widow Mr. Reeder, in Springwells. The price to be paid, we understand, is $150 per acre. [*Detroit Adv.*

FLOUR is quoted at $6a6 12½ in New York; 6,000 bbls. Genesee and Michigan brought $6; for exportation it is quoted at $6 50 to 6 62½. At Buffalo it ranges from $5 25 to $5 50. Forty thousand bushels of wheat reached Buffalo in the first five days of June, mostly from Cleveland, &c. Prices remained steady.

FIRES. The wood, cut and piled ready to send to market, from a tract of about 2000 acres of woodland in Allenton, N. H., took fire last week and was all destroyed.

The Genesee Western Seminary, at Lima, N. Y. in which 250 students were being educated, took fire and was destroyed last week. Cost of the building $20,000, for which amount the State held a mortgage; insurance $12,000.

The Sheinard cotton mill, at Granville, near New which, Connecticut, took fire from friction of the machinery on the 28th ultimo, and was consumed with several adjoining houses. Loss $100,000; insurance $75,000.

We are glad to observe that prompt measures are in progress towards relieving the sufferers by the distressing fire at Hamburg. The British Queen steamer, which left New York on Tuesday took out $5,000 mostly collected in New York to avail of that opportunity.

IMMIGRATION. During the months of April and May, 1841, there were landed 14,280 passengers at New York—in the same months this year 22,865 were landed; an increase of over fifty per cent.

Forty-three Scotch men women and children from the mines of Pictou, N. S. landed at Newport R. I. on the 31 ult. and another cargo of fifty more were on their way, all intending to seek employment in the mines of Pennsylvania.

REQUISITION. A negro man against whom eight indictments were found in Arkansas, in July last, and who escaped into Canada, was brought to St. Louis on the 26th ult on the steamer Mermaid, from Peoria, and lodged in jail, to remain there until he can be removed to Arkansas. He was given up by the governor general of Canada, on the requisition of governor Yell, to Mr. L. Davenport, the officer who arrested him.

STEAMER LOST. The Royal Mail line steamer Medina, was lost on the north end of Grand Key, Turks Island, on the night of the 15th May, having been deceived by the lights in attempting to enter the port. Lord ELGIN, the new governor of Jamaica, and Mr. Crawford British consul general for Havana, were on board. The boat and most of the machinery a total loss—the mails and all lives were saved.

STEAM BOAT DISASTER. The steam boat Westwind, Captain Phillips, collapsed one of her flues while stopping a few minutes at the head of the canal, Louisville, on the 6th instant, by which several deck passengers were terribly scalded, and few of them remained uninjured, though the cabin passengers escaped. A Mrs. Hall, of Marietta, jumped overboard and swam ashore, though she had never attempted to swim before. Number of lives lost not ascertained.

SNOCKS. New York 8th June, U. S. sixes of 1862, 100; New York sixes of 1862, 93; Kentucky sixes 88; Illinois sixes, $12,000 sold at 18|, and $10,000 Indiana sterling fives at 19; Philadelphia city fives 97; Pennsylvania fives 85; Baltimore city stock at Baltimore 68; 69, Balt. and Ohio rail road bonds 76 1-2; notes of the company 70.

TENNESSEE STATE SENATORS. The state of Tennessee remains without senators in the present congress, in consequence of the state senate refusing, by a tie vote, to join the house in a joint ballot, in order to go into the election. Four of the Van Buren senators in a publication recently offered that if the whig senators would agree, the senators of both parties would resign and take the political question before the people, for their decision in a new election. To this proposal the whig senators have responded, that they are prepared to submit to their resignations simultaneously with the resignation of their political opponents and take the field for a new election.

TEXAS. A correspondent of the New Orleans Bulletin writes, under date of Galveston, May 6, that great preparations were making for the invasion of Mexico on a grand scale, which will certainly take place as soon as the crops are gathered in.

TEMPERANCE REFORM. A very imposing procession of the advocates of temperance took place last week in Boston. More than 2000 persons were said to have been in the ranks. After the procession, a meeting of the directors of the U. S. hotel took place, who unanimously resolved to prohibit the sale of spirits, in future, in their establishment.

THE EARL OF ROSSE'S TELESCOPE. The following account of the specimen metal of this Leviathan telescope, we extract from a letter from sir James Groult, a distinguished astronomer, to the editor of the London Times. The telescope receives its name from the Earl of Rosse, near whose castle and under whose directions the works are conducted.

The metal is 6 feet diameter, it is 5½ inches thick at the edges, and 5 inches at the centre: its weight is about 3 tons.

By grinding and polishing, its thickness will probably be reduced to 1-10th or 1-8th of an inch—it will be formed into a telescope of 60 feet focal length, and will, there is every reason to hope, be actually in use this year.

The speculum will have a reflecting surface of 4,071 square inches, whilst that of the telescope made by the immortal Herschel, under the auspices of King George III. had but 1,811. J. SOUTH.

WHEAT. The Pittsburg American predicts that the six western states will send this year 35 millions bushels of wheat to the eastern states, viz: Ohio 12, Indiana 7, Illinois 6, Kenturky 5, Michigan 3, and Missouri 2 millions.

It is stated that in 1780, the entire product of wheat in Great Britain was 150 millions bushels—in 1840, it had increased to 418 millions. Scientific men say that double the present quantity of grain may be produced there of all kinds of grains.

WHEAT HARVEST has commenced in Virginia, and all the papers agree that a finer crop has never been harvested in that state

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

FRANCE.

The destruction of life by the late rail way accident has been the occasion for various investigations and proposed modifications in the French system of regulations respecting this mode of travel. Among the victims was the Admiral Dumont D'Urville known as the commander of the expedition of the Astrolabe and Zelee which went out a few years ago in search of the remains of the cruise of La Perouse. His funeral took place with great pomp. His wife and child, who were killed at the same moment, were included in the ceremony.

Among the recent deaths in France is that of the old faithful adherent of Napoleon, Count Las Cases.

There were rumors in Paris of another conspiracy against the life of the king. A number of persons have been arrested amongst others the notorious Considere who had been twice tried and acquitted before the chamber of peers, and Poncelet, who was convicted of having been engaged in the conspiracy of the Rue des Prouvaires and amnestied. Among the projectiles seized were several intended for the destruction of the king, by being thrown into the carriage and to assassinate, of course, as many of his family as might happen to accompany him. It is stated that the information which led to the detection of this plot was given by the minister of one of the conspirators, who has been since murdered and her body thrown into the Seine.

An English journal furnishes the following table presenting the comparative public expenditure of France from the commencement of the 14th century to the present time.

1609	Henry IV, ministry Sully,	*fr.*	32,571,841
1642	Louis XIII, ministry Richelieu,		117,597,600
1670	Louis XIV, ministry Colbert,		79,834,565
1678	do. conquest of Holland,		105,694,657
1683	do. ministry Lebellier,		109,649,257
1693	do. do.		158,151,582
1698	do. do.		211,635,865
1699	do. / dog		411,934,703
1707	do. ministry Chamillart		258,230,567
1712	do. do.		281,236,622
1715	Louis XV, system of Law,		146,824,181
1723	do. do.		197,780,112
1734	do. ministry Fleury,		240,392,582
1740	do. do.		197,362,038
1767	Louis XVI, ministry Necker,		742,000,000
1789	do. do.		531,444,000
1792	year VI republic,		572,451,495
1802	year X Consulate,		988,800,000
1803	year XI,		633,279,313
1804	Empire,		894,937,555
1805	do.		700,000,000
1806	do.		902,148,490
1807	do.		731,726,866
1808	do.		772,744,445
1809	do.		786,740,214
1810	do.		765,000,242
1811	do.		1,006,014,000
1812	do.		1,000,000,000
1813	do.		975,453,797
1814	Louis XVIII,		798,580,859
1815	do.		985,577,905
1816	do.		609,394,624
1817	do.		1,036,870,503
1818	do.		1,414,433,736
1819	do.		866,312,572
1830	do.		875,542,252
1831	do.		893,201,854
1832	do.		949,176,982
1833	do.		1,092,093,703
1834	Charles X,		951,992,442
1835	do.		946,098,442
1836	do.		942,518,757

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1837	do.		989,524,715
1838	do.		939,343,700
1839	do.		915,703,027
1830	Louis Philippe,		981,510,000
1831	do.		1,220,886,400
1832	do.		1,175,813,776
1833	do.		1,132,064,167
1834	do.		1,032,998,336
1835	do.		1,024,159,085
1836	do.		1,049,121,636
1837	do.		1,089,000,000
1838	do.		1,117,000,000
1839	do.		1,069,000,000
1840	do.		1,099,303,497
1841	do.		1,187,842,234

The deficiences in the revenue for 1840, 1841, and 1842, were estimated at 300 millions; extraordinary expenditures, 500 millions; rail roads for next 10 years, 400 millions—say 1,200 millions, which is to be met in ten years, by the reserve for the sinking fund, 620 millions, and the remainder of the loan to be contracted, 400 millions.

France has a budget of 1,311,553,095 francs, or 260 millions of dollars—and the items of expenditure are—

Interest of public debt,	360,427,000	francs.
Dotations, (pensions),	16,000,000	"
General service of ministers,	729,171,000	"
Collecting taxes, expenses for regie, (selling tobacco &c.)	143,221,000	"
Draw backs on exportations, &c.	63,742,000	"

SPAIN.

Letters from Barcelona of the 4th state that great apprehensions were entertained that disturbances would break out on the following day.

Accounts state that the agitation of the night of the 1st of May was alarmingly seditious. At the theatres cries of "down with the regent" were vociferated by hundreds, and republican songs were in circulation through the streets. At the club of Santa Cruz a song was sung in the Catalan dialect, the burden of which is—"The people wish for no greater glory, no brighter laurels, than to drive away Isabella and *el Brato de la Victoria.*"

Madrid papers of the 5th state that the president of the council had declared, in the chamber of deputies, that the present government, of Spain would yield to no foreign influence in an affair of such importance as the marriage of queen Isabella the second.

A private letter states that the bill relative to the tariff about to be discussed in the cortes, proposes that the government shall have the power of making such changes as the interests of the nation may demand, subject, however, to subsequent approval by the legislature.

SOUTH AMERICA.

VENEZUELA. Caracccas dates to the 17th May are received. Congress adjourned on the 8th. Among the acts passed, was one inviting the republics of New Grenada and Ecuador to unite with Venezuela in the appointment of commissioners to superintend the exhumation of the remains of Simon Bolivar, and their removal from Santa Martha to his native country, (Venezuela.) The 17th of December next is appointed for a grand funeral celebration in all the principal towns, and from that day till the 8th, all the public officers are to wear mourning. General Thomas Heres, who first proposed the above named celebration, was assassinated in Angostura on the 9th of April. Gen. Rafael Ordaneta has been appointed governor of the province of Guiana. [*N. Y. J. Com.*

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

William Whetten, of New York, to be consul of the United States, for the port of Cowes, in the place of Robert R. Hunter, recalled.

Joshua Gerwel, jr. of Pennsylvania, to be consul of the United States, for the port of Kingston upon Hull, in the place of Albert Davy, recalled.

Gurdon Bradley, of Connecticut, to be consul of the United States, for the port of Mayaguez, in the Island of Puerto Rico, in the place of Richard J. Offley, deceased.

G. T. Stower, of Massachusetts, to be consul of the United States for the port of Pernambuco, in the place of Joseph Ray, recalled.

Alexander Ott, of Indiana, to be consul of the United States for the port of Attona, in the place of George P. Todson, resigned.

E. A. Webster, of Massachusetts, to be consul of the United States for the port of Bombay, in the place of P. T. Parker, resigned.

A. M. Green, of Virginia, to be consul of the United States, for the port of Velasco, in Texas, in the place of Stewart Newell, resigned.

J. A. Gerault, to be receiver of public moneys at Grenada, state of Mississippi.

Isaac McPhail, to be receiver of public moneys at Jackson, in the state of Mississippi.

Richard G. Banks, to be surveyor of the customs at Hampton, state of Virginia.

John Chew, to be surveyor of the customs at Havre de Grace, Maryland, his commission having expired.

Robert Howard, to be naval officer at Charleston, South Carolina.

Archibald Clark, to be collector at St. Mary's, Georgia, his commission having expired.

Thomas S. Wayne, to be surveyor of the customs at Savannah, Georgia.

Henry T. Dering, to be collector of the customs for the district, and inspector of the revenue for the port of Sag Harbor, in the state of New York, vice John P. Osborne, whose commission expired on the 10th of May.

Richard W. Cummins, to be Indian agent for the Fort Leavenworth agency, from the 30 day of July next, when his present term of service will expire.

THE ARMY.

GENERAL ORDERS, NO. 32.

War department, adjutant general's office, Washington, June 1, 1842.

The following *regulations* received from the secretary of war, are published for the government of the army:

War department, May 28, 1842.

1. New instruments are required for the use of any officer of the corps of engineers, or corps of Topographical engineers, or of the ordnance, shall only be purchased on the requisition of the proper officer. The requisition must specify the instrument, its probable cost, and the necessity for its purchase.

The officer who may receive or use any instrument will be responsible for its preservation, and in case of loss or injury, unless the cause thereof be satisfactorily explained to the secretary of war, its value shall be charged to such officer.

The following provision is added to article LXXIII, *general regulations for the army.*

INSPECTOR GENERAL'S DEPARTMENT:

II. It is made the duty of the inspectors general, or officers acting as inspectors, carefully to examine and inspect all supplies and materials procured for the construction of forts, or for harbor and river improvements, and all the means applicable thereto, and the number and description of persons employed at any work, and the number and description of vessels, boats, machinery, and instruments, &c.; and they will enquire into all contracts for supplies and materials of all kinds in the different departments, and whether the articles furnished conform to such contracts, and also into contracts made by the quartermaster's department for transportation of troops and stores. The result of these inspections will be forthwith reported as provided in paragraph No. 835.

By order, J. C. SPENCER.

R. JONES, *adjutant general.*

THE NAVY.

Navy department, June 11, 1842.

The board of naval surgeons, which convened at Philadelphia on the 4th April, and adjourned on the 6th inst. have reported their proceedings to the department.

The following named gentlemen were examined and found qualified to discharge the duties of assistant surgeons in the navy, and classed according to their relative merits as follows:

No. 1. Wm. S. Bishop, of Pennsylvania.
No. 2. Saml. M. Edgar, of Tennessee.
No. 3. Joseph Wilson, jr. of Pennsylvania.
No. 4. Charles Eversfield, of Maryland.
No. 5. Elisha K. Kane, of Pennsylvania.
No. 6. Edward Hudson, of Pennsylvania.

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No. 7. Richard McSherry, of Maryland.
No. 8. Wm. Pitt Canning, of Massachusetts.
No. 9. Ephraim J. Bee, of New Jersey.
No. 10. Joseph L. Burtt, of Ohio.
No. 11. John T. Bartow, of Georgia.
No. 12. Alfred C. Hell, of Georgia.
No. 13. James Hamilton, of Maryland.
No. 14. Chas. Henry Oakley, of New York.
No. 15. Reuben N. Baer, of Pennsylvania.
Assistant surgeon Richard W. Leacock was examined and qualified for promotion.

NORTH EASTERN BOUNDARY. The commissioners appointed by the state of Massachusetts, Messrs. Abbott Lawrence, John Mills, (formerly U. S. district attorney) and Charles Allen, and who have by the state of Maine, ex-governor Kent, Mr. Otis, Mr. Kavanagh, and Mr. Preble, have arrived in the city of Washington. Mr. McLaughlin, warden of the English territory, Mr. Simmons, speaker of the house of commons, and Mr. Geo. Reed, secretary of the governor of Nova Scotia, have been summoned to Washington, by Lord Ashburton, and are also there.

STATES OF THE UNION.

NEW HAMPSHIRE.

The legislature convened on the 2d of June. The following gentlemen were elected councellors for the ensuing year: Cyrus Barton, Benj. Berry, Jas. M. K. Wilkins, Samuel Egerton, and James H. Johnson.

The message of Gov. Henry Hubbard was transmitted on the 2d inst. He condemns the distribution law, is not explicit on the tariff, attributes the present national debt to the present administration, is opposed to the bankrupt act, to the district clause of the apportionment act, and recommends the militia to legislative notice, and defends the proceedings of the Rhode Island outbreak.

Leonard Wilcox who had been appointed by the executive to the vacancy occasioned by the resignation of Franklin Pierce, in the U. S. Senate, was elected in the body on the 8th inst. He needed a majority of votes 219, necessary for a choice 110, for L. Wilcox 176, scattering 43.

PENNSYLVANIA.

The general assembly convened at Harrisburg on June 9th, being the day to which it was adjourned from the 5th April ult. for the purpose of redistricting the state according to the new apportionment. "The sinking credit of the state, the miserable condition of the country banks, and the universal depreciation of the relief notes issued by them, the selling or leasing of the public improvements, and the regulation of taxes, are a few of the important questions which will probably occupy the attention of the legislature at its present session, independently of the action which will be necessary when congress shall have agreed upon an apportionment bill of representation."

MESSAGE OF GOVERNOR PORTER.

To the senate and house of representatives:

I cannot reconcile it to my sense of duty, to permit this occasion to pass, without renewing to the most earnest manner, the appeal already made to the legislature, in behalf of the public creditors, and especially of those who have labored on our improvements and furnished materials for their repair and construction. Prostrated as the commonwealth is a great degree, and overwhelmed as the business energies and enterprise of the community are, it is undoubtedly an unpropitious time to impose additional burthens on the people, and in an ungracious duty to recommend or to sanction it. But the alternative admits of no qualification. We must act in conformity to the dictates of stern and unwelcome duty on the one hand, or disregard and set them at naught on the other. We must seek and desire the commendation of the honest and honorable, or we must earn and bear their contempt and detestation. If we falter in this dilemma, we cannot escape one or the other of these judgments in the eyes of the world.

I hope and trust you will make adequate provision for all the public creditors,—either by increased taxation, or some other available means. The burden may be onerous, but it can only be temporary. With the resources, vigor and enterprise of Pennsylvania, the present pecuniary embarrassment can only be of short duration. Let us then struggle manfully against it, in the hope of speedy relief.

The burthens borne on behalf of the state are light in comparison to those imposed for county, township, borough, and other purposes. All the taxes paid by the people of Pennsylvania for all purposes, amount per annum to the sum of four millions of dollars as nearly as can be ascertained. Of this vast sum only seven hundred thousand dollars is levied and paid for the use of the state. It is therefore manifest that whatever may be the gross amount of taxes paid by the community, but a small portion is applied to the uses of the state treasury, and on this score there is but little just ground to complain.

Three per cent. on the assessed value of the real and personal property in Pennsylvania—assessed as it necessarily is far below its value, amounts in upwards of forty-two millions of dollars; a sum sufficient to pay off our entire public debt, and leave a surplus of five or six millions in the treasury. And yet, such is the general apathy or aversion to enter into an accurate estimate of the public wealth, that there are some to be found who seem at times almost disposed to doubt the ability of Pennsylvania to pay her debts.

I can scarcely find language strong enough to convey to you in a suitable manner my ideas of the importance of a faithful adherence, on the part of the state, to her public engagements. I have dwelt on this subject in my communications to every legislature that has assembled since the duties of the executive were entrusted to my care. Allow me therefore most respectfully to ask your attention to my annual message on this subject.

So far as respects what are usually denominated the "domestic creditors," I sought in my annual message at your assembling, to place their claims on the true grounds. I have yet to hear the first word against the justice of their demands, or the extreme hardship of their case. They are the mechanics, who on the faith of the public have devoted their money, their means, the sweat of their brow, to the public service, for which they have been denied recompense. Nay, some of them have expended the last dollar they can command—have contracted large debts to enable them to prosecute their work,—have just demands on the state, which they cannot meet all their liabilities, and to supply them with the means of recommencing business for their support, and yet are compelled to see the whole of their property under execution, and be themselves dragged to the very door of the jail. Is not this erying injustice? Is it not a disgrace to the state that thus beggars its creditors, and that they should be sacrificed for debts contracted on behalf of the state itself? How can any honest man who has the power to correct such a crisis, stand by and witness such a state of things without the blush of shame on his face? For myself, I should feel ill at ease, if I felt untried a single expedient to afford relief.

I can add little to the force of my former recommendations, or to the means of discharging these debts. It is for the legislature now to act upon them. I will however suggest that the state possesses a fund which might be applied to the payment of these debts, if other resources fail; and although it may not be at present available, it may ultimately become so, at least to a considerable extent. I refer to the stock held by the commonwealth in the Bank of Pennsylvania, the Philadelphia bank, and the Germans' and Mechanics' bank.

For these stocks the state paid two million one hundred and eight thousand seven hundred dollars. Not they may ultimately be worth I know not. My opinion of this investment has been communicated to the legislature time and again, and it would be useless to reiterate it now. But I must be allowed, before closing the subject, to express my opinion, formed on the most thorough conviction, that unless the interest of individuals be enlisted in this matter, the state will never realize a dollar from it. It seems to me, therefore, that it will be advisable to transfer these stocks to trustees, or make some other disposition of them, to satisfy the claims of the domestic creditors.

If any thing better can be done, it will afford me great pleasure to co-operate with you; but if not, the provision suggested, might possibly save a remnant, which might be applied to these debts long due to a class of just and meritorious creditors, who are most assuredly entitled, at the hands of the legislature, to the speediest relief which its wisdom can devise, and the means of the commonwealth will probably afford. DAVID R. PORTER.

Executive chamber, Harrisburg, June 10, 1842.

NORTH CAROLINA.

A VAN BUREN STATE CONVENTION, was held at Salisbury on the 20th ult. at which H. W. Conner, esq. presided, assisted by numerous vice presidents. The convention was addressed by the president, by Robt. Strange, Bedford Brown, Col. Hoke, Reid, Louke of Richmond, Wheeler of Lincoln, Briggs of Martin, and McCallum of Montgomery. Resolutions were adopted, re-affirming all the proceedings of the state convention held at Raleigh on the 8th of January last, and especially in the nomination of LEWIS D. HENRY, as candidate for governor at the ensuing election, in opposition to gov. Morehead. The Western Carolinian says, that there were more than 400 delegates present, and the visiters would have swelled the number beyond 2,000."

Amongst the letters read upon the occasion, in reply to invitations, was one from J. Cameron, dated Washington, 1st May, 1842, in which he says:

"You do not mistake, in considering the present a "gloomy crisis" in our affairs. Never before has the government been encumbered by so many and such formidable difficulties, both within and without. I shall pass over the latter without notice, as they are now the subject of negotiation, which I sincerely hope, may terminate in an honorable and satisfactory adjustment of all difficulties between the two countries, and limit my notice of the former to a few brief remarks.

"On taking a survey of our internal affairs, it will be found, that instead of the promised reform, things have been growing worse daily ever since those, who came have the control, succeeded in cutting the revenue decreasing and the expenditures increasing; new loans contracting and public credit decaying; borrowing on usurious terms and squandering with wasteful extravagance, followed by a rapidly increasing public debt, in a period of peace that threatens in a few years to equal the debt of the revolution, and all this without one sensible, manly effort to arrest the downward course of the government. So far from that, the present critical condition of our affairs is not only regarded with complacency by a portion of those who have the control, but has been brought about intentionally, as indispensable towards accomplishing the long-cherished objects of the party, namely, an exclusive tariff and a national bank. Therein lies the danger of the crisis. The real cause of apprehension is not so much that the revenue has proved inadequate to the expenditure heretofore; that a heavy debt has been incurred and the public credit impaired, as great as that may be, as that it has been done designedly by a powerful party in possession of power, and that it is now, in the end, under such circumstances as evince a fixed determination to accomplish their object, be the consequence to the country and its institutions what it may. That such means should be resorted to, in order to effect such objects may well cause deep alarm to the reflecting and patriotic.

"Such being the character of the crisis, the real question for the people to decide at the approaching election is, shall those who now have the control, be permitted to retain their power, in order to effect by such means the end proposed? All the regard tariff, bank, debt, wasteful expenditures, and heavy taxes in the shape of high duties on almost all articles of daily consumption, as public blessings, the promised reform, will, of course, vote to retain power in the hands of the party which holds it. But, on the contrary, those who desire to see the government administered frugally and economically—the taxes light—commerce freed from shackles, and the government from debt—public credit unimpaired—equal justice to all, and a rigid adherence to the constitution, will vote to take it out of their hands. It remains to be seen how your state will act; but I cannot believe that a state so distinguished in the management of its own affairs, for economy and frugality; so opposed to burthening her people with a public debt, and high taxes, so just and equal in the exercise of its power, and which has so early and bold a lead in the great cause of American freedom and independence, will consent, as a member of the union, to leave power in the hands of a party, now in its views and fully developed, which menaces, in the affairs of the union, a policy the very reverse of her own."

H. M. SAUNDERS, late candidate for governor concludes a letter to the convention with a reference to the subject of the *next presidency*, in which he says he does not know what may be the disposition of the convention in regard to it. "But whether you propose a nomination, or merely express an opinion, or leave the matter open for future action, so far as I have been able to ascertain the views of the party, they stand ready to join in the support of any man for the presidency, who shall unite a devotion to the constitution, to the true principles of republican faith—who shall be prepared to do equal justice to every great interest of the union—shall maintain and defend the rights and sovereignty of the states—and preserve inviolate the institutions of the south against the assaults of all blind fanatics—and who as an efficient executive shall reject all useless officers and lop off every expenditure, not sanctioned by a prudent economy. The man who shall be able to establish his claim to this character, in the past history of the country, and whose views shall be fortified by his course in regard to the present aspect of our affairs, may confidently expect the united support of the democratic party. I speak not under the influence of sectional feelings when I say, in my view,

J. C. Calhoun combines in a more high degree these high republican qualities, and is more likely to carry out these principles, than any other man now on the political stage. And this, I think from the indications of public sentiment, is fast becoming the prevailing opinion of the democratic party."

The non. Geo. McDuffie, in a letter to the convention, observes, "The election of General Harrison and the coming into power of the whig party, were effected by one of the most extraordinary political combinations, and I must add, daring political impostures, ever enacted in our country. It was in fact a grand political masquerade, in which, the very first moment that party assumed the reins of power their leaders boldly threw their masks in the faces of their deluded supporters, and without even the decency of a little delay or a specious pretext, turned their backs upon every principle, every principle, upon the faith of which they obtained a large support in the southern and southwestern states, to sanction the rest of the union.

"Conducting their canvass under a flag inscribed with the watch-word of retrenchment and economy, they commenced their administration by calling an extra session of congress, to make extravagant appropriations, and still worse, unconstitutional donations from a treasury, which they declared to be not only empty, but bankrupt, and at the same moment they proposed to create a large national debt in time of profound peace! History exhibits few examples of such daring inconsistency. It was literally "midsummer madness!" But I hope, I believe, the result I rejoice to believe, has already verified the adage, "*Quem Deus vult perdere, prius dementat.*"

"The extra session, by unmasking and exposing the measures and principles of the party studiously concealed and misrepresented before, broke the charm of their power, and dispelled the delusive hopes excited among the people. They proposed to relieve the distresses of the country, and they have greatly increased them. They promised to reduce the expenses of the government, and, without a single effort at retrenchment, doubled the amount of the public expenditures; and their only means of relieving the people of their burthens are to increase the duties upon imports, and augment the evils with the curse of a public debt. They promised to restore public confidence and public credit, and they have almost literally destroyed both. There are thousands of individuals who can not obtain money upon better terms than the federal or the state governments. In one word, their promises stand in direct contrast with their performances at every point, and fully illustrate the saying of the Roman, so aptly quoted by General Harrison in his inaugural address."

The hon. Levi Woodbury concluded his letter to the convention by saying, "Certain it is, that our prospects are everywhere brightening—our cause is the cause of freedom, liberality, light and progress, all the world over—and it never can be extinguished permanently without brightening all the hopes of humanity."

The Hon. James Buchanan U. S. Senator from Pennsylvania in a letter to the Convention says—"I can scarcely imagine any circumstance which could afford me more gratification or which I should esteem a greater privilege than to join by the hand my Democratic fellow-citizens of N. Carolina who will be there assembled, and to cheer them on in this great and glorious cause in which they have embarked. May success crown their efforts! That such will be the result, I feel an abiding confidence. One year of Whig rule has opened the eyes of thousands, and has convinced the country that the principles of the Democratic party are those alone on which the Government can be safely and successfully administered. Within this brief period, more acts of Congress have passed, and are in progress invading State sovereignty, and tending directly towards a consolidation of all power in the Federal Government, than have ever been crowded into the same period of time since the adoption of the Constitution. The people are every where coming to the rescue, and the descendants of those stern patriots who, the first upon this Continent, proclaimed Independence, will never disgrace their glorious ancestors when the rights of the States and of the people are to be vindicated. I must, therefore, express my sincere regret, that without violating important duties here, I cannot meet you on this most interesting occasion."

Ex-Governor Polk, of Tennessee, replied to the invitation in a letter of considerable length, exhorting to effort at the coming political contest.

LOUISIANA.

Colonization. The directors of the Louisiana State Colonization Society held a meeting in New Orleans on the 19th ultimo. A report having been made by a committee appointed for that purpose in relation to the purchase of territory on the Sinoe river, in Africa, the following resolutions were unanimously adopted:

Resolved, That we approve of the purchase of the Blue Barre territory, made by the American Colonization Society for the benefit of the Louisiana State Colonization Society, according to the terms and conditions stated.

Resolved, That we will establish a colony on the Blue Barre territory, to be called Louisiana in Liberia.

Resolved, That we have learned with sentiments of the highest gratification that our fellow citizen, John McDonough, esq. has offered to the parent society eighty-five of his slaves if the society will send them to Liberia, where we have reason to believe they will become useful residents."

Resolution expresses the conviction of the directors that the present time is favorable to the foundation of the colony. In it the directors respectfully request Mr. McDonough to give his consent to have his liberated negroes located in Louisiana in Liberia. The settlement or town is to be called McDonough.

ILLINOIS.

Western cities. The increase of some of the western cities is almost unprecedented in the annals of population and wealth. Jeremy Bentham half and at their unscientific disregard of all the staid rules of political economy.—Galena, situated in the lead district in Illinois, had, in 1826, 30 log cabins, with a population of 150. In 1841, it had over 650 houses, with a population of nearly 2,500.

From 350 to 400 steamboats annually arrive and depart from that place, and 30 millions of pounds of lead were shipped from thence last year, worth, at 3 cents a pound, one million of dollars. *Three years ago, the town, in which the city of Iowa now stands, contained but one unfinished log cabin; now, there are many fine brick houses, besides many wooden houses and stores, a state house nearly completed, and about 1,000 inhabitants.* This is cited as the most rapid increase ever known in this country

[*Savannah Geo.*

IOWA.

Dubuque, Iowa, ten years ago was an Indian village, situated at the foot of the Upper rapids, on the Mississippi river, 1,700 miles from the Gulph of Mexico and 1,800 from Philadelphia. It now contains 700 inhabitants. The arrivals of steamers average about 240 per year. The reader, from this brief account, may form some idea of the onward course of the west. The rate of living, of the best quality, is extremely cheap, and the climate is probably salubrious. The scenery is that of the rolling prairie country, and extremely soft and beautiful, while the soil is rich and fertile.

THE SUGAR CONVENTION.

It is a matter of great satisfaction to see that our sugar planters are at length aroused to a sense of their situation, and the necessity of taking active measures for their relief. We have hope and expect to see a very full attendance at the convention that is to meet at Donaldsonville on the 16th inst.

During a long series of years, and under all the various fluctuations that have marked our tariff policy; there was no interest in which so great a stake was at risk, and such an enormous amount invested which has remained so perfectly tranquil and quiet as the sugar interest of Louisiana. Our planters, up to this moment, have quietly looked on whilst every change was lessening the protection afforded to them, even whilst additional protection was extended to other branches of our national industry, and for the last ten years this great interest has been gradually withering and perishing under the operation of the compromise act of 1832, until at last absolute and irretrievable ruin is staring them fearfully in the face, and has brought home to every mind that something must be done, and that, if not done promptly, or the whole culture of the cane will be brought to a final close, involving in its ruin such an injury of the state, as no one can contemplate without the deepest concern as well as surprise at a policy so suicidal and fabulous.

Whilst every other interest in the United States has been constant and loud in complaints and remonstrances at any withdrawal or reduction of protection, the sugar planters have never raised their voice, but have quietly submitted to all the various changes that have so injuriously affected and finally nearly ruined them; and this fact, we think, furnishes a strong reason why their present complaints should now carry greater weight with congress, and entitle them to a more ready and favorable attention.

The capital invested in the culture of the cane in Louisiana, is at least fifty millions of dollars, and with the exception of cotton, is greater, perhaps, than the amount invested in any other branch of industry in the Union; and if such an important culture should fall to the ground, it may readily be imagined how extensive would be the mischief, from the various connections and ramifications which it has with the general interest of the whole country.

There never was a more mistaken idea than that, because the production or manufacture of any article requires a tariff protection from foreign competition, that the people of that country are necessarily paying a greater price for that article, than they would do if the foreign article was admitted free of duty. A case in point is in the article of coffee, for which the people of the United States have been paying a higher price for many years since it was admitted free of duty, than they previously did when it was subject to a tariff of five cents per pound, and the practical operation of the repeal of the duty has been, that instead of paying, in fact, our own treasury, we have paid it to foreign producers in the shape of increased price in the foreign market. Why is this? Because by the abolition of the duty, the consumption of coffee (the price of which in the first instance felt the effects of the repeal) increased so much in the United States, that the additional demand has gradually enhanced the price at the points of production. We formerly paid 12 cents per pound, of which the foreign producers get 7 cents, and our treasury 5 cents; and now we still pay 12 cents, but our own treasury gets no portion of it, but it all goes to the foreign planter, except the small proportion for the expenses of importation.

If this has been the result of the abolition of the duty on an article of which we ourselves were produced any portion, how much more severe will be the consequences of a reduction of duties on articles we are such extensive producers, should that production be destroyed by a removal of the duty, or its reduction to the extent contemplated by the compromise act, thus leaving us exclusively dependent on foreign supply for our wants?

The annual consumption of sugar in the U. States may be estimated at 350 millions of pounds of which about 100 millions are produced at home, and 150 millions imported; destroy the home culture, and it is evident, we must at once call on the foreign planter to supply that additional quantity, or in other words, we immediately open a new market for 100 millions of foreign sugar. The natural and inevitable consequence would be an augmentation of the price far beyond what it now is, or what it would be in the United States, under a suitable protecting tariff, which would enable our planters to continue and even to increase their production. It is well known and admitted law of trade, as regards the supply, and demand, that the price of any article, particularly one of necessity is enhanced or depressed in a much greater ratio than the proportion of the shortness or excess of such supply to the actual wants. For instance, the short supply of bread stuffs for any nation was only 10 percent, unless that deficiency could be furnished from other sources, it would double or treble prices, and on the other hand an over production of 10 per cent, unless a foreign vent could be obtained for the surplus, would reduce the price one-half or more. The same rule will apply to sugar,—the production of the whole world is about equal to the consumption, but if we destroy the production of 100 millions of pounds in the U. States, and call upon the other sugar growing countries to supply this deficiency, you would nearly double the price in every foreign market. It needs no argument to any one conversant with the laws of trade and the operations of commerce to convince them that such would be the inevitable result.

Previous to the late war with Great Britain, and for many years subsequent thereto, before sugar was an article of very considerable culture in Louisiana, the people of the United States paid double and treble prices for the article that they now do. The ordinary price of Muscovado sugar was 12 to 13 cents per pound, and the white low sugar of Cuba 14 and 16 cents. The tariff was then no higher than in subsequent years, the inconsequence of its increased culture in this country, and the falling off of the demand in the foreign producing markets for our supply, the value gradually but steadily declined, to 10, 8, and 6 cents, until it has got down to the present ruinous rates, which have resulted from our planters having struggled to continue their usual production, and the foreign grower throwing in, under the present low rate of duty, so large a supply as to saturate and overload, and consequently depress the market.

But we have said that the destruction of the sugar interest would involve that of other leading great objects of industry. If the hands and lands now em-

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ployed in raising sugar must, from the destruction of that culture, be otherwise employed, it can only be in growing cotton, and the force employed would be able to produce at least 300,000 bales additional supply of cotton. Under the law of supply and demand already referred to, what would be the effect of such an additional quantity of cotton annually thrown upon the market when there is already a redundant supply of it? It is hardly possible to trace out the effect in its full consequences—it would be the *coup de grace* to the distress and ruin of the southern and south western states, and in its details would deeply involve the interests of the western and eastern states, who now supply the cotton growing districts with such a large portion of the goods they need ready or quite all their clothing, agricultural implements, machinery, cattle, &c. &c.; besides this, all the machinery, sugar houses, kettles and fixtures, and arrangements of the sugar plantations, would be worthless and perfectly inapplicable to any other purposes. All the millions and millions expended for them would be a total loss.

Louisiana as regards the eastern and western states, so far as her supplies are concerned, is of the highest value, for she makes comparatively a small portion hereof, but derives her supplies from them without in any way being of an expense to them—our citizens toil and labor—employ their labor, landed capital to produce a large and valuable crop and the practical result of all their labor, time and attention is that we hand over nearly all the produce of our crop to them in payment for the supplies we receive for our food, comfort and luxuries, and yet some of the very parties to whom we give every thing we make are so short-sighted as to be unwilling to grant a reasonable protection to our sugar great staples, without which we can no longer continue that connection of a mutual exchange of production, the advantages of which are so greatly on their side.

We cannot conceive that any one can wish or dream that the destruction of the sugar culture in Louisiana, will injuriously affect, and to a very great extent, the interest of every other state in the Union. The agricultural and manufacturing states will suffer in destroying one of their best customers. Northern capitalists will suffer in our inability to pay interest upon money lent them, and which we at a rapid loaned or invested in various ways among us. Cotton states will suffer dreadfully by bringing a rival into competition with them to a great additional quantity of that article, and as for Louisiana herself, it will be almost a hopeless wreck and ruin.

We have thrown these ideas together very crudely and very hastily, but we know there will be time at the proposed convention who understand the subject, and to whom we look for a presentation of the whole subject before congress and the nation in true and proper light, and in such a manner as will command a prompt and efficient action of the national legislature. [*New Orleans Bee*, May 13.

LETTER OF MR. EWING.

TO THE PUBLIC.

My letter of the 11th September to the president of the United States, containing my resignation of the office of secretary of the treasury, has been made the subject of much comment. It was my purpose to state in that paper as clearly and briefly as I might the reasons for my resignation, and especially to explain one transaction which, unexplained, involved, as I thought, my personal honor. This done, I felt that I had done all that the occasion required of me. I advanced no argument in support of my right to make the publication; for it seemed to me that, under the circumstances in which I was placed, the moral sense of all men would not only justify, but commend me the right, but in requiring it of me as a duty. I adduced no proofs of the facts stated, for I had no reason to anticipate a denial.

But those facts have since been, *in some sort*, denied, though the denial has not till recently, come from such source, and reached me in such form and on such authority, as enabled me to notice it. I could not reply to a partisan orator who should attack me or defend the president on the stump, or to a newspaper editor who should do the like in his columns.

But in February last, while in Washington, a gentleman, not a member of either house, placed in my hands a newspaper, in which it was stated that the hon. Mr. MALLORY, of Virginia, had, in a public speech, declared that he was authorised by the president to contradict the material facts set forth in my letter of resignation. I had no wish to open a correspondence with a third person on this subject. I was unwilling to let this semi-official denial pass unnoticed; and it was not sufficiently vouched to enable me to treat it as done by authority. I therefore requested a friend (the hon. Mr. STANLY), on the first fit occasion, to inquire of Mr. MALLORY in the house whether he had or had not made such statement. If Mr. MALLORY disavowed it publicly before the nation, the slander would have been at once put down; if he affirmed it on authority of the president, there would be sufficient occasion for me to answer and address my proofs. When appealed to in the house, Mr. MALLORY declined to answer, but declared his readiness to do so if applied to "in a proper manner by the proper person." This led to the following correspondence:

Washington, April 30, 1842.

DEAR SIR: The enclosed note was transmitted to me by the hon. T. EWING, of Ohio, under cover of a letter from him of the 26th inst. with a request that I would place it in your hands.

Your detention from the house by indisposition since its receipt is my apology for delaying the delivery of it till now.

From your reply to an inquiry made by the hon. Mr. STANLY in a debate in the house of representatives, reported in the newspapers of the 26th of March last, whether you had said on a former occasion that you were authorised by the president to deny the truth of the statements, or some of them, made by Mr. EWING in his letter of resignation, that "you would always be found ready to respond when that question was propounded to you in a proper way and by a proper person," Mr. EWING has supposed that you could feel no difficulty in recognising his note as a proper mode, and himself as a proper person to make the inquiry it contains.

I shall be happy if agreeable to yourself, to be made the medium of communicating to him your answer. I have the honor to be yours, with great respect, S. MASON.

Hon. F. MALLORY.

Lancaster, April 2, 1842.

SIR: My attention has been called to a newspaper paragraph, in which you are reported to have said, in a public speech some time last autumn, that you were authorised by the president to deny the truth of the statements contained in my letter of resignation. Will you please advise me whether in that particular you are correctly reported? I am, very respectfully, yours, T. EWING.

The hon. Mr. MALLORY.

Washington, Tuesday, May 3, 1842.

DEAR SIR: I have well endeavored to give answer to the note of Mr. EWING of the 2d of April, transmitted to me in your letter of the 30th ult. which reached me on Saturday last. I have the honor to be yours, with great respect, F. MALLORY.

Hon. S. MASON.

Washington, May 3, 1842.

SIR: I received, on the 30th April, your note of the 2d, addressed to me under cover of a letter to the hon. Mr. MASON, of Ohio. I should have more responded more immediately but for a painful indisposition, which incapacitated me for a time. Mr. MASON, in his letter accompanying your note, refers to a reply of mine to an interrogatory of the hon Mr. STANLY upon this subject on the 19th March last, and expresses the expectation that I will recognise the propriety in your communication as having been put "by the proper person and in the proper manner." I certainly admit your right to be informed as to the truth of the statement made any assertion which might affect your public or private character, and the manner in which that request was made by you must have been highly exceptionable indeed to have prevented me from responding to an inquiry in which character was supposed to be involved. I do not know whether the reference to my response to Mr. STANLY, thus made by your friend, was designed to imply a sense of injustice towards you in my refusal to answer Mr. STANLY. I can hardly suppose that an inference manifestly so unfair was intended, and especially as your note contains no reference to that affair. My course was certainly governed by a desire to do justice to all of the parties concerned. The remarks which were the subject of inquiry were made during the last autumn, and involved an issue of fact between the president and yourself. They were the subject of comment in many of the newspapers of the day. You have seen that all the facilities which the mail affords for addressing me in relation to them, and you were in Washington for weeks during the last winter, where I was at all times accessible. I had done all that was necessary, in my opinion, to vindicate the president against your attack by referring to the evidence upon which I relied; and I had no right to pursue further an inquiry affecting your personal character, unless you yourself desired the authority for my remarks. And whilst I did not feel justified in gratifying the curiosity of third persons in relation to an issue of fact between the president and yourself, I held myself bound at all times to furnish you with the authority upon which I declared that such an issue existed. I could have wished that you had been more specific in your interrogatory, as I do not know to what of the many paragraphs in various newspapers on this subject, you refer. I presume, however, it was some paper which truly reported my remarks, whose substance I recollect, and I shall answer accordingly. If disposed to be captious, I might require first to know whether it is only to gratify the curiosity of the friend who called your attention to the paragraph that I am requested to answer interrogatories in relation to it, for perhaps I might well doubt his right to such satisfaction. Such an inference might be drawn with at least enough of plausibility to justify me in requiring some explanations before I answered your note, unless by possibility you may mean to intimate that, at the time of your note (April 30,) you had, for the first time, through the agency of a friend more watchful than yourself, a paragraph which had circulated generally throughout the nation, and furnished the subject of much comment during the last autumn and winter. But I waive all right to inquire whether my response is asked for the satisfaction of yourself or others.

In reply, then, to your interrogatory, I say that, during the last autumn, in an address to my constituents, I did declare that the president had assured me that the charges of falsehood and perfidy which were made against him in your letter of resignation were themselves false; and I did this to vindicate my own support of a man who was charged with moral turpitude. Well knowing that the president could not descend to a personal alteration with a retiring member of congress, I felt that, in my sacred plighted word given from himself of the confidence imposed by their official relations, and perceiving the impunity with which assertions could be made by such an accusing authority, my hands were tied by kindred to the nation, and whose station forbade even the right of self-defence, I called upon him to know if I might use it. I felt that the public opinion under such charges did not imply absent to their truth. He assured that they were false, and I gave that authority to my constituents for denying them when, in their experience, they were represented against him. Prevented, as the president was, by his station and sense of honor, from revealing and discussing the nature of confidential cabinet counsels, it was at least fair that, such a mode of proof should have the full advantage of his own denial of these charges, amongst a people who knew him personally, and respected his truth and integrity. It was my refuge in his character which would have satisfied me of his innocence in these respects, even if I had not made some personal observations of circumstances which seemed in evidence that there was at least a wish on the part of certain gentlemen which might have been "father to the thought" that he had been guilty of deceit and treachery. I felt, too, that the deliberations of a cabinet, between whose members there was perfect confidence, like the operations of the human mind in the process by which opinion is matured, might be so perverted in their report, either by accident or design, as to seem to betray vacillation and inconsistency of purpose, when in truth deliberation and comparison of opinions were the very objects of the meeting. To these circumstances, in connexion with the declaration upon which I have been questioned, I have often referred in the defence, as I believe, of an injured man; nor have I failed, upon all proper occasions, to point out the nature of a contest in which the advantages are all on one side, inasmuch as there is every opportunity for attack, and none for defence.

Believing that the above contains a full answer to the question propounded in your note of the 2d of April, enclosed to me in the hon. Mr. Mason's letter of the 30th, I am, respectfully yours,

F. MALLORY.

The hon. Thomas Ewing, of Ohio.

I take no exception whatever to the course which Mr. MALLORY has seen fit to pursue in this matter, and I can have no controversy with him, either as to his conduct, or his denial and defence of the president, by and through him, which alone I propose to consider and reply to. And this denial does not present the distinct and definite issue upon *any one* of the facts contained in my letter, which one who is desirous of establishing the truth and of putting down falsehood would choose to make or to meet. The president says that "the charges of falsehood and perfidy which were made against him in your [my] letter of resignation are themselves false." An examination of that letter (which I here republish) will show that it nowhere contains, *in terms*, the charge of either falsehood or perfidy. If the charge be found, then it is only as an inference from a very plain and simple narrative of facts, each one of

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which, if denied, might be a proper subject of investigation and proof. But the president *infers* the charge of "falsehood and perfidy" against him from these facts, and then avers that the charge which he has so inferred is itself false, without *directly* denying a *single fact*, or the *aggregate of facts*, from which such charge, in his opinion, is necessarily *inferred*.

But the inference drawn by the president from the whole transaction detailed in that letter is probably just. I can by no means accuse him of characterizing it (erroneous though it certainly is) as being "false and perfidy" against him. I *will* that is therein charged be true. I must therefore take his denial of the *inference* to extend to some of the *facts* from which it is drawn, and to what I advised what particular *one* he disputes. I am constrained to consider it as extending to *all*. I therefore present to the public such proofs as are in my possession to sustain generally the statements contained in my letter of resignation.

And, first, I publish the statement of the hon. Mr. King, of Georgia, (furnished at my request), to show that this very plan of a fiscal corporation had been considered and approved by the president many days before it was made the subject of cabinet consultation. This statement establishes conclusively what I aver in my letter, namely, that the important provision which gave power to the corporation to establish agencies in the states without state authority was not a new conception—an immature thought of the president's on the day when, in cabinet council, he requested Mr. Webster and myself to get a bill containing that principle introduced in the house. He had before that time considered and approved it.

I publish the statements of Mr. Berrien and Mr. Sergeant, which show that they had, on the 18th of August, a conversation with the president on this very subject, and were to receive a written communication from him upon it. The statement of Mr. Berrien shows that Mr. Webster called upon him on the same day, and professed to give to him orally what the president had promised to communicate in writing, and that Mr. Webster then gave assurances as to the future acts of the president with reference to such a measure, which a man of truth could not have given if he had not received from the president the very communication which I aver his letter that he and myself did on that day receive. The statements of both Mr. Berrien and Mr. Sergeant show that I aver, in my letter, in consultation on the day, and confirmed the assurances given them by Mr. Webster.

And I publish, in connexion with my letter of resignation, the statements of Mr. Wickliffe and Badger, who were present and took part in the cabinet council on the 18th of August. I do this, that, by a comparison of their statements with mine, side by side, the public may see how fully and entirely they sustain my narrative of all that occurred there on that day.*

Stated in my letter as a matter of information, not of personal knowledge, that after the bill to incorporate a fiscal corporation was drawn up by Mr. Sergeant, and before it was reported to the house, it was seen, examined, and approved by the president. That it was so, I *had* not and *have* not a shadow of a doubt; but, as it did not take place in my presence, I could not positively swear it. Mr. Sergeant, when in our conference on the 18th the president expressed a wish to see and examine the bill after it should be prepared and before it should be reported. The statements of Messrs. Berrien and Sergeant show that a copy of the bill was accordingly sent by Mr. Sergeant to Mr. Webster, to be by him submitted to the president. On the morning of the 5th of September, Mr. Webster informed me that he did take a copy of the bill to the president, who examined it, and, after an amendment of the title approved it; and I understand that he stated the same thing about the same time to three other gentlemen, members of the senate. This is the evidence on which I rest my *belief* of this fact.

Independently of all extrinsic evidence, it would require some credulity to believe that five of the six members of the cabinet should at once have resigned their stations, elevated and desirable as they were, *without any sufficient cause*. It is much more reasonable to suppose that they would endure too much than too little, and begin an apology for resigning more than for resigning office. And who so seeks for any other motive for our resignation than that given by ourselves must seek in vain. It cannot be supposed that either of us was in pursuit of higher dignities, or that we were willing to relinquish our own *certain present* for our own or any man's *contingent future*. Our course was consistent and our reasons plain. We valued our stations because they were *honorable*; we resigned when we could no longer retain them without *dishonor*.

And I alone of the retiring members of the cabinet was constrained in some form to make public the transaction. I conveyed the assurances of the president to Messrs. Berrien and Sergeant, and spoke and acted upon the faith of those assurances, which were broken almost in my hand. Had I resigned silently, *for* those gentlemen who confided in my representations, must have been implicated in a falsehood, for the president, in his veto message, directly denies the authority under which I acted. And now his adherents have the front to say that I betray his confidence, when I reaffirm that authority, and state the circumstances and the language in which it was given.

I deny that cabinet consultations are entitled to the claim of absolute secrecy, for which the president and his adherents contend. Matters which occur there ought not to be lightly or wantonly exposed; but on sufficient occasion they are the fit subject of disclosure and publication. It has been the constant practice, for the last two hundred years, so to deal with them in the English house of commons, and, that, according to the constitution, I am, without the assent of the king; and it is more especially the case in the United States, where the president is not the sovereign or entitled to allegiance. I need refer to authority, I will name the Axis of Mr. Jefferson, where he treats what occurred in cabinet council with the same freedom with which a member of congress would speak of what he did in congress; this, too, when neither the public welfare nor personal justice demanded their disclosure.

T. EWING.

Lancaster, Ohio, May 18, 1842.

LETTER FROM MR. KING.

Washington, September 13, 1841.

MY DEAR SIR: I have received your letter, in which you request me to state the origin of the bill to create a fiscal corporation of the United States, recently returned to the house of representatives by the president with his objections;" and, in reply, I beg leave to say that, soon after the bill which originated in the senate to charter a fiscal corporation, which had been laid before the president, it was currently reported that he had strong objections to signing it. Feeling much anxiety for the success of the measure, at the request of some of my friends and colleagues, I called on the president to express the hope that the bill might receive his approval. From what was said in regard to its provisions, I inferred that the power to make fiscal discounts on promissory notes formed the chief if not the only ground of objection in the mind of the president. I understood him to say that he was in favor of a fiscal agency of deposite, and exchange, and that a bill to create a corporation with those powers would meet his approbation. On returning home, I informed my friend, the hon. Wm. C. Johnson, of what I understood to be the president's objection to the bill then before him, and of his opinion in regard to a substitution such as I have mentioned. The next morning Mr. J. and myself prepared a sketch embracing the principles and powers of such a measure. I made two copies of it; and I handed to him, the other I carried to the president's. We examined it together, and it met his approbation. The hon. Edward Stanly also conversed with him on the subject, and I am authorized to say understood him in the same way. So entirely persuaded was I that the measure would secure the approval of the president, that I did not hesitate to explain the sketch to some friends with whom I conversed on the subject. I ascertained, however, that the whig members of congress were generally opposed to it, and we thought it advisable to defer any of my new measure, hoping and believing the president would sign the bill we had passed.

On the following day—the Saturday, I think, before the first veto—I informed the president that there was no prospect or probability of passing such a bill. At this intelligence he expressed much regret. Two or three days after this he returned to the senate the bill we had passed, with his objections. His message was understood to indicate very clearly that the power to establish branches formed the chief ground of his objection to the bill, and to convey the idea that such a measure as was soon after brought forward in the house of representatives would be approved by him. This was in accordance with my own opinion from what had passed between him and myself. The whigs of both houses immediately took the necessary steps to prepare such a measure as they supposed would meet the views of the executive. Several members from each house were desired to act as a committee for the purpose of ascertaining, as nearly as practicable, the opinions of the president, and framing a bill, if possible, which would receive the support of the party in congress, be approved by him, and meet the just expectations of the country. This committee appointed one member from each house to make the necessary inquiries. The information which was obtained led to the preparation of the bill which was reported to the house of representatives by Mr. Sergeant, and passed both houses without amendments, under the full impression, as I believe, on the part of the whig members, that its provisions were in *precise* accordance with the opinions of the president. You will, therefore, perceive that the whig party in congress, so far from desiring to act precipitately, or to annoy, vex, or "thwart" the president, adopted every means in their power to ascertain what his opinions were, with an earnest desire to co-operate with him as far as a proper regard to what was due to the legislative and executive departments of the government would permit.

There are other circumstances which aided in leading me to the opinion that the president would approve the bill, but, as other gentlemen are connected with them, whom it has not been in my power to consult, I forbear to mention them.

I am, with much respect and esteem, your most obedient servant, THOMAS BUTLER KING.

To the hon. Thomas Ewing.

MEMORANDUM BY MR. BERRIEN.

I comply with the request of the hon. Mr. Ewing, by making the following statement of facts:

When the bill for the establishment of a fiscal agent, which was reported by Mr. Clay, had been returned with the veto of the president, I was requested to unite with Mr. Sergeant in preparing and reporting a bill to establish a bank on the basis of the *project* submitted to the senate by Mr. Ewing, or such other bill as we believed could become a law. The alternative authority was given expressly with a view to enable me to act more fully, with more precision than was found in the veto message in what particular form the president would feel authorised to approve such a bill, and the whole power was conferred and received in a spirit of conciliation to the executive, and from an earnest desire on the part of the majority in congress to co-operate with the president in the adoption of some fiscal agent which should meet the wishes and the wants of the country. Mr. Sergeant and I waited on the president, at my request, Mr. W. C. DAWSON, accompanied us.

It is not proposed to detail the particulars of the conversation at this interview, unless it shall be desired by some one who has the authority of the president for asking it. It suffices to state its result. The president, referring to his veto message, expressed himself in favor of a fiscal agent divested of the discounting power, and limited to dealing in bills of exchange other than those drawn by one citizen of a state upon another citizen of the same state. He declared his determination to confer with his cabinet on the question whether the assent of the states ought to be required in the establishment of the agencies, and whether, if required by the corporation, and so as to the propriety of holding with us that informal communication, promising to inform us of the result by a note to be sent in the course of the day. In the course of the same day Mr. Webster came to the capitol, with instructions, as he stated, to communicate to me verbally the determination of the president, (he (president) believing that that mode of communication would be equally acceptable with the written one which had been promised. He proceeded to state that the president would approve a bill for the establishment of a fiscal agency, limited to dealing in foreign bills of exchange. And to the question whether he would require that the assent of the states should be dispensed for the establishment of the agencies to be employed by the corporation, he answered that he would not. He suggested the expediency of changing the name of the corporation, which was acquiesced in; and by an arrangement then made with Mr. Webster, I received Mr. Ewing and Mr. Sergeant at my lodgings at 5 o'clock of the same afternoon. The details of the bill subsequently introduced by Mr. Sergeant, were then and there agreed upon, in conformity with the views of the president, as communicated to me by Mr. Webster, and repeated by Mr. Ewing; and in reply to the question, also proposed to Mr. Ewing, whether the president would require the assent of the states to the establishment of the agencies, he (Mr. Ewing) likewise replied in the negative. The sketch thus arranged was committed to Mr. Sergeant, who prepared from it the bill which he subsequently introduced in the house of representatives, a copy of which was, as I understood from Mr Sergeant be-

*NOTE BY THE EDITOR. It was the intention of Mr. Ewing (as the reader will perceive) to have have republished here the last year's statements of Mr. Bell and Mr. Badgar, as well as his own. They are to be seen by reference to pages 53 and 59, of the 61st volume of the Register.

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fore introducing it, sent to Mr. Webster, to be by him submitted to the president. This was the same bill which subsequently passed both houses of congress, and which was returned by the president with his second veto. J. MACPHERSON BERRIEN.

MEMORANDUM BY MR. SERGEANT.

In compliance with a request to testify to what I know of the matter embraced in the above statement by Judge Berrien, I have carefully examined the same, and concur with him in every part of it, excepting only that which details the conversation he had with Mr. Webster. The rest is personally known to me; but not having been present at the interview between Judge Berrien and Mr. Webster, I cannot speak of it from any knowledge of my own. I will remember, however, that Judge Berrien told me what had passed very soon after he had seen Mr. Webster, (I think on the same day,) in substance as he has reduced it to writing; so that I never had a doubt, and have not now, of his correctness. The conversation is confirmed by conversations between Mr. Webster and myself, which took place after the meeting with Mr. Ewing referred to by Judge Berrien, and before I moved the proposed bill in the house of representatives. These conversations were brief, but they were by appointment and not casual, were earnest and to the point; so that I do not think there was any error in my understanding of them at the time, nor in my recollection since.

I desire further to say, as I can do with unhesitating confidence, that my sole object in the whole proceeding, and, I believe, the sole general object of those who took part in it, was, by a candid ascertainment and comparison of individual views and mutual explanations, fairly obtained, in perfect good faith, to endeavor to conciliate opinion and agree upon a measure which could become a law, and meet the public exigency. So far as I can know or believe, there was no other purpose whatever.

JOHN SERGEANT.

Philadelphia, November 9, 1841.

THE REVENUE BILL.

MR. FILLMORE'S SPEECH.

In committee of the whole house on June 9, 1842.

Mr. Fillmore arose and addressed the committee at length. He regretted that the limited time allowed to the committee on ways and means, and the necessary devotion to the details of the bill which they had reported, had precluded the possibility of their preparing a report to accompany it, and which it properly prepared would have been a more satisfactory to the house than any brief explanation which he was capable of submitting. Every person must feel that the question under consideration is one of the greatest magnitude that could be submitted to the American congress relating to our domestic affairs. Nothing but the question of war and peace could be of more importance than the mode of raising the requisite revenue to carry on the government. It was a subject so complicated in its character, that he was satisfied, on entering upon approach it without being overwhelmed with its details. He regretted that neither the committee or the house had been furnished with proper and authentic information on which to base their action. Ten years, although it was known that a revision was to be made, had been sufficed to elapse, without such having been taken by congress or the executive to collect well authenticated information on which to base their future legislation. All they now have, are the annual reports on commerce and navigation, showing the amounts of imports and exports, and the value of the articles at the custom house, and wholly omitting to furnish the value of the articles in the markets of the country, and where it was produced in the country, all of which was indispensable for proceeding correctly in revising the system. He regretted that the resolution moved last session for the appointment of a committee with authority to send for persons and papers to collect information on the subject had not been adopted. How much better was the course pursued by Great Britain of having a committee, who sent for practical men on both sides of the question, and published their evidence to the country. In this country in the confusion of debates on mere theories and abstractions, the truth is wholly lost sight of. He regretted that the house had withheld from the able committee, to which they had referred the subject of manufactures, some important powers which they ought to have been invested with in order to enable them to obtain the information we now ought to have had before us them. But with all those discouragements that committee had collected many of the facts useful to this house and country; but Mr. F. felt the want of the information which that committee might otherwise have supplied, and which would have been (as they themselves would be satisfied) of great advantage to the country. The house, after having referred the subject to the committee on manufactures, it was but too apparent, expected also some action from the committee on ways and means. This committee having no time to collect requisite information applied therefor to the proper executive department. The committee having gone through most of their laborious business on the appropriation bills, directed their chairman, on 11th February, to address a note to the secretary of the treasury, from whom they had not yet then received the information called for. They waited in expectation from week to week, and from day to day, for an answer having been received, and viewing the pressure on this house, and apparently some complaint from the executive department because the committee had not acted, they directed their chairman to introduce a resolution into the house calling for that information, and the house adopted the resolution on the 29th March. The answer was received till the 9th May; and thus but one month and a half remained, before it was necessary for final action to consider a question, that had occupied the department, possessing all the power and all the facilities, collection and arrangement of the details of this subject, from the commencement of the session in December to the 9th May, 1842. Mr. Fillmore said, that, instead, in the present embarrassed state of the treasury, the head of that department had done all in his power to forward his business, and mentioned it only as a circumstance, that he was not to be blamed for not having earlier submitted a bill, and also, as an apology for the defects in this bill. As an additional apology also for its defects, he would state that the secretary had not communicated to them the information he had thus been five months in collecting;—why, he knew not; perhaps he had thought it prudent and discreet to delay it.

As this is a revenue bill to supply the wants of the treasury, he would be disposed to consider it solely in that view. The first consideration is, what amount of revenue is required to carry on the government for, on this question perhaps would depend the rate of duty imposed on every article in the bill. He would call the attention of the committee to the report of the secretary commencing his project on page 3, where he estimates the ordinary expenses of the government for 1842, at between twenty-five and $30,000,000, and the annual interest, liabilities, debts, and redemption of treasury notes, at about 7,000,000 dollars, making in all $33,822,000. Then followed the secretary's estimates for 1843 and '44, making the expenditure for each year amount to $34,949,000. That included the payment of treasury notes outstanding, and the debt contracted due and falling due on the 1st of January, 1844. During the last four years of Mr. Van Buren's administration, the average annual expenditures, independent of the public debt was near $29,000,000. If this past experience afforded a guide for the future, they might calculate the annual expenses hereafter at between 27 and 28,000,000, independent of the amount to be raised annually for the public debt that now falls due. But intelligent minds had made calculations and divers estimates of the probable future expenditures were made which varied from 18,000,000 to $26,000,000, the subject matter, therefore, was to a certain extent a matter of conjecture. But assuming that the spirit of retrenchment in this house should be carried out, (though he regretted its destructive operation on the institutions of the country,) he was willing then also to assume that there would be a reduction of 3 or 4,000,000 for some years to come, and if so, that the expenditure would amount to about 24,000,000 dollars, exclusive of 3,000,000 for the interest of the public debt, and for a sinking fund for its redemption.

The next question was how is this annual $27,000,000 to be supplied? The 8th section of the first article of the constitution grants the sole power, and it is in the following words:

"The congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States, but all duties, imposts, and excises, shall be uniform throughout the United States."

We had three modes then, and three modes only; first, by "taxes;" secondly, by "duties or imposts; thirdly, by "excises." Now which of these would they resort to? One they had to resort to; there was no other mode by which the treasury could be supplied.

The idea of a direct taxation, suggested when this subject was last considered in this house, by a gentleman from S. Carolina, had a very general circulation in this country, and seemed to have found much favor in this house, as he thought without due consideration. In 1798, the revenues from customs and excises being inadequate, a law was passed, directing a valuation of property and negroes in the U. States. Before adopting this scheme, gentlemen had better examine its evils, the hordes of executive appointments, and the tremendous executive power it created, and its constant necessity of revaluations. The officers would be worse than the frogs of Egypt; they would be found in every man's bed-chamber.

Since the commencement of this government, the revenue that has been collected, has been as follows: Total amount collected, - $913,000,000

Of which, duties,	746,000,000
" excises,	22,000,000
" direct taxation, only, -	12,000,000
" public lands,	109,000,000
" dividends and bonuses of the United States Bank,	20,000,000

(being 8,000,000 more than all that from direct taxes.)

Mr. *Rhett* considered the millions and millions collected by the post office, to be direct taxation, and inquired if that was included in his estimates.

Mr. *Fillmore* considered the post office as a separate department, collecting its own means to pay its own expenses; there had been some small amount, perhaps 300,000 or 400,000, which was added to the second and third items. The ordinary revenues of the post office were not included. Mr. F. referred to these facts to show that since the commencement of government direct taxation had not been thought the proper mode to supply the wants of the treasury.

The next mode was by excises. Mr. F. had heard very frequently expressions fall out of this house, speak of this as an eligible mode. Had they well considered this subject. The very name "excise" in Great Britain had long been odious wherever it had been attempted to levy a duty in the shape of excise had been recommended during the first two years of the government but it had now become so odious that he ventured to say that no administration would dare to impose it. A report was made by Alexander Hamilton, recommending the imposition of excises, and calling it "internal revenue." There was a great deal in the charge of a name, especially when that name had become so odious.

What had been the history of raising revenue by the country from which we derived our institutions by excises? He would read from McCulloch's dictionary or two in reference to the question and the history of the mode of raising revenue in Great Britain. McCulloch, says:

"Excise, the name given to the duties or taxes laid on such articles as are produced and consumed at home. Customs duties are those laid on commodities when imported into or exported from a country."

There (continued Mr. F.) was the distinction. One was the duty which they imposed on their own manufactures and their own products. One consequence of the imposition of duties of this kind was, that we should have a swarm of officers pervading every part of the country to examine who were engaged in the manufacture of any article for the purpose of laying a duty on it. Another consequence was, a complication in legislation on the subject. If we imposed an excise duties on goods manufactured by our own citizens, we prevented them from coming fairly into the markets of the world, without the duties were paid without any exception. The consequence was, at every port there had to be an examination to see whether these goods had paid excise duties. Another consequence was, that these excise duties were collected by the general power. The utmost vigilance the government could exercise would not prevent frauds even where the population was so thick as in Great Britain. But when they came to a country like ours, spreading over thousands of miles, every body must see that it was impossible to carry into effect a law imposing excise duties. Another consequence was, that if we had these excise duties in England was, that the legislation in that country had been such that the excise duty refunded often exceeded the amount paid.

Take, for instance, sugar or glass for illustration. By the laws of Great Britain an excise duty was imposed on the manufacture of glass, but for the purpose of enabling the manufacturer to meet citizens of other countries in the common markets of the world, the amount of these excise duties was provided by law to be refunded when the glass was exported. It so happened that the materials of which this article was composed were such as that by legislation, it was said, the government paid three cents per lb. to the exporter of glass more than what he paid into the treasury as excise duty, thereby drawing from the pockets of the great mass of the people a bounty on all the glass exported for the

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benefit of the manufacturers. Take another instance which came to the knowledge of the committee, showing what must be the consequence of resorting to excises for supplying the treasury. Some of those gentlemen who were engaged in the refining of sugar in this country came before the committee and represented that sugar refiners in Great Britain could export refined sugar and sell it at 6 cents per lb., while the cost of the raw article was about 11 cents. Mr. F. had told them there must be some mistake about it, as the raw article cost 11 cents per lb. and yet the refiners in London, after exporting it across the ocean, could return it and sell it at 6 cents per lb. But there was an explanation in this, growing out of these excise laws. By the laws of Great Britain, a certain duty was imposed on sugar and molasses, and a certain amount of drawback was allowed on the exportation of sugar. The legislature of Great Britain, on examination, had become satisfied that the amount refunded on the exported article greatly exceeded the amount received, and therefore changed the law, directing that this sugar should be imported "in bond," as it was called—that the importer should give bond that it was to be imported only for the purpose of refining, and then no duty should be paid and none be refunded. The consequence of that law was, that it broke down one-half of the sugar refiners in London, thereby confirming the supposition that the amount of drawbacks paid greatly exceeded the amount of duty paid on the raw article. Another thing that appeared was, that in refining this article a large amount of residuum or sugar-house molasses was received, and that this was had introduced the raw material for the purpose of refining had got the benefit of selling the molasses that remained without paying a duty on it.

These were some of the illustrations growing out of attempting legislation for raising revenue by excises. But he wanted to read a short history of these excise duties:

"Excise duties were introduced into England by the long parliament in 1643; being laid on the makers and venders of ale, beer, cider, and perry. The royalists soon after followed the example of the parliament, both sides declaring that the excises should be continued no longer than the termination of the war. But it was found too productive a source of revenue to be again relinquished; and when the war had been ascertained to be for a few years, the parliament declared, in 1649, that the 'impost of excise was the most easy and indifferent levy that could be laid upon the people.' It was placed on a new footing at the restoration, and notwithstanding Mr. Justice Blackstone says that 'from its first original to the present time its very name has been odious to the people of England,' (Com. book, i. c. 3,) it has continued progressively to gain ground; and is at this moment imposed on a variety of most important articles, and furnishes nearly half the entire public revenue of the kingdom."

These duties (continued Mr. F.) were imposed in that country because by imposts and direct taxation they had exhausted every other resource of supplying the treasury. The recent proceedings of parliament showed that they had been obliged to resort to the war measure—to tax licensees to the government. These were the means which the treasury could be supplied by duties on excises would do well to read the report made by Mr. RANDOLPH, chairman of the committee of ways and means, and to read the history of the times when Pennsylvania itself was in rebellion against this law. They would there find that RANDOLPH stated that the expenses of collecting these excise duties were equal to about 33 per cent. on the whole amount collected. Was any person prepared boldly to come forward and propose to supply the wants of the treasury by the imposition of so odious a tax as this, to be collected at so enormous an expense? If not, what then followed? We had but one other resource, but one other mode by which the wants of the treasury could be supplied; and that was, by imposing duties on imports, which the bill now before them proposed.

Mr. F. trusted, after what had been said of the objections that might be urged against direct taxes or excise duties for supplying the wants of the treasury, and when it was apparent to every body that this was the only remaining mode; and we had the experience of fifty years to show that out of $900,000,000 of revenue collected, upwards of $746,000,000 of it had been collected by this mode; that no further argument was necessary to show that this was the best, if not the only mode, to which they ought to resort for supplying the wants of the treasury.

The next question presenting itself, then, was, will this bill supply the wants of the treasury? "Is it sufficient?" Here he would take the liberty of stating, for the information of the house, that the bill in substance was the project as received from the secretary of the treasury. Although the committee of ways and means had changed many of its details, sometimes increasing, and sometimes diminishing the amount of the duty, as they thought it was likely to produce more revenue, and by adding some very important provisions for the purpose of supplying the statistics for legislation hereafter, yet the main features were as they were in the bill received from the department.

He believed the amount of revenue to be produced by this bill would be about the same as would be produced by the bill from the department. What, then, were they to rely on? The secretary of the treasury, for the purpose of ascertaining the probable amount to be derived from this bill, had taken the importations of 1840, and for every article on which he found duties, he had deducted the amount out the amount of duty. The aggregate amount thus estimated was $32,693,335 27; deducting expenses of collection and drawbacks, $5,160,000, it left a net revenue which the secretary estimated from his bill of $27,443,335.

Here he would remark that the secretary had made the amount of drawbacks for them. It would have been more satisfactory to him (Mr. F.) and to the house if he had given the amount of exports of each article on which drawback was allowed. It would, besides other information, show them whether articles were imported merely for consumption or for exportation. He doubted not but the house would be surprised at the fact that articles beyond a certain amount were liable to be exported, and when exported, the amount of duty which they paid was refunded in drawbacks. Thus it was that they might have importations and an enormous amount of revenue up to $50,000,000, yet when they looked at the exportations and drawbacks refunded, the amount would be greatly reduced.

Although the secretary had given this as the result of his bill, yet he (Mr. F.) was satisfied, on a close examination of the bill, that it could not be relied on. In the first place he was prepared to concede that the amount of revenue for a year when the importations were below the average for the last seven years. The importations in 1840 were only $107,000,000, while the average importations for the seven years from 1834 to 1840, inclusive, were $141,000,000; and yet, notwithstanding the great disparity between the year 1840 and the average of these seven years, he was satisfied that the secretary's bill could not be relied on to produce a sufficient amount of revenue.

There was great reason why the average of the seven preceding years was so great, and so much above that of 1840, was in consequence of the excessive importations of 1836, they being in that year nearly double what they were in ordinary circumstances. It was unnecessary to advert to the causes of this; it was sufficient to say that it was a fact. One cause probable was the great excitement of property by fire in New York city, all of which had to be supplied by importations. But, in 1839, the amount was also nearly doubled. It was these excessive importations of 1836 and 1839 that swelled the average amount for the seven years above what they could rely on. Another reason was, that during all those years more than one-half of our whole amount of importations came in free. During a great part of this time the currency of the country was greatly inflated, prices were high, and there were strong inducements for importations and for purchases. This seemed to have been overlooked.

He therefore concluded that, although the secretary had taken a year which was above of the seven years preceding, yet he had taken a higher amount of importations than they could rely on when they came to impose duties on all articles imported. He believed, he was decided, that, for the present and probably for the succeeding year, there must necessarily be a great depression in trade, and that our importations must necessarily be small. There was not a demand, nor could there be until prosperity was restored, for the consumption of foreign goods, any thing like in 1835, 1836, or 1837, notwithstanding.

Then they might conclude that this bill would produce something like $27,000,000. The secretary had estimated it a little over. Mr. F. thought for this and the succeeding year it must be a little below that amount; but for a series of years it might be about that. But, after all, any person who would look over past years, and see the revenue varying from $13,000,000 to $24,000,000 in different years, must be satisfied that they could only calculate on the amount of revenue to be produced for a series of years, and not with any confidence on what was to be produced for any single year. Assuming, then, that this bill might produce from $25,000,000 to $27,000,000, it seemed to him there was an end of the question. Unless some gentleman could show that any clause could be altered to increase the amount, no change need be made for protection or otherwise. It was unnecessary to discuss the question of protection. If they could not resort to direct taxation or to excises to supply the treasury, and wanted this bill to raise no more than to supply it, then it was a revenue bill and a revenue bill only.

Although that was the view he was disposed to take of this bill, and although he was disposed to listen to any amendments to increase the revenue for protection, yet it might be well to consider the subject with reference to the incidental protection of our own industry. He was not one of those who professed an indifference to our own interests. His own opinion was that we had better take care of ourselves; and while he would not embarrass trade between this and foreign countries, yet if they gave us an advantage, we should give to one over the other, he preferred his own country to all the world. In reference to protection he believed that duties might be so levied for protection that, if carried out, the consequence must be prohibition and the loss of revenue. He was for no such protection as that. He had no disguise of his sentiments on the subject. He believed that if all the restrictive systems were done away with here and in every other country, and they could confidently rely on commerce and navigation alone, that would be the most prosperous and happy state; they would produce what they could, and sell it where they could buy the cheapest. But although this as a theory was beautiful, yet when they came to reduce it to practice, there were exceptions to this rule, and most important exceptions, and such as ought not to escape the observation of any man.

It was said by those in favor of free trade that if they imposed a duty for the protection of manufactures, they gave preference to those engaged in manufactures over those in other pursuits. That was not the case. No preference was to be given to the manufacturer. If, by levying a duty on cotton cloth, the manufacturer of that article was found to be profitable, they could not limit the number to be engaged in it—not only A and B, but the whole alphabet from A to Z might engage in it, and the competition would be so great that it would be no more profitable than any other business.

It was said that this protection was given for the purpose of benefiting those engaged in manufactures. He would ask what difference was there between protection and encouragement. In the infancy of productions it might be deemed necessary to encourage the production of necessary articles. Suppose there was a necessary article, and the prospect of supplying the community with it in a state of war; it was thought advisable to encourage its production, and to give a duty on it with that view. It was laid on it for the purpose of encouraging its production for the benefit of the entire community. Every one was at liberty to engage in its production or manufacture. He did not pretend to say when it was proper to encourage the manufacture of any particular necessary articles, but there were times when a nation did not act wisely in not giving protection to necessary articles for the purpose of rendering themselves in case of war independent of foreign nations. He did not say what they were, but there were articles of food and clothing so indispensable to the nation that they neglect their duty to the country if in raising revenue they did not encourage the production of these articles for the purpose of obtaining them in a state of war when they could not get them by commerce.

This provision rests (said Mr. F.) precisely on the same principle as your annual appropriations for an army and a navy. You do not want either in a state of profound peace, and you pour out your millions every year to keep them in, and to increase them, that you may be prepared to meet an enemy when war shall come. So here you are at the expense of preserving the manufacture of necessary articles, that, when war comes, you may be able to supply the wants of the country. And how does this differ from the manner in which we all act in the every day concerns of life? Do we not all resource to pay the rate of insurance on our dwellings, in order to provide against the possible occurrence of their being consumed by fire? Do we not continue to pay this charge for twenty, thirty, forty years, simply that, when the accident comes, we may be ready to meet the consequences? Just so we protect the productions of an article of necessity to be ready for the occurrence of war when it can no longer be imported from abroad. We do not do this to favor one more than another: the manufacture of the article is open to all: we protect not a class of men, but an article of consumption, and that in order that the

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country may have it in the day of calamity. We are willing to add a little from year to year to our burdens, in order that we may have within ourselves, and independent of any foreign power, the ability to supply our own wants. This, then, is one case in which it is proper to discriminate in the imposition of duties.

But there is yet another case—a case which I regret to say too often occurs, and which is the effect of self-interest and national rivalry: it is the case where foreign legislation is conducted so as to exclude your native products from foreign markets. Here is an agricultural community occupying one of the broadest and most fertile tracts of country in the world, adapted by nature, as part of the United states of this union, for the production of breadstuffs. The people are desirous of continuing their agricultural occupations, and thus supplying themselves with whatever they want from other countries. But Great Britain, who supplies them with all manufactures of iron, and also with clothing such as they do not find it convenient to make for themselves, while she is willing to send them any quantity of these articles, refuses utterly to take any one of their agricultural products in return. What is to be the consequence? Must the people continue to produce, only to rot in their barns, while at the same time they have to pay specie for all the manufactures they import from England? No, sir, no. Here arises a case in which it is the duty of their government to interpose; and the government is clearly justified in meeting restriction by restriction, not in any spirit of resentment or ill-will, Great Britain has done no wrong to us, she has but exercised a natural right, a sovereign right, which belongs to her as an independent nation. We pass countervailing duties, not as a punishment, not as an act of hostility, but merely for our own protection—merely that some of our own people, who had raised corn and wheat and cattle, may be able to make their own clothes, may provide their own implements of iron, and that thus there may be a home market for those who continue to raise grain. We manifest by this no enmity, no ill-will, no spirit of retaliation. We do nothing of which she has any just right to complain. We only create and preserve a market for those whose products she refuses to receive. Is there any thing unjust in this? It seems to me there is not.

These are the two cases in which we may legitimately legislate in the way of protection, viz: to provide against the occurrence of a state of war, and in peace to meet the restrictions of foreign governments, and to secure a home market for our own agricultural products.

But it is said that more than this is intended by this bill, and those who advocate it. Now I hold that we should look at results and effects rather than at any abstract. The effect certainly is the diminuirge and to protect home manufactures. If you lay a duty of a dollar a yard on cloth, the necessary and natural effect will be to encourage, to the home manufacture of cloth. The result is inevitable, whether we intend it or not. We cannot avoid it if we would.

These are my views on the subject of protective duties—that they are passed not for the purpose of giving one class of the community a preference over another class, but merely as a power, beforehand against a state of war, and as providing a home market for our own producers: beyond that I am not prepared to go; and I would do this only while exercising our clear constitutional right to levy duties for revenue.

Yet, in the laying of duties for revenue, and for revenue alone, it must be apparent to all that discrimination is necessary. If you impose a high duty on articles of small bulk and great comparative value, the duty cannot be collected. What duty can you collect on a watch, for example, or on a minute parts of watch machinery? They can so readily be concealed about the person, and in various ways, that detection is impossible, and you never can prevent smuggling them. Hence on very small and very costly articles all nations have concurred in excepting low duties, that they may take away the temptation to evade the law. Even the governments of Great Britain and France, both of whom have imposed very heavy duties for revenue as well as for protection, admit diamonds duty free; for the obvious reason that they are so small and precious, that no tax can be collected on them; no, not a tax of but one per cent. The same principle applies to jewelry in general and to laces. I regret that it is so. Great injustice certainly grows out of it, but that is inherent in the nature of the case. We should prefer taxing articles of this description higher than all others, because they are articles of the highest luxury, and those who consume them are best able to pay; but the law of nature is paramount to all human legislation.

There is a further reason in favor of discriminating duties: (and here I know I shall have many supporters:) when articles are the produce of our own country we cannot impose very high duties upon them; because, if we do, we so increase their value that the home product will banish them entirely from the market, and the duty, being prohibitory, will yield no revenue. It will operate as a premium on production, and the government will get nothing from the duty. We see on the other side of the water a very strange political phenomenon. It is the leader of the *British* house of commons declaring himself in favor of *free trade*, and against imposing any duty over 20 per cent. It reminds me of the language of Solomon, who, after enjoying the world, full of pleasure, cries out that "all is vanity!" [A laugh.] Great Britain has carried the protective system so far, and practised it so long, that her home market is fully supplied, and now, forsooth, she pretends to great merit in reducing duties which cannot be collected. But mark the caution with which sir Robert Peel speaks of the duty upon sugar. He said he would not explain the reason of the duty on that article: the reason is obvious enough: the climate of England is too cold to produce the sugar beet; it does not therefore come in competition with any of their own products, and cannot become prohibitory; so it may be taxed to any extent. That was the reason. If you look at their other duties, I repeat you will see that Great Britain in 1840 raised the sum of twenty-two millions of pounds sterling, being more than half the total amount of her revenue, from four articles—wine, tea, tobacco, and sugar—not one of which she could herself produce. Could either of them have been produced at home, does any one believe that the revenue would have been half their price raised by a tax of ten times their value? Never. It was only because the ministry knew that the articles could not be raised in England, and that the vitiated taste of luxury would still repent and will use them. On this principle it was necessary that there should be a discrimination as to articles of home production, in order that the duty may be so placed that we shall not be doing what we intend to prevent, it may produce as much as possible to the government; in a word, at the point where our own products, and those from abroad may exist together in the same market and by a competition produce the greatest amount of revenue and the lowest cost to the consumer. It is a difficult thing in practice to find that precise point in regard to each article; but the doctrine is theoretically true—such a point must exist.

I therefore conclude that no duty in this bill is too high, looking simply to the results to the treasury, unless it is a duty on an article of home manufacture, and so high as to prohibit importation. If it can be shown that there are any such duties, then I go for reducing them to that point where the competition of the foreign and the home producer shall be the most perfect.

Mr. Rockwell here inquired whether there was no duty in this bill so high as to prevent or diminish the amount of revenue, so that lowering the duty would augment the result?

Mr. Fillmore. It is possible there may be: if there be, I am not aware of it. If it can be shown that such is the fact, I am again that I go for reduction—with one exception, however: I will not so reduce any duty as to glut the market with the foreign product and force the home manufacturer, and then compel our citizens to buy all from abroad at any price the foreigner chooses to demand; that I am opposed to; but I go for fixing the duty so as to keep up competition and keep down prices; the other plan must end in raising prices greatly.

As an additional evidence that this bill is to be considered only as a revenue measure, I beg leave here to call the attention of the committee to a few statistical results. They are results merely, as I shall not detain or weary the committee by going into the details. My attention has been called to the amount of duties realized under the act of 1832 as modified by the compromise act. If any one will examine the amounts received from the customs since the first reduction by the compromise act, he will find that never, save in a single year, (and then for peculiar reasons,) has the revenue received equalled the expenditures of the government; one year, in which the imports were very unusually large and the expenditures unusually small, is an exception: in all the other years the customs have not yielded us enough to carry on the government.

In 1834 the receipts were	16 mills.	the expend.	18 mills.
1835 do.	19 do.	17 do.	
1836 do.	23 do.	29 do.	
1837 do.	11 do.	31 do.	
1838 do.	16 do.	31 do.	
1839 do.	23 do.	25 do.	
1840 do.	13 do.	22 do.	

Here is the result of our wise legislation in reducing the duties on imports! It shows that, during the seven years of reduction, while our expenditures have been 176 millions, our receipts from the customs were but 122 millions; leaving a deficit of 53 millions of dollars, or an annual average short of coming to the amount of *seven millions*. I ennoble, from a view of these facts, that our present difficulty will be found to be, so to arrange the rate of duty as to obtain the largest practicable amount of revenue.

While speaking on the subject of protection, there was one important point I omitted to mention. It is this: I distinguish between government encouragement to begin a branch of industry and government protection after men have engaged in it. In the first case, the act of the government is voluntary and spontaneous. Before holding out encouragement to any portion of a community to engage in a particular pursuit in which they are not now occupied, the government ought well to consider what benefits are likely to result from it; the benefits should enure to the entire community as a whole, and not merely to the individuals who are encouraged to embark in it. If a branch of industry is so important in its bearings on the public weals that it is highly important it should be established as a provision against a state of war, then as the strongest advocates of free trade themselves admit, the government may legislate with a view to encourage its establishment. But after they have done this, and after the people have, in consequence, engaged a new pursuit, and embarked their capital, time, and skill in it, a new question arises, viz: whether it is wise, will, by your subsequent legislation, withdraw your protection, and strike that branch of industry to the ground? Your legislation in the first instance is free, is voluntary! You may legislate, or you may abstain; but, in the latter case, the public faith is, to a certain extent, pledged; the people have engaged, at your invitation, in a new pursuit, you encouraged them to embark in it, and, having done so, you are under an implied obligation not to hew down what you yourselves invited them to build up. There is, clear, a broad, and a just distinction between protection beforehand and protection afterward.

It is known to the house that there are two modes of imposing duties, one ad valorem, the other specific—one looking to value, the other to quantity merely. I am aware that there is a feeling which has pervaded the community ever since the compromise act, in favor of ad valorem duties as the preferable form of the two. Now I do not know and cannot profess to say, how far prejudice or misconception may operate in this matter. Probably a little further examination of the subject would change opinions both by taken up. I concede that, in theory, which often holds out to us a false light,

"That leads to bewilder, and dazzles to blind."

the *ad valorem* mode may seem to be the best; because it may be argued that in this mode the duty is in proportion to the actual value of thing taxed, which is the most conformable to justice. In theory it seems very plausible. But by experience, which, after all, is the best teacher, it is found that this apparently just mode of taxation is the most unjust, dangerous and the most mischievous results. If gentlemen will look at the last tariff adopted in England, they will find that the provisions were made specific, because it was possible to make them so. And why? Why was this done by so wise, and experienced, and cautious a government? Because in imposing an *ad valorem* duty regard is always had to the cost of the article abroad, and not where the duty is paid. It may be asked why is this? Why not calculate the duty on the value of the article where imported? Because it is found impracticable. There are different qualities of the same article, and men's opinions as to those qualities are always found to differ. Hence, *ad valorem* duties cannot be made uniform. Thus, a gallon of wine imported into New York may there have one value; a gallon of the same wine, imported into Charleston, may have there a higher or a lower value: it is a matter of opinion. And if the duties are to be levied on this "whose valuation," as it is called, the duties will not be uniform, as the constitution requires them to be.

To avoid this, the value is taken as in the foreign market whence the article is imported, or where it is made; to which is added the freight and other charges, save insurance. But how is this foreign value ascertained? First, by the invoice, which ought to be the best evidence possible; but every one must see that there is a very strong temptation to the production of fraudulent invoices; and such is human nature that experience proves the temptation often to be too strong to be resisted. The importer is supplied with two invoices: one in which the real value

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of the goods is set down, another in which they are charged far below the true amount. The latter is produced to the collector, and thus the revenue is defrauded. And so shamefully common has this become—that man cannot compete in this branch of business without committing his conscience and character; hence it has fallen chiefly into the hands of a set of foreigners who thus exclude our own citizens from the honest and honorable profits which their enterprise would otherwise secure to them, and drive them out of their own trade in their own market.

There remains, then, the other mode of levying specific duties. And what are the objections urged against it? It is said, first, that it exacts the same amount of duty on the same quantity of goods, whether of a poorer or a better quality. And on this point an appeal is often made to popular prejudices. I admit that, so far as variation in value is concerned, it is necessary that, under a specific duty, a greater tax is paid on a poor article as on one more valuable. But is there no compensation for this? There certainly is: it often protects the poor from fraud. And, what is of great consequence to the general welfare of the country, it induces the importation of a better article, because it pays no more duty on account of its inferiority of value.

Another objection urged against specific duties is, that the duty continues at one fixed rate, while the value of the taxed article fluctuates from time to time, either in consequence of the investment of more capital, or of improved machinery and greater skill in its manufacture. By this means a duty which, when first laid, might be very proper, becomes at time becomes prohibitory. As the value of the article falls, the relative amount of duty increases, and vice versa.

I admit that there is something in this. The committee felt the force of the objection, and to meet it they have done in this bill what never was done before: they have required the collector, at the several ports to report the monthly value of goods imported, both the custom-house value and the wholesale market value. The secretary of the treasury is required to make from these reports a monthly abstract, and to publish it to the country; and in addition to this, he is required to ascertain whether any article in charge for thirty per cent. on its market value, and to report the fact to congress; so that, should there be any gross inequality growing out of the specific duty, it shall be brought to the notice of congress and the country.

We have been induced to impose specific duties wherever it was possible, with a view to avoid frauds. For although frauds do not exist to any thing like the extent which has been supposed, yet the mere suspicion and general persuasion that they do, is nearly as bad in its practical result. I wish that the citizens should feel entire confidence that we are not paying a higher duty than the foreign mercenary who has no conscience in his way.

There is one other subject on which I feel bound to say a few words, and that is the subject of cash duties. The secretary of the treasury has recommended the cash system, and the committee has to a great extent adopted the recommendation.

Every one will see that this is a matter of the greatest consequence; opinions in regard to its effects are widely different. Some say that its operation will be highly salutary in preventing the European manufacturer from getting rid of his surplus stock by throwing it into our auction rooms, while he is getting a credit at the custom-house, and thus helping all fair trade. My own opinion is, for several reasons, in favor of adopting the system. I have looked into the documents and records on this subject, to discover what amount has been lost to the treasury from the effects of the credit plan; and I find from a report made in 1827-28, it was there stated at *zero millions*; and this, I think, was before the effects of the great revulsion which took place in 1836-37, because the bonds then due were postponed by congress. By giving the merchants credit on their duties the treasury had lost very little, and why should this risk be run? Why should this special favor be extended to the importing merchant? What right has he to claim it? Why should government run the risk of his business any more than those of another man's? There can be no reason, so far as I can see, unless it is our policy to encourage excessive importations; and this is a policy which I, for one, cannot approve. I think our importations have been vastly too great, and have involved us in a debt which presses on the nation. I would do nothing to encourage or aggravate such a condition of things.

But I am in favor of a modified warehousing system. This I consider as the true substitute for the credit system. The secretary of the treasury has not, indeed, made any recommendation on this subject, because, as he states, he has not had time to examine the subject, or to act upon it. He leaves it entirely to congress. The warehousing plan forms no part or feature of his *project*, and therefore the committee of ways and means have not considered it their duty to enter into the subject, as they otherwise would have done.

What are the benefits it is calculated to produce?

The plan has been adopted in Europe for many years. Indeed it is about a century ago since the first attempt was made to introduce it in England under the administration of Sir Robert Walpole, but so great were the clamors of the merchants, who had been long in the habit of defrauding the government by obtaining credit on their bonds, that the administration was finally forced to abandon the scheme. Indeed, Walpole was at one time in danger of losing his life in a mob in consequence of his endeavors to carry it through parliament. Since then it never had been successfully introduced until 1803, when it was adopted by the British government and has been practised ever since. I have here a synopsis of the sets in reference to it. The warehousing system is a provision for lodging imported articles in warehouses until they are taken out and used for home consumption, when the duties are paid; if they are re-exported the duties are remitted.

Here Mr. F. read to some extent from McCulloch, giving a history of the warehousing system as practised in England, as follows:

"WAREHOUSING SYSTEM. By this system is meant the provisions made for lodging imported articles in public warehouses, at a reasonable rent, without payment of the duties on importation till they be withdrawn for home consumption. If re-exported, no duty is ever paid.

"1. *Expediency and origin of the warehousing system.* It has been by far the most fertile source of celebrated maxims on the subject of taxation, that every tax ought to be levied at the time and in the manner that is most likely to be convenient for the contributor to pay it." (Smith's Wealth, vol. iii. p. 363.) No one can doubt the soundness of this maxim; and yet it was very strangely neglected, down to 1803, in the commercial tax system. Previously to this period, the duties on most goods imported had either to be paid at the moment of their importation, or a bond, with sufficient security for their future payment, to be given to the revenue officers. The hardship and inconvenience of such a system is obvious. It was often very difficult to find parties who were prepared, in order to raise funds to pay the duties, was frequently reduced to the ruinous necessity of selling his goods immediately on their arrival, when, perhaps, the market was already glutted. Neither was this the only inconvenience that grew out of this system: for the duties having to be paid all at once, and not by degrees as the goods were sold, the importer was, in most cases, deprived of the amount of the profit on the capital advanced in payment of the duties; competition, too, was diminished in consequence of the great proportion of funds required to carry on trade under such disadvantages; and a few rich individuals were enabled to monopolise the importation of those commodities on which heavy duties were payable. The system had besides, an obvious tendency to discourage the carrying trade. It prevented this country from becoming an *entrepot* for foreign products, by hindering the importation of goods which were destined for exportation, or for home consumption; and thus tended to lessen the resort of foreigners to our markets, insomuch as it rendered it difficult, or rather impossible, for them to employ an assorted cargo. And in addition to all these circumstances, the difficulty of granting a really equitable drawback to the exporters of such commodities as had paid duty, opened a door for the commission of every species of fraud.

"But these disadvantages and drawbacks, obvious as they may now appear, did not attract the public attention till a comparatively late period. Sir Robert Walpole seems to have been one of the first who had a clear perception of their injurious influence; and it was the great object of the famous *excise scheme*, proposed by him in 1733, to oblige the importers of tobacco and wine to deposite them in public warehouses; but the opposition, both to the impolicy of paying the duties chargeable on them till they were withdrawn for home consumption,

"We doubt not an uneasiness in the mind of any one that the adoption of this scheme would have been of the greatest advantage to the commerce and industry of the country. But so powerful was the delusion generated in the public mind with respect to it, that its proposal well nigh caused a rebellion. Most of the merchants of the day had availed themselves of the facilities which the existing system afforded of defrauding the revenue; and they dexterously endeavored to thwart the success of a scheme which would have given a serious check to such practices, by making the public believe that it would be fatal to the commercial prosperity of the country. The efforts of the merchants were powerfully seconded by the spirit of party, which then ran very high. The political opponents of the ministry, anxious for an opportunity to prejudice them in the public estimation, contended that the scheme was only the first step towards the introduction of such a universal system of excise as would inevitably prove subversive of the comfort and liberty of the people. In consequence of these artful misrepresentations, the most violent clamors were every where excited against the scheme. On one occasion sir Robert Walpole narrowly escaped falling a sacrifice to the ungovernable fury of the mob, which beset all the avenues to the house of commons. But after many violent and lengthened debates, the scheme was ultimately abandoned."

Thus it is seen (said Mr. F.) that the scheme has worked well in England. In this country it was introduced in 1798, perhaps as early as 1791, though of that I am not sure, and has been in use ever since, in reference to teas and some other articles.

But there is an objection urged against it which, if established, is like to be fatal to it. The experience of Great Britain, it is said, has proved that it will decide as to establish warehouses at all the usual ports of the kingdom, and they have therefore selected certain of the greater importing towns where alone the system is in operation. Now, our constitution declares that no preference shall be given to the ports of one state over those of another in the imposition of duties, which must be uniform throughout the U. States. And it is said that if we shall pursue the British plan of establishing warehouses only in certain of the greater seaports, or if congress shall by law authorize the secretary of the treasury to do so, it will, in effect, be giving a preference to those ports, and so will be a violation of the constitution. With all due deference to gentlemen who urge this constitutional objection, I do not see that there seems such a consequence will follow. We have the system now, in regard to some articles, and we may extend it, and if we do so, it seems to me, in regard to small ports and the large, will be like that of the post office system in regard to the great mail routes and the small, the one compensates for the other.

The great commercial port, as New York, for instance, will supply the means of paying for the system in smaller ports; and thus, by a general system, the whole country will collectively be benefitted. No one can pretend that it is not well and proper to secure the dues of the government, while at the same time it extends accommodation to the merchant. At all events I do not think that it is. I do not think that it involves any violation of the constitution. The object of that provision in the constitution which is said to prohibit it was manifestly to prevent a preference of one state over another, by exacting less duties in the ports of the one than in those of the other. It certainly could not be to make the advantages of a great port in the United States equal unto herself had rendered that impossible. The intent was to guard against a combination of some of the states to take advantage of others; to prevent the great states from oppressing the smaller. But this has nothing to do with that. I am, as I said, in favor of trying the plan. Indeed, it will be unavoidable if we introduce the system of cash duties. It might be very proper to make same difference as to goods coming from beyond the Cape of Good Hope, but that is early arranged. I hope the committee on commerce will report us a bill presenting a matured plan.

When I say that this bill contains nothing of it, I do not mean to be understood that there is not here some substitute for it. The bill provides that when goods are imported from beyond the Cape they may remain in store ninety days before the duties are exacted.

Although there are in this bill some other subjects of a general nature, I have detained the committee long; but I will not now go further into its provisions.

I must, however, before concluding, say a word or two touching the item in the clause now under consideration, which is the first article of wool. Some gentlemen will probably differ from the views of the committee on this subject. There seems indeed to have been some doubt in the mind of the secretary of the treasury in regard to it. The duty before has been forty per cent. ad valorem, and four cents per pound on wool with eight cents; but this had been gradually coming down under the compromise act.

I have had some trouble in finding the amount of importation under the high duty. There is this difference between wool and other articles: being produced not in one or two confined spots and by comparatively two persons, but in a wide spreading region and by great numbers of people, far separat-

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ed from each other, there can be no combinations and conspiracies to keep up its price. Such combinations not only may but do exist in regard to other things. I have lately heard of some very strange facts on that subject. I have found that the iron makers in England agree to regulate the quantity of iron produced, and thus to keep up its price; a certain fixed standard, just as the proprietors of our steamboats, in some places, agree to run only so many boats.

If it is found that there is a surplus number of forges, the proprietors get together and make a decree that only a certain set quantity of iron shall be produced; and this is either distributed pro rata among all the forges, or some of the forges are suspended from working. Nay, I have heard what is still more extraordinary. In Sweden the government annually regulates the amount of iron produced in the same manner and on the same principle; and also with a view to prevent the forests being too much invaded for the manufacture of charcoal, and the proprietors quietly submit to the regulation.

The same thing can at any time be accomplished where there are but few engaged in the same branch of work, and where they are concentrated into a narrow space; but this cannot be the case in regard to wool. Its product is spread over different states; there is and can be no combination; the price of the article is regulated by the fixed laws of demand and supply, and by these alone. We should be careful to put the duty as high as we can, so as not to be prohibitory. We have nothing to apprehend from combinations.

Mr. F. said he had tables before him which exhibited some strange results. The reporter sought the following: Mr. F. read 1831, 1832, 1833, millions of pounds were imported; next year, but four millions; in 1833, less than one million; the year following, only half a million; then 1,100,000; then 1,600,000; and, in 1838, 488,000 pounds. From that time the amount had been pretty uniformly half a million of pounds. The tables did not show how much of this had been imported but, on the whole, judging from the diminished result of importation, the committee had concluded to reduce the ad valorem duty to 30 per cent. and to fix a specific duty to four cents, in 1832. Possibly they had gone too high; but, if he could be satisfied that they could go higher still, and not render the duty prohibitory, he was ready to do it. It was just the proper course that the highest duty should be imposed which could be realized, so as not to injure the manufacturer; but he warned gentlemen not to put it so high that the manufacturer could not buy; because this would break up the manufacture not only, but as the old story the wool-grower, too, by destroying his market. The tariff point might be hard to find; but probably the experienced and judicious gentleman from Vermont (Mr. *Everett*) might aid them in settling what the duty should be.

Mr. F. concluded with a modest apology for the time consumed by the above luminous and able exposé, which he characterised as a very imperfect attempt at the discharge of the duty imposed on him.

TWENTY-SEVENTH CONGRESS.

SECOND SESSION.

SENATE.

June 9. Two memorials remonstrating against the proposed reduction of the navy were presented, by Messrs. *Tallmadge* and *Archer*.

Mr. *Sturgeon* presented memorials from Montgomery, Pennsylvania, remonstrating against any tariff act like that of 1833, and praying for such a revision of the tariff as will secure adequate protection to the home industry of the country.

A bill was reported from the committee on naval affairs, regulating the pay and appointment of engineers employed in the naval service.

The bill for the adjustment of the claims of Silas Deane, was taken up and discussed by Messrs. *Phelps* of Vermont, *Berrien*, of Georgia, *Sturgeon*, *Young*, *Sevier* and other senators, and then was informally laid over for another day.

The apportionment bill was then resumed in committee.

Mr. *Allen* moved an amendment, that single districts shall be made in counties and cities, where the laws of the state do not order otherwise. This amendment was lost, 27 to 19 by yeas and nays.

Mr. *Benton* made a speech followed by an amendment, to the effect that the districts contemplated in the second section of the bill consist as nearly as possible of the same number of voters. Carried by a vote of 30 to 10.

The bill was then reported to the senate with amendments. The amendment in regard to the ratio was agreed to, every 70,680 electing a representative, and the fractional system prevailing.

The amendment of Mr. *Linn* concurred in last evening excepting the returns to the 28th congress, was reconsidered and non-concurred in by a vote of 25 to 22. This left the second section where it was when the bill came from the house, and various efforts were made to amend the second section.

Mr. *Allen* proposed his amendment before submitted, and it was again rejected. Mr. *Benton's* was carried a second time by yeas 30, nays 16.

Mr. *Linn* moved to except Missouri from the operations of the second section. Mr. *Walker*, proposed Mississippi also. Mr. *Berrien* proposed Georgia.—Mr. *Smith*, of Connecticut, Connecticut. Mr. *Williams* named Maine.

Mr. *Merrick* said he should oppose these amendments in order to make the law equal. If certain states were to be made exceptions, the effect would be unjust. The amendment was rejected, 24 to 22.

Mr. *Walker* proposed an amendment that the states now electing by general ticket should be an exception. The yeas and nays were called, and the amendment was lost by a tie vote, 23 to 23.

Mr. *Bates* and Mr. *Woodbury* followed with amendments, all bearing upon the same principle of making exceptions to the bill.

Amendments were offered until half past three o'clock, when the bill was ordered to an engrossment by yeas and nays as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clayton, Conrad, Crafts, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Indiana, Sprague, Sturgeon, Tallmadge, White, Woodbridge—27.

NAYS—Messrs. Allen, Bagby, Benton, Berrien, Buchanan, Calhoun, Cuthbert, Fulton, King, Linn, McRoberts, Mouton, Nicholas, Pierce, Rives, Sevier, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—21.

The senate adjourned.

June 10. The vote on the engrossment of the apportionment bill was reconsidered by a vote of 26 to 18. A motion was then made to reconsider the proviso to the second section of the bill, "that each district should contain as nearly as may be an equal number of inhabitants to be represented."

On this motion a very animated and long debate ensued, in which Messrs. *Benton*, *Tallmadge*, *King*, *Walker*, *Woodbury*, *Mouton*, *Bagby*, *White*, *Cuthbert*, *Allen*, *Archer*, *Rives*, *Wright*, and others participated.

The question was taken on the motion, and decided in the affirmative: yeas 25, nays 20.

Mr. *King* then moved to amend the amendment by adding:

Provided, That each district shall contain as near as may be an equal number of inhabitants to be represented, not differing in any case more than 5,000.

This was decided in the affirmative: yeas 19, nays 24.

Various amendments were offered by Messrs. *Benton*, *Walker*, *Allen*, *Young*, and others, pretty much the same in substance as those before decided in the negative.

Mr. *Buchanan* made an appeal to the senators to allow the bill to be passed.

The question was then taken on ordering the amendments to be engrossed and the bill read a third time, and it was decided in the affirmative.

And on the question, Shall the bill pass?

Mr. *Walker* called for the yeas and nays; which were ordered, and were as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clayton, Crafts, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind. Sprague, Sturgeon, Tallmadge, White, Woodbridge—26.

NAYS—Messrs. Allen, Bagby, Benton, Berrien, Buchanan, Cuthbert, Fulton, King, Linn, McRoberts, Rives, Smith, of Conn. Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—19.

So the apportionment bill was passed, and ordered to be sent to the house.

And then the senate, at a quarter past 6 o'clock P. M. adjourned until Monday next.

June 13. The proceedings of the senate laid before the body a communication from the president of the United States, made in compliance with a resolution of the 21 March, transmitting documents.

Mr. *Woodbury* presented the credentials of the hon. *Leonard Wilcox*, senator elect from the state of New Hampshire in the place of the hon. *Franklin Pierce*, resigned. Mr. *Wilcox* was again qualified as elected by the legislature.

The following memorials and petitions were presented and appropriately referred:

Mr. *Buchanan*, from publishers and booksellers in the city of Philadelphia, asking that a duty may be laid on foreign books. This memorialists come out in pretty strong terms against the adoption of any international copy-right; the argument be thought conclusive in support of their views. Mr. B. was happy to learn that the opinion of the judiciary committee was unanimous against the measure.

Also, sixteen memorials from the tailors of Philadelphia city and county, complaining that the competition of foreigners in the article of ready-made clothing is destructive to their business. They ask that 50 per centum duty be imposed on ready-made clothing, and that less will not protect their interests.

Also, from Wednesday, which Mr. B. acknowledged himself somewhat at a loss to know to what committee they should be properly referred. The memorials state that there is not sufficient specie in the country for the purposes of active circulation among the business community, and insist that it ought to be increased. They suggest that the government issue two hundred millions of stock, to be divided among the states according to their population, based on the public loads; and that a sufficient tariff be adopted to secure with rigorous promptness and certainty the revenue.

Also, from Venango county, Pennsylvania, stating that a large number of the officers and soldiers of the army of General Wayne were still living, and many in indigent circumstances, many of whom had never been remunerated for their services. The memorialists asked that relief be granted by congress.

Also, from citizens of Montgomery county, in the same state, asking that such a tariff may be imposed as will afford protection.

Mr. *Sturgeon*, from citizens of Montgomery county, Pennsylvania, complaining of the compromise act, and asking that the domestic industry of the country may be properly protected.

Mr. *Bates* asked the indulgence of the senate to take up the bill for the armed occupation of Florida, which being granted, after some remarks from Mr. *King* and Mr. *Sevier*,

Mr. *Bates*, of Indiana, said if the principles of the bill were settled, then the details might be looked to. He would suggest that the details of the bill be passed over until tomorrow, when he would in the mean time turn his attention to the bill. The suggestion was adopted.

The bill for the settlement of the accounts of Silas Deane was taken up, and after having been supported with great earnestness by Messrs. *Phelps*, *Smith*, of Connecticut, *Berrien* and *Tappan*, and opposed with equal warmth by Messrs. *McRoberts*, *Buchanan* and *King*, the bill was amended and ordered to be engrossed.

The senate having been engaged on this bill until 20 minutes before 5 o'clock, went into executive session, and after some time spent therein adjourned.

June 14. Mr. *Conrad* offered the following resolution, which lies over:

Resolved, That the president of the United States be requested to communicate to the senate, as far as may be deemed compatible with the public interests, what measures, if any, have been taken to obtain the recognition by the Mexican government of such claims of American citizens as were laid before the late joint commission, but not acted on by it, and the satisfaction of such claims as were admitted by said commission; also, whether any facts have come to his knowledge, calculated to induce a belief that any claims have been rejected in consequence of the evidence thereof having been withheld by the Mexican government, its officers or agents.

Mr. *Benton* asked the senate to take up the bill for the armed occupation of Florida; which motion having been agreed to, Messrs. *McRoberts* and *Smith* moved various amendments which were discussed and adopted, and the bill was finally ordered to be engrossed.

The naval appropriation bill as passed by the house was then on motion of Mr. *Evans* taken up for consideration. The senate committee on finance had reported it with an amendment to strike out the following proviso:

"That until otherwise ordered by congress, no order of this or any future or existing appropriations shall be applied to the payment of any officers in the navy appointed after this date beyond the number in each grade on the 1st of January, 1841, and that the excess now in the service beyond that number shall be reduced as fast as deaths, resignations and promotions will permit.

Mr. *Evans* deemed this proviso to be inappropriate in an appropriation bill. The proviso came from the wrong source. The number of officers of 1841 had not been recommended as the proper number for the navy now, by any committee of congress, by the executive, or by any body. The senate had passed its sentence on it, when it acted on the promotions. If adopted, all promotions would cease, it would be disastrous to the navy and to the hopes of its gallant officers. If promotions were found to be too rapid, the senate could correct it.

Mr. *Williams* said that promotions had been going on until they now reached a point that attracted the attention of one branch of congress. He thought it time to check this system. In the year 1841, the

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number of captains was 55, and 55 commandants. These officers had been increased so rapidly that the house was of opinion that they had been extended far beyond what the necessity of the service required. The increase had been so altogether out of proportion with the increase of the ships that the people had taken the alarm. In the year 1820, they had 34 captains, 20 commandants, 260 lieutenants, and 47 surgeons; at the same time they had four ships of the line, 5 frigates, 12 sloops, 13 schooners, and 1 steamer. At the present time, we had the same number as in 1820, while the captains were increased from 34 to 68; number of commandants increased in the like ratio, and the lieutenants more than quadrupled. When they saw this vast increase of officers without corresponding increase of ships, it was natural for them to look into it. Mr. W. had no disposition to cut down the navy, but would prefer to build it up; but where was the necessity of a greater number of officers than in 1812? And if they were not necessary, why should they not reduce them to a number that would be useful?

Mr. *Bayard* went into a history of the navy from its earliest foundation to the present time, showing the check it had received under the administration of Mr. Jefferson, and how it had gone on from year to 1816, until at last it had become to be fostered and cherished by the people and regarded as the right arm of our national defence. He drew a parallel between the commerce and tonnage of the United States and Great Britain, and showed that while we were the second commercial nation in the world, with a tonnage close upon half that of Great Britain, our naval officers were limited in the extreme, and bore not even the most distant proportion to the magnitude of our marine greatness.

Mr. *Williams* made a long speech against, and then moved to strike out 1841 and insert 1842. Mr. W. said that would make the proviso less objectionable, and he should vote for it, though he should vote against the proviso even when thus amended. He would prefer, however, if the senator would consent to strike out all after the word *grade* down to the close of the section.

Mr. *Tappan* said that would be making the proviso any thing or nothing.

Mr. *Williams* would not consent.

The question was taken on inserting 1842, and adopted.

Mr. *Evans* then moved to strike out all after the word "grade," and insert "now in service."

The amendment was adopted. It being now after 4 o'clock, the senate, on motion, adjourned.

June 15. A message from the president with a report from the secretary of state in compliance with a resolution, relating to claims of American citizens on Mexico, was laid before the senate.

Memorials were presented, asking that salt soda, (employed in the manufacture of soap), may be imported free of duty; from citizens of Brooklyn, that the navy be not reduced; and several in favor of protection of American interests.

The apportionment bill to which the house had refused to concur as amended by the senate was taken up.

Mr. *Berrien* moved that the senate insist on its amendments. The question was first taken on the amendment relating to fractions and it was insisted upon by a vote of 24 to 18. The question was next taken on fixing the ratio at 70,679, and it was insisted on by a vote of 30 to 14.

YEAS—Messrs. Archer, Bagby, Barrow, Bayard, Berrien, Buchanan, Clayton, Conrad, Crafts, Cuthbert, Evans, Fulton, Graham, Henderson, Linn, McRoberts, Mangum, Merrick, Miller, Phelps, Porter, Preston, Revier, Smith, of Indiana, Sturgeon, Tallmadge, Walker, White, Williams, Young—30.

NAYS—Messrs. Allen, Bates, Benton, Choate, Huntington, Kerr, King, Morehead, Smith, of Conn., Tappan, Wilcox, Woodbridge, Woodbury, Wright 14.

The naval appropriation bill was next taken up, the pending question being to strike out the proviso of the house as amended.

Mr. *Choate* spoke in favor of striking out the proviso. None knew what a day might bring forth. A single hurricane on the ocean might sweep away one blast officers enough of a particular grade to render the executive action of the senate indispensable. Within the last 24 hours was he not informed from a gallant officer that another ship would be necessary on his station from indications of a warlike disposition on the part of the emperor of Morocco, of whose naval power few had heard.

Mr. *Cuthbert* spoke briefly in favor of the proviso.

Mr. *Revier* was in favor of retaining the proviso. He would loss the whole appropriation bill sooner than have it struck out. The house had seen an improper increase of officers and checked it in the proper place, and he hoped the check would be kept there. No one opposed the navy but it should not be enlarged at the whim of the executive.

Mr. *Bayard* said that the executive could be restrained by the senate whenever it was necessary to correct abuses in promotion. He was in favor of striking out.

Mr. *Walker* was in favor of retaining the proviso.

Mr. *Cuthbert* was thoroughly opposed to the recklessness that would tax the American people so as to have a navy to rival that of England, a nation that had her thousand ships and six thousand officers, but with a miserable and distracted population that had that navy to maintain. It is our very exemption from taxation that will enable us always to meet a war with the indomitable spirit and exhaustless resources that ensure a triumph.

Mr. *Huntington* would vote to strike out the proviso, but would not be pledged thereby for an increase of the navy. He thought it interfered improperly with existing laws.

Mr. *Buchanan* considered the navy the best arm of national defence, and also as not endangering our liberties; and he believed its secretary would make a good officer; but Mr. Barbour's report in 1821 pointed out the necessity for some law to regulate the promotion and establishment of officers in the navy and this proviso simply proposes to adopt the present number until the matter is fixed by congress. Mr. B. considered this to be preferable to leaving it to the discretion of the executive and senate, and to leaving the house to provide for the money. He should vote for this proviso therefore and thought a law regulating the subject hereafter should be adopted.

Mr. *Woodbury* favored the proposal and thought the executive ought to be gratified to be relieved of the press made on him for appointments.

Mr. *Preston* was against the proviso and in favor of a navy suited to the dignity of the nation.

Mr. *Bayard* stated that as the officers of the navy had not received a dollar of pay for the last six weeks, it was urgent that the bill should be disposed of.

Mr. *Evans* had received letters of the most pressing import from the department, which he should like to have read, in order that senators might see how urgent the matter was.

[The letters were here sent to the secretary's table and read, and were dated on the 26th of February, 7th of April, and on the 25th of April, all setting forth, in the most urgent terms, the state of the department, for the want of an appropriation; the last of which letters stated that various acceptances had been protested for nonpayment, and expressing the fear that damages will be claimed, as in other cases of protested bills.]

Mr. *Tallmadge* also read a letter from a firm in New York, stating the invalience under which it had laboured at Havana, on account of acceptances made in Havana, and which had not yet been paid, putting the the house to considerable inconvenience.

Mr. *Sevier* moved that the senate adjourn, which motion prevailing, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, June 9. *Nathan Appleton*, member elect from the state of Massachusetts, vice *Robert C. Winthrop*, resigned, was introduced by Mr. *Saltonstall*, qualified and took his seat.

Mr. *Fillmore* reported a bill to extend for a limited period the present laws for laying and collecting duties on imports, with a proviso that distribution shall not be thereby interfered with.

On motion of Mr. *Fillmore*, it was referred to the committee of the whole house.

The house then took up the resolution offered by Mr. *Cushing* from the committee of foreign affairs, requesting the president to enter into negotiations on the subject of the colonial trade.

Mr. *Lowell*, of Maine, addressed the house at length.

The question was then taken, and the subject and resolution were referred to the committee of the whole house on the state of the union, to whom had been referred the report and bill from the committee on commerce, on the subject of commerce and navigation.

On motion of Mr. *Pope*, the business of the territories was made the special order of the 5th, 6th, and 7th July next.

Mr. *Kennedy* reported a bill to alter the mode of admeasuring the tonnage of vessels employed in the U. States merchant service. Referred to the committee of the whole.

A bill from the senate to authorise the issuing of a register for the brig "Guinare, was read a third time and passed.

On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole and resumed the consideration of the revenue or tariff bill reported by the committee of ways and means.

The question being on the first item, Mr. *Saltonstall* moved to strike out all after the enacting clause, and insert in lieu thereof (a portion of) the bill reported from the committee on manufactures.

[This motion embraced the whole of the bill except, that in the first item, "the 30th day of July," was substituted for the words, "30th of June," and the last or 8th section, which provides the punishments for frauds, &c. was stricken out.]

Mr. *Rhett* claimed the reading of the amendment.

Mr. *Botts* was sure the gentleman would not require the reading of what was before him in a printed form.

Mr. *Rhett* said he had not the printed bill, and insisted on the reading of the amendment.

The clerk then proceeded to read the amendment, under the decision of the chair.

Mr. *McKay*, Mr. *Underwood*, and Mr. *Botts*, successively rose to points of order. The rule of the house, No. 50, provided that no bill should be amended by anexing another bill.

After various discussions of points of order, Mr. *Saltonstall* modified his motion so as to strike out the *item* in the bill under consideration, and insert the amendment he had offered.

And the amendment was then read, and the question being on its adoption,

Mr. *Fillmore* arose and addressed the committee (See page 246.)

Mr. *Fillmore* having concluded, the chairman gave the floor to

Mr. *Habersham*, who proposed to offer the report of the minority of the committee on manufactures, as an amendment to the amendment of the gentleman from Massachusetts, (Mr. *Saltonstall*.) Mr H. proposed, as a matter of courtesy before proceeding with the report of the (Mr. *Saltonstall*,) should have an opportunity to express his views in relation to his amendment.

Mr. *Saltonstall* then took the floor, and the bill was laid aside until to-morrow morning.

The committee then after further discussing the bill allowing further time to complete the issuing of Patents, closed the Court and the bill making appropriations for the Indian department, rose. The former bill was then reported and passed, and the house adjourned.

Friday, June 10. Mr. *J. F. Mason* introduced a bill for the transfer of the stock of the U. States in the Chesapeake and Ohio Canal to the state of Maryland with certain terms and provisoes. Committed to the committee of the whole house.

Mr. *Fillmore* reported a bill for the relief of eminents to indemnities received for the loss of slaves from on board the Comet, the Encomindi, St Nassau in the Bahamas. Committed to the committee of the whole house.

Mr. *Fillmore* moved that the house go into committee of the whole for the purpose of taking up the bill to extend for a limited period the laws for laying and collecting duties on imports, which it seemed, to him indispensable that the house should dispose of.

Mr. *Pickens* was very glad that the gentleman had discovered that this was a very important measure, and submitted that his motion was not in order.

The speaker decided it to be out of order.

Mr. *Rowlett*, of Md. offered the following:

Resolved, That the clerk of this house have prepared as early as practicable, for the use of the members, a tabular statement, showing, in one view, the several rates of duties charged on imports, which it seemed

surs, was now there, he considered the proviso as unwise. The treasurer had been already sufficiently embarrassed, without calling upon him to go into the market, and borrow money to distribute among the states. The land fund was so at hand gone into the treasury had already been used; and, therefore, to attempt to distribute it on the 1st July would be to borrow so much money. There was now outstanding, on the 1st of this month between 9 and 10 millions of treasury notes, besides that portion of the loan which was negotiated. The bill as originally reported before this proviso was added, he said, would have operated to repeal the distribution act on July 1st, for the reason that the rate of duties proposed by it was above 20 per cent.

Mr. *Fillmore* said that if this bill did not pass at all, the distribution would still take place, as the laws now stood, on the 1st July next. It was simply to avoid discussion on the distribution bill, that the proviso had been annexed. Some members were for repealing the clause of the act that provided that the distribution should cease when duties were over 20 per cent. This proviso did not suspend or repeal the distribution act, but left it precisely as if this bill did not pass. The necessities for this bill were so urgent that they admitted no delay. Mr. F. would have given his reasons, at the time when he made the motion to recommit the bill on this subject that he had reported a few days ago, but other gentlemen made. He would do so now. It was from the very reason that the committee were apprehensive that the result of the bill as then reported would be to prevent the distribution from taking place under the land law on the first of July. It was for that reason and no other, that he had moved to recommit the bill. He had been informed from the best authority that exportations of goods were now being made from our ports for the purpose of receiving the drawbacks from the treasury; and that so long as this question remained open, (and it was possible that on the 1st July there would be no means of collecting revenue,) so long they embarrassed the treasury, by holding out strong temptations to the exporting of goods for the purpose of drawing the drawbacks and importing them when the law ceased to act. If the house were disposed to embarrass the operations of the treasury, then they should reject this bill, but, if not, its passage was required immediately.

Mr. *Pickens* addressed the committee to show that the course advocated by the gentleman from New-York, (Mr. *Fillmore*,) was the very one calculated to embarrass the treasury. If this law passed and the proviso was not in the amendment, the secretary of the treasury would be obliged to go into the market to borrow money to distribute among the states, and then to tax the people to refund the money. Was that contemplated when the proviso in this bill was passed? It was not. If it had been, he knew not what this house would have done, but the senate would not have passed it. The 20 per cent. clause was inserted for the purpose of getting the vote of the senate. He should like to know if there was any money in the treasury to meet the distribution act on the 1st July? If it was a fact that there was no money on hand in the treasury, then this was a naked and undisguised proposition to force the secretary to go into the market and borrow money on bonds bearing par to distribute among the states, and then to tax the people of this country to refund it. He did not hesitate to say that, if this proviso was stricken out, he would prefer the bill to any other, because the provisions were wiser, juster, and more conformable to the implied faith of the act of 1833, than any other act. He would rejoice to see it adopted.

Mr. *Gurley* moved an amendment to the amendment, to add to the end of the bill the words, "to a later period than 1st August, 1828."

Mr. *Cushing* considered that the act of 1833, by making it imperative to collect duties by home valuation after the 30th June next, and also in hard money, seemed, therefore, to have contemplated that some law should be enacted before the 30th June to enforce those provisions. All existing laws for the collection of revenue cease to operate on the 30th June next. No machinery was yet provided for determining the home valuation, and there were serious doubts whether after the 30th June, there was any law whatever under which duties could be collected. It was, therefore, an imperative moral duty for congress to enact a tariff law, or otherwise the government would come to a dead stand. No duties would be collected, and our markets would be glutted with foreign merchandise, and that already imported would be liable to be exported on account of the drawback to be returned after the expiration of the law on the 30th June. The protected interests of the country moreover would be liable to be overwhelmed by the ingress of foreign merchandise. These three serious consequences, viz: bankruptcy of the treasury, glutting with foreign goods, and prostration of our protected interests, constituted the strongest imperative moral necessity to adopt some general tariff legislation before the 30th June.

This present bill, however, abrogated this immediate urgency, and if, instead of expiring on the 1st August, it was indefinite, would totally extinguish that urgency. But he could not but feel an interest dread in regard to its possible consequences on the tariff interests. He would yield, however, to the imperative necessity which the chairman of the committee of ways and means, had, he said, existed. Mr. C. next proceeded to examine the relative operations of the bill under consideration, and the bill as first reported by the committee of ways and means. As first reported, his understanding was, that it repealed the distribution, or, to speak more technically, continued the non-distribution. In the second bill the committee of ways and means had reported a proviso, the effect of which was to counteract the preceding portion of the bill, so as to have the distribution on the 1st of July, 1828.

Mr. C. then referred to the intimation of Mr. *Pickens*, that the public faith was involved in the compromise act, and contended that, if that was the case, there was identically the same faith involved in the distribution act. He considered that the proviso was but a re-enactment of the distribution act, and would leave the tariff to shift for itself. The passage of this bill inter-poned no necessity for a tariff. The question was not whether they should repeal the distribution act, (for it was a dead letter,) but whether they should infuse into its dead body a soul by a new legislation. He entertained serious doubts of the propriety of adopting the proviso, and thereby knocking away one consideration which he supposed would operate in obtaining a permanent tariff.

Mr. *Underwood* said that he did not concur with the gentleman from Massachusetts (Mr. *Cushing*) in the idea that there was any bargaining or contract between the two houses in regard to the proviso inserted in the land distribution bill. If there was any such bargain or contract, Mr. U. could say for himself that he was not party to it. He knew nothing about it, and would not be bound by it.

[Mr. *Cushing* said he did not speak of a bargain or contract between the two houses, but supposed that the proviso had been put in as a compromise among senators representing different interests.]

Even if that be the case, (continued Mr. U.) these compromises cannot be obligatory upon us or our successors. The power of legislation, subject to repeal or modification at any time by the legislative department. Mr. U. said he was aware that the compromise act, as it is usually called, of 1833, had been respected as settling difficulties which at that time threatened the peace of the country. The banner of nullification was then about to be practically unfurled. There were no such circumstances to give solemnity to the proviso incorporated into the land distribution bill. This house adopted the bill without the proviso, the senate incorporated the proviso into the bill, and it came to the house as an ordinary amendment to a bill accepted like any other amendment, and is now liable to our legislative action just as any other existing law.

The votes upon this bill and the pending amendments will probably develope the feelings of members, and indicate their ulterior action upon other pending questions; and, said Mr. U. I shall scrutinize votes with a view to ascertain the intention of members in regard to this bill. These votes will develope the strength of parties in several aspects. First, those who may now vote to repeal the land distribution act will thereby virtually declare their hostility to a protective tariff. Secondly, Those who vote in such manner as to secure the distribution will thereby indicate a willingness to protect the domestic manufactures of the country, to foster the labor and industry of our citizens, and to secure the benefits of a home market to all classes of producers. And these votes will be a third class of voters, to wit: those who would vote with a view to secure the distribution of the public lands, and who would be willing to secure that object by keeping the duties down to 20 per cent., if the distribution could not otherwise be secured.

Mr. U. said, for himself, that he was free to acknowledge that the distribution of the public lands was an object of the first importance with him, and that he would sooner keep the duties down to 20 per cent. than give up the distribution. Mr. U. said he was in favor of imposing such duties on imports that should accomplish the double object of raising revenue and affording protection. And if those who were known to favor the protective policy should unite with those who favor the distribution of the public lands, there would no doubt be strength enough to carry both.

He would content himself by declaring that he was in favor of raising revenue, keeping in view that incidental protection which could and ought to be furnished; that he was in favor of adopting retaliatory measures, to operate upon those nations which placed heavy burdens on the consumption of articles produced by our staples; that, while he was desirous to accomplish these things, he desired at the same time to secure a distribution of the public lands among the states. He thought all these objects would conduce to the public interest of all the states, and he desired to see them go hand in hand. If, however, they were to be separated, he was of opinion that the distribution of the public lands was the most important to the state and people he represented. If the duties are kept down to 20 per cent. a revenue sufficiently large to carry on the government may be raised by enlarging the articles upon which it is imposed. Nearly half our imports here heretofore been admitted free of duty. It only requires that we should impose a duty of 20 per cent. upon all imports to secure a revenue of $20,000,000 or more. He would impose a duty upon articles which we do not, and moreover he would reduce expenditures, sooner than repeal the distribution act. And there is no danger that the wheels of the government will stop for want of means, even if the secretary proceeds to the distribution act should remain unrepealed.

Mr. *Hine* rose in reply to Mr. *Underwood* and said: Sir, I thank the gentleman for this candid declaration of his vote, and I, for one, asserted no reproach to northern gentlemen and to southern, to tariff and anti-tariff gentlemen, that this was the real policy of certain politicians. That the navy, the right arm, and the army, the left arm of the country, and the industrial interests of manufactures, were all to sink for the sake of distribution—the one great hobby of some aspirants! Sir, our protection is to cease, and supplies to government are to be denied—interests separate and in the aggregate, are to suffer and be sacrificed for the sake of distribution! This is honestly and fairly avowed! Declamations of manufacturers by those who have heretofore professed to be their "friends par excellence!" I am glad of the proof now furnished to them of this fact, which I have again and again asserted, that the most difficult obstruction to be overcome in the way of protection was the bill distributing the proceeds of the public lands.

And now, sir, I have a word to say to the friends of protection. I have ever been opposed to laying a duty for the sake of protection alone, and am still opposed to the protective policy in that sense. I think the government can lay duties only for revenue; but that the manufacturing interests are fairly entitled to whatever protection they can derive from a bona fide revenue tariff. This opinion is common to most of those who are called anti-tariff men. And in my opinion the government now requires enough and more than enough of revenue to yield fair and reasonable protection.

I think, though an anti-tariff man, that we must raise the duties above 20 per cent.—that the public debt, the public defence, and the current expenditures absolutely require a liberal and large increase of revenue. But, sir, I never will vote to lay on an additional tax when we are giving away millions of revenue from lands in the midst of borrowing and begging even for loans at a sacrifice. Bring back the proceeds of the public lands according to the letter as well as the faith of the act of distribution, and I will cheerfully vote to increase your duties above 20 per cent. Beyond the reason of necessary supplies to government, I oppose the measure against a funded public debt, and beyond the reason of making adequate provision for public defence, I, though an anti-tariff man, will vote to increase duties liberally, in order especially to repeal the whole land bill. I announce this without reserve to the friends of protection, to repel the threats of the gentleman from Kentucky, that they shall not have protection without giving him distribution. I am against distribution and protection both; but were I put to a choice of one of these two evils, I will take the protection in preference to a particle of distribution. The one, protection, does benefit partially some portion of section of the country; but a distribution there is no good whatever—it is pure political bribery and corruption, temptation and taxation to the states and the people.

And why should not the land bill be repealed by its own provisions? It declares on its own face that it shall be repealed, or cease and be suspended, as soon as or whenever the duties are raised above 20 per cent. It never undertook to distribute the land revenue when the government should be compelled to call for more taxation than 20 per cent. ad valo-

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rem. And it is not now compelled to tax beyond 20 per cent? The time has come, in my opinion, when we must increase the revenue. Yes, now, we hear the gentleman denying the good faith of legislation. He says that we may not bind ourselves or our successors to pass or not to pass a statute; but does not the gentleman distinguish between the *power* of legislation and the *good faith* of legislation? Here we have a bill proposing in a most insidious form to repeal the 20 per cent. clause of the land bill, passed by yourselves, and you are told that you are not bound in good faith to preserve your pledges. Sir, I do not put this upon the ground of pledges. I insist that you avowed, by your votes incorporating the 20 per cent. clause, that the distribution should cease, as soon as the government should be reduced to borrowing and to taxation beyond a 20 per cent. ad valorem tariff. That you made the distribute with one hand whilst you tax with the other, and ought not to borrow money to give it away.

Sir, if this be another bill to "head Captain Tyler," I hope and trust that he will meet it with decision. I have no authority to speak for him, and I do not mean to be understood as speaking for him, but I do say that if the idea be now to hold on to distribution, and to "head Captain Tyler" both, at the expense of protection, at the expense of revenue, and of the army and navy, by driving him either to veto a tariff bill or to sign a tariff bill over 20 per cent. clause of the land bill—I say, sir, if this be the meaning and object of gentlemen, to trifle with the real interests of the general government, in a mere political game of faction, were I the president of the United States, gentlemen would find it as hard to head me on this occasion, as it was when he vetoed fiscal banks and fiscal corporations.

Mr. *Everett* had voted for the distribution bill, and should adhere to that bill, on much higher considerations than any that had relation to the tariff. He had voted for it on one ground, that the public domain never belonged to the general government: but he had voted for it on much higher ground; it was to take it out of the political market, where it had been a source of infinite corruption.

So utterly am I opposed, said Mr. E., to having these lands in the political market, to be used for the purposes of political agitation, that sooner than keep them there I would cede them to their first possessors. They have bearing, too, on the tariff: and that is an additional reason, in my mind, for desiring that the distribution bill should be in the present law. I voted for inserting the clause in reference to the compromise act: I did so because there was a necessity for passing the distribution bill; but I waited only for the first favorable opportunity that should occur to get rid of it. I do not consider the honor of congress in any way pledged to the support of a measure which was forced upon us against our judgment and our wishes: and I am free to confess that I desired an opportunity to escape from it. Mr. E. said the gentleman from Virginia (Mr. *Wise*) must very greatly have mistaken the views of northern gentlemen who voted to reduce the army and the navy if he attributed their course to any opposition to the tariff. Mr. E. had voted against the reduction in both cases: but he could assure that gentleman that northern men who favored the reduction were not governed by a regard to the tariff question at all.

Mr. *Wise* said he had not spoken of northern gentlemen, nor alluded to them: he had spoken of the gentleman from Kentucky, (Mr. *Underwood*,) who had avowed that such was his motive.

Mr. *Everett* said he had understood the gentleman's observation to have a further application. As to gentlemen on the other side, the gentleman might have a very intimate knowledge of the reasons for their course; but Mr. E. claimed to know something about the feelings of the north.

Mr. E. said he had listened very attentively to the remarks of the gentleman from Massachusetts, (Mr. *Cushing*) and for a long time he had been quite unable to conceive what could be his purpose in making a long and labored argument on so plain a matter; but at length he became convinced that this bill and proviso had a collateral bearing. The gentleman represented Massachusetts aem, he did not know very well how to proceed; he came at length to the conclusion that, if the proviso in the bill should be retained, the tariff would stand but a chance; but for this he gave no reason whatever; nor could Mr. E. for his life trace any connection between the premises and the conclusion. In a word, the gentleman seemed to him to be very busily devising some scheme by which he might serve God and Mammon. [Loud laughter.] But, so fixed was Mr. E. in his adhesion to the distribution act, that sooner than shake that measure in the least degree he would risk the consequences of the first of July.

Mr. *Foster* expressed his satisfaction that the present discussion had disclosed a state of things which he had long suspected, but which was at length openly avowed. He had not been prepared for such an avowal as had just fallen from the honorable and distinguished gentleman from Vermont, (Mr. *Everett*.)

He had heard with deep regret from the gentleman from Vermont the avowal that he had voted for the proviso in the distribution bill merely in order to pass the law, but with a purpose, as soon as that was accomplished, to take the first opportunity to repeal the proviso. He fully understood that acts of one congress were not legally binding on another; and that no personal pledges could alter this state of things: but what was not binding in law might be strongly binding in honor, and pledges might be appealed to gentlemen who were here when the distribution bill passed, to say whether it ever could have received the votes of the majority but for the insertion of the proviso? And if not, whether those same gentlemen, now here, were not bound to sustain that proviso?

Yet there was a bill declaring that the distribution should not be suspended; and the house were plainly told that it was designed from the first to do this as soon as the opportunity should be presented. This was not dealing in good faith either with the opponents of distribution or with the president, who never would have signed the distribution bill unless the proviso had been inserted.

Mr. *Gaggin* was understood to inquire whether the proviso had been inserted by the request of the president or his friends?

Mr. *Foster* said he did not know. He hoped no member of the house would be so indelicate as to consult the president in such a matter. Members of the house could not be ignorant of the wishes expressed and not; and Mr. F. did not know how he was connected with the matter in any way till the bill was before him. Mr. F. concluded, from the sentiments previously avowed by Mr. Tyler, that he would not have signed the bill without the proviso. Mr. F. made the fullest disclaimer of any intention to cast injurious imputations on the honor of gentlemen. He hoped every man would consult his own conscience, and act according to its dictates. For his own part, he believed that the preservation of national prosperity was of more importance than all the tariffs that ever had been or would be passed to the end of time. As to the warning which had been thrown out, that some of the manufacturers intended to ship their goods for the benefit of drawback, and after the 1st of July re-import them under the low duties, he was confident the ingenuity of the chairman of the committee of ways and means would soon devise a little bill to put a stop to such schemes.—[A voice, "Yes, here it is."] I know it said Mr. F.—I know it. I am not a member of the committee. Mr. F. reverted to the avowal of Mr. *Everett*, and implored the committee to consider well before they acted in such a case.

Mr. *J. R. Ingersoll* believed neither the gentleman from Georgia, (Mr. *Foster*), nor himself to be personally committed by the passage of the 6th section of the distribution act of 1841, for which he had voted solely in consideration to the interests of the country at large. The object of this bill was to prevent so exhaustive a result as the stopping of the wheels of government.

Could any gentleman refuse to support a measure so reasonable, so necessary? Would he consent to see the government of his country brought to an actual standstill for want of the timely imposition of congress? Let gentlemen remember that time waited for none. While gentlemen deliberated and hesitated, the shadow on the dial continued to move, and the 1st of July would arrive whether the government was ready to meet it or not. Should it find us without a revenue, the country must be disgraced. To save us from such dishonor and embarrassment, was it not better to adopt a precautionary measure like this, in order to afford time for the maturing of a comprehensive and well-considered arrangement of our system of national policy? The effect of this bill would be, not to repeal but to suspend these provisions of law. The distribution of the proceeds of the public lands would be kept in abeyance for a memorialy space until congress should have time to deliberate on that as well as on the great subject of the tariff generally. Mr. I professed to have his mind entirely open to conviction on this question of the public lands, which he had not occasion fully to consider. As to the obligation to maintain the proviso to which the gentleman from Georgia had spoken, Mr. I was ready to maintain, that, except in cases of contract, no acts could be passed by one legislature which might not be repealed by a legislature succeeding.

[Mr. *Foster* here explained; averring that he considered the adoption of the proviso as equivalent to a contract.]

Mr. *Ingersoll* insisted that it was no contract, and created no vested rights. In Illustration, he referred to the case of the United States Bank, and to the bonus given by the bank as a consideration, in part, for the charter, (a portion of which instrument he quoted.) He then reminded Mr. F. that in all contracts there was the essence, if not the form, of a consideration; but in the present case there was no consideration, and could be no contract.

Mr. *Proffit* said the passage of the bankrupt law was a consideration.

Mr. *Foster* considered the contract as moral and not legal.

Mr. *Everett* did not consider that the gentleman from Georgia, (Mr. *Foster*), had fairly represented him. The house had passed the distribution law without any restriction in reference to the compromise act; the senate inserted the restriction in the form of a proviso. The question then arose, should the house take the bill with the restriction or not?—Mr. E. had advised to take it as the best thing they could then get, but with the purpose and the desire to get rid of the restriction as soon as it could be done. He had no concealment, nothing underhand in the matter. He assented to the proviso sooner than lose the bill. That was all.

Mr. *Ingersoll* resumed and said that there was one additional point which he would touch upon: it was the remark of the gentleman from Virginia, (Mr. *Wise*), which seemed to be a possibility that there might be a course of legislation in this matter which would receive a non-concurrence of the executive branch of the government. Mr. I. would not insinuate that the executive might have been prompted by any differences of political opinion, or had any personal feelings in the matter; but it was sometimes happened that a majority might veto the veto of the president.

Mr. *Wise* explained. If the gentleman understood him as saying that the executive would veto the bill, he had misunderstood him. He disclaimed speaking here for the president. What he had said was, that if the veto of the executive, and an attempt should be made to "head" him a second time, he should be as hard to "head" as he had been before.

Mr. *Ingersoll* resumed. Let the legislature proper do its duty: let them obey the dictates of a sound patriotism, and be true to their sense of public duty, and their course would be approved and justified by the country at large: and though the president might fail, there was still a Providence above us which overruled all results, and would never fail to guard and to protect an enlightened legislature which should combine in an honest purpose.

Mr. *Goggin* went into the history of the distribution bill, and adverted to his own strong convictions in favor, and attributed them in a great measure, to the arguments urged by Mr. Tyler at the time in the Virginia legislature. He expressed his mortification that his own wife had refused to receive her quota of the distribution, which would have obviated the necessity of a heavy amount of taxation. Mr. G. then went, at great length, into an examination of the course of Mr. Tyler in the Virginia legislature in 1839; a report made by him on the subject of distribution, which he supported by elaborate arguments; also of resolutions offered by him.

Mr. *Sauder* here inquired what the opinons or course of John Tyler had to do with the present bill?

Mr. *Goggin* justified his reference to those subjects by a remark of Mr. *Wise* that in a certain contingency this bill would be vetoed by the president.

Mr. *Wise* warmly disclaimed having made or meant any such intimation. He had spoken for himself alone. At a proper time he should follow his colleague in this review of Mr. Tyler's votes, and show that they were in perfect consistency with his present views.

Mr. *Goggin* said that himself and many other gentlemen in that part of the house understood his colleague perfectly; and they had noticed his language the more, because they remembered that on a former occasion, before a certain celebrated veto, this same gentleman had put forth the same sort of premonitory symptoms. [A laugh.]

Mr. *Wise*. I did; and there are gentlemen here who stated to the world that they did not believe the pres dent would veto the bank bill, who knew that I told them expressly that he would.

Mr. *Goggin* resumed and continued his remarks for some time, comparing Mr. Tyler's former reports, and votes, and messages as president with his recent language in reference to the distribution act, arguing to show that they were at utter variance with each other.

Mr. *Proffit* made some remarks, and when he had concluded, the chairman gave the floor to Mr. *Gilmer*, who yielded to a motion by Mr. *Morgan* that the committee rise.

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Which motion prevailing, the committee rose and reported.

Mr. *Fillmore* offered a resolution providing that the debate on the bill to extend for a limited period the present laws for laying and collecting duties on imports," should terminate in *half an hour*. Mr. F. in offering the resolution, said it was well known that a special order had been made for to-morrow, and that Monday was resolution day; and it was of the highest importance that the bill should be passed without further delay.

And the question being on its adoption, Mr. *Arnold*, (amidst great confusion) moved the previous question.

Many motions were then made, calls, appeals, &c. and the house being evidently in a bad temper, on the suggestion of Mr. *McKennan*, Mr. *Fillmore* arose and waived for the day the question on the resolution he had offered. Whereupon the house adjourned.

SATURDAY, JUNE 11. Mr. *Cushing* submitted the following resolution, which was read and adopted.

Resolved, That the president of the United States be requested to communicate to this house, if in his judgment the same be compatible with the public interest, the report of the commissioners on the part of the United States under the late convention between the United States and the Mexican republic. Also, a particular statement of the condition of all the claims preferred by citizens of the United States on the government of the Mexican republic for which the interposition of the government of the United States has been invoked, and which have not yet been satisfied.

The house then proceeded to consider the private bill from the senate to confirm certain land claims in Louisiana, and the amendments offered by the house committee.

Mr. *Cave Johnson* addressed the house at length in opposition to the bill.

Mr. *White*, of La. advocated the bill.

The question was then taken and the bill passed by yeas 84, nays 72.

The apportionment bill was received as amended from the senate, and the house adjourned.

MONDAY, JUNE 12. Mr. *Stanly* presented a memorial from Mr. Poindexter, relative to certain charges made against him in the house, relative to the New York custom house affair.

Mr. *Adams*, on leave given, offered the following resolution, which, without debate or division, was adopted:

Resolved, That the president of the United States be requested to communicate to this house, so far as may be compatible with the public interest, a copy of the quintuple treaty between the five principal powers of Europe for the suppression of the African slave trade; and also, copies of any remonstrance or protest addressed by Lewis Cass, envoy extraordinary and minister plenipotentiary of the United States at the court of France, to that government against the ratification by France of the said treaty, and of all correspondence between the governments of the United States and France, and of all communications from the said Lewis Cass to his own government, and from this government to him, relating thereto.

Mr. *Pendleton* moved to amend the standing rules of the house, so that a question, on committee of the whole, may be immediately taken, when called for by a majority.

A motion was made to lay the resolution on the table. The result was—yeas 102, noes 91. So it was laid on the table.

Mr. *Cowen*, of Ohio, in pursuance of notice heretofore given offered a resolution providing that no member should speak in the house or in committee for more than one hour upon any pending question.

Mr. *Wise* objected. The speaker decided the objection to be not valid.

Mr. *Atherton* moved to lay the resolution on the table. Negatived by noes 113, ayes 83.

And the previous question being called and the main question put, the resolution was carried by yeas 120, nays 84.

A resolution was then offered by Mr. *Mallit*, directing the judiciary committee to report a bill, providing for the repayment to Andrew Jackson, of the fine imposed upon him by Judge Hall. Several members expressed their intention to debate it, and the resolution was laid over until to-morrow.

Mr. *Everett* moved that the apportionment bill, as amended by the senate, be taken up. The motion was agreed to, and the bill taken up accordingly.

The amendments of the senate were then read, viz: alter the ratio from 50,179 to 70,680, and give an additional member to such states as may have more than a moiety of the latter ratio.

Mr. *Everett* made some remarks, and concluded by moving the previous question.

Mr. *Adams* requested the gentleman to withdraw the motion, as he wished to debate the amendments.

Mr. *Everett* said the extreme urgency of the case, would not permit him to comply.

The question on seconding the demand for the previous question, was then put, and negatived.

Mr. *Adams* took the floor, and gave his views on the amendments, at considerable length. He hoped the house would insist on its own ratio of 50,179, but he had no objection to that amendment of the senate which gave those states an additional member, which may have a fraction of more than a moiety of the ratio. To the latter, however, he moved several additional amendments. He denounced the conduct of the senate, in attempting to diminish the amount of representation in the house, in contrary to the course of God and nature. This house, said he, is the democratic branch; it represents the people; and if the number of representatives ought to increase with the population, is a first principle of pure democracy. The greater the number of representatives, the greater would be the influence of democracy. He mentioned, in other instances, that the senate has no right to dictate to the house as to what its representation shall be. In his opinion, there is a constitutional right in the several branches of our government to encroach upon each other.

After some remarks from Mr. *W. Cost Johnson*, the floor was taken by Mr. *Pickens*, who replied to Mr. *Adams* and proceeded to have at the gentleman denounce the senate as an aristocratic body—a body which was the result of compromise, and which was a legitimate portion of the government. Mr. P. then advocated the ratio fixed by the senate, as best calculated to give dignity and strength to the house.

Mr. *Cooper*, of Georgia, after a short speech, moved to lay the bill and amendments on the table with the view, if the motion prevailed, to originate a new bill.

The motion of Mr. *Cooper* to lay the bill on the table was lost. Yeas 63, nays 135.

Mr. *Holmes* then took the floor, and delivered a speech in favor of carrying out the theory of the government by increasing the number of representatives in proportion to the increase of population.

Mr. *McKay* argued in favor of a smaller number of representatives. He said gentlemen appeared to forget the great amount of representatives we have, including the state legislature. The total amount of representation was above *five thousand*. He was in favor of the ratio fixed by the senate.

Mr. *Underwood* said when Mr. *Adams* got up he generally sent his bullets whizzing by the heads of gentlemen for whom he was aiming. The gentleman had said that a high ratio was essentially aristocratic, and, said Mr. U. as I have advocated a large ratio, the cap fits me. He then made an elaborate argument in favor of a large ratio.

Mr. *Bowne* followed in a speech after which the main question, viz: shall the house concur in the first amendment of the senate striking out the number 50,179, and inserting 70,680—was put and *non-concurred in*. The vote was, yeas 95, nays 112.

After a few remarks from Messrs. *Sprigg* and *Campbell*, of S. Carolina,

Mr. *Botts* rose and gave notice that he would to-morrow move a reconsideration of the vote by which Mr. *Pendleton's* proposed amendment to the rules (in relation to debate in committee) had this day been laid on the table.

And, on motion of Mr. *Botts*, the house adjourned.

TUESDAY, JUNE 14. Mr. Young, of New York, moved a reconsideration of the vote by which the house last evening disagreed with the senate upon the ratio of representation to the apportionment bill.

After a call of the house, the question, upon Mr. *Young's* motion, and the house refused to reconsider by a vote of 108 to 106.

The question now recurred upon the amendment of the senate, proposing a representation of fractions. Mr. *Thompson*, of Miss. proposed an amendment to the effect that 30,000 should be a fraction sufficient to elect a representative beyond the ratio agreed upon. Mr. *Thompson* defended his amendment in a brief speech, but one which affected chiefly the interests of Mississippi. His amendment was voted down.

Mr. *Adams* gave his opinion briefly and anew upon the question of a fractional representation. He was in favor of the proposition.

Mr. *J. R. Ingersoll* spoke upon the question and against the action of the senate.

The previous question was then moved, and the yeas and nays were called upon the question of concurrence, and the house by a vote of 151 to 56, decided not to concur, and of course that there should be no fractional representation.

All the senate amendments were thus non-concurred in, and the bill passed from the house to the senate.

Mr. *Fillmore's* resolution to take the temporary revenue bill from the committee was then on his motion considered and modified so as to provide that all debate thereon in committee of the whole should terminate to-morrow at 2 o'clock, and that then the committee should proceed to vote on its adoption or its various amendments.

The question on the resolution was then taken, and by yeas 112, nays 96, the resolution was adopted.

On motion of Mr. *Wm. C. Johnson*, the house went into committee, and resumed the consideration of the bill to extend for a limited period the present existing tariff laws, (Mr. *McKennan*, of Penn. in the chair.)

Mr. *Roosevelt* had moved an amendment striking out the proviso, which amendment Mr. *Gorin* had moved to amend by adding at the end of the 16th line, the words, "to a later period than 1st August, 1842." And the pending question was on Mr. Gorin's amendment.

Mr. *Gilmer* spoke against the adoption of the proviso, and against distribution in the present state of the treasury. He considered the bill "revenue" as but a specious title for this bill, and that the bill violated the compromise act of 1833, and the proviso in the distribution act of last year, which proviso was recognized by the compromisers equally binding with the act of 1833. Its object was to attempt to unite the distribution party in this house and the protection party, against the third party which went for a revenue to meet economical expenditures. This bill would also repeal the whole of our revenue system, and if passed, would, by limiting the existing revenue laws to the 1st August and no longer, throw the government into chaos. Mr. G. was in favor of extending the present revenue laws "till the further action of congress," and if the proviso were stricken out, he saw not why the bill should not pass in half an hour. The true question was, whether congress should re-enact the distribution law upon the present state of affairs, and whether the land proceeds should be given to the states, revenue or no revenue. He had always argued the distribution as but a fiscal question, and he believed that as such, it was a most beneficial policy at the present time, and also that in faith to the 20 per cent. compromise, this proviso should not be adopted. When the distribution scheme was adopted we had an overflowing treasury.

Mr. *Goggin* said that the government had at that time actually commenced the issue of treasury notes. Mr. *Gilmer* said that we had millions which were distributed. Now, however, we are in debt, and an effort is made to give protection above 20 per cent. and also distribution at the same time. If this bill does not pass, the distribution men will be obliged to stick to the compromise under the distribution law, in order to get their distribution. He was one of those who claimed credit to reduce the expenses of this government, would endeavor to disappoint both the high tariff and the distribution parties, and, therefore, oppose the passage of this law. Mr. G. asked why the chairman of the committee of ways and means had not introduced his revenue bill before. That gentleman had said that he would not sit still and fold his hands, while others played the demagogue on this floor. He supposed that that was a mere *lapsus linguæ* of the gentleman. The chairman, the first lord of the treasury, might have had foresight enough to know that the 20th June would soon arrive. Mr. G. was in favor of extending the present revenue laws until the further action of congress, so that if any accident should bring about an adjournment, the government would still go on, but was opposed to interfering with the compromise clause of the distribution act.

Mr. *W. C. Johnson* said it was no vital question with him whether the bill passed or not; the great subject, distribution and tariff must come up and must be decided. The gentleman from Virginia, (Mr. *Gilmer*,) had treated the subject of distribution as one of policy only. Mr. J. considered it as one of principle. The constitution gave to congress the most ample resources for the procurement of means to conduct the government, and the public lands never entered into the contemplation of its framers as a source of revenue. It provided other and abundant sources. Mr. J. had seen reports from committees of both houses which held a different language, but he considered them shallow and unstatesmanlike. The lands had been surrendered by the states for state objects, and the deeds of cession were as solemn as so many treaties. The state of the revenue whether high or low, had nothing to do with them. The gentleman from Virginia, was for keeping expenditures down to their minimum, and keeping the revenue down to the expenditures, this

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revenue to include the land proceeds and never to be distributed till there was a surplus. He might as well say than, that there never should be a distribution. The gentleman professed himself friendly to distribution *sub mode*; but such friendship as that differed in nothing from perfect and determined hostility. The constitutional sources of revenue were amply sufficient to meet all the exigencies of government. What! were we to be called upon to contribute of duties to the amount of 20 or 24, or 27 millions, would crush this mighty American people to the dust! Mr. J. considered the land proceeds a fair offset to a tariff, of any kind, and amount, as but limited in its extent; it was not the feeling of the country. Mr. J. never would have voted for the proviso in the distribution bill limiting the action had he been present. He knew not whether this bill or either of the revenue bills would become a law, he had indeed some doubts on that point in regard to all three of the bills, but he should discharge his own duty fearlessly, and now gave notice, that should the clause in this bill, providing for distribution together with revenue, fail, he would take the earliest practicable moment to apply for leave to introduce a bill to appoint commissioners to ascertain the amount of the state debts, with a view of preparing for the assumption by the general government, and pledging the proceeds of the public lands for their full liquidation. This was the result of no caucus deliberations, of no party dictation. He had consulted with no one, and acted but for himself, and unprompted by any, and asked gentlemen to pause till such a bill should have been introduced, and till they shall have heard the arguments in its support. He should now forbear from even shadowing forth the grounds which should be taken, and the principles that would be adduced in support of them. He would only say in advance, that the unindebted states need not take alarm, as they would receive a remuneration in proportion to their population equal with the indebted states. If, however, with the abundant means that government possessed was going to wrest from the states their own property, and not allow them to apply it to the payment of their own debts—which they overwhelmed in debt, whose fathers had fought for these lands, and who were now about to be sold out by the sheriff, it was matter for the people to look into, and assuredly they would look into it narrowly. Opposition might be voted down here and in the other house, but there would come a refluent wave whose broad and strong breast would spread out the public purpose over all that might stiffnpt resistance. Mr. J. was aware that high names and strong prejudices could be arrayed against his proposition of assumption; but when the people had considered it, they would come to such a result as they did at the close of our revolutionary war, when congress was unable to assume the debts of the states, and pledged the public lands as a sinking fund for their redemption. As Mr. J. had warned last winter, so he still holds the belief, that if distributions were refused, there is a question in its rear which would rouse the people until they forced congress to relieve them. He would embrace the earliest possible opportunity to carry this belief out into action. The tax gatherer is abroad in the land, and his visits are not theoretical, and his words are no fanciful speeches of airdrawn theory. His words are the stern voice of the law, and his grasp, instead of being the warm clasp of friendly greeting, was the cold unfeeling arrest which bore off all a man had, and sent to before his face. Mr. J's own judgment would be to repeal the restrictive clause in the distribution bill, and let the land proceeds be divided now and forever among the states. It was true that last year he had reported a bill which provided, that in case of war such distribution should cease. But he did it officially, against his own opinion, which he would now avow. It was, that distributions might continue through war as well as peace; and his own private wish would be that a large portion of the proceeds should go to the education of the children of the people. Should the contingency arise, he had resolved on this course, though there should be no vote besides his own in its favor. Reject this measure of distribution, and the question of revenue or *repudiation* would become the question of the country. If the millions upon millions of public lands which rightfully belonged to the people of the states should be wrested from them it would make that other question OMNIPOTENT.

Mr. *Gordon* insisted that the distribution bill had been passed as a financial question merely and not upon the ground which the gentleman from Maryland claimed for it. And he doubted if that gentleman had been here, whether he would not too have voted for the restriction clause sooner than lose the bill, which has must otherwise have done. The whigs had claimed the lands as belonging to the states alone yet had inserted a clause implying directly, the contrary and admitting its proceeds to be at the disposal of the general government whenever its necessities demanded them. Mr. G. severely condemned the doctrine of assumption. It was charged against the whigs on the stump, was steadily denied, and is now avowed in the face of day. Had such avowals been made when the bill was pending it never would have become a law. New York would not pay for the canals, nor Pennsylvania for her improvements. The potential might be the gentleman's voice in Maryland, it would be hard for the wave of opinion of which he spoke to reach the shores of Maryland. The gentleman had made the tour of that state not long since, but where were the waves that followed his voice. He had called, as old Canute another dignitary had once done, but the tide came on and he was not lifted him to the gubernatorial chair. The gentleman had inveighed against speeches of mere declamation, but he had himself favored the house with one of as many words and as few thoughts as it was often their privilege to hear. He had so long dwelled on the subject of the public lands, that he seemed to have become almost insane.

Mr. *Pope* obtained the floor, but yielded to a motion by Mr. *W. C. Johnson* that the committee rise, which motion prevailed, and the committee rose.

Wednesday, June 15. On motion of Mr. *Fillmore* the house resolved itself into committee of the whole (Mr. *McKennan* of Pennsylvania in the chair) and resumed the consideration of the provisional tariff bill extending the present laws to August the 1st, with the proviso that the distribution of the proceeds of the public lands shall be made.

Mr. *Pope* addressed the committee and was sure that no man of either party would go for assumption of the state debts, and that the gentleman from Maryland (Mr. *W. C. Johnson*) would qualify the language he had somewhat hastily employed. Mr. P. desired to discriminate his plan from the one of that gentleman and hoped they would not be confounded.

His own plan was, that government being distributed the avails of the public lands among the states, should anticipate those avails, say for thirty or forty years, and on that basis should issue a stock for one hundred millions, or two eighty millions of dollars, and let this be subdivided among all the states of the union, indebted or not. This would enable those in debt to pay their creditors, and would in some cases a part of the principal. This was not a proposal to assume state debts. Far from it. It was only to change the *modus operandi* in making the distribution of the proceeds of the public lands, so as to be the most efficient and most beneficial form. Mr. P. insisted that this scheme was not visionary, but perfect practicable; that we could place it in the country as a relief to its distresses and embarrassments. It was due to our national character, and to public credit, and the pride we should place on our high and honorable ground for half a century to come. It went to impose no original taxes, but merely to prevent controversies and speculations and political schemes growing about the land. He had been misrepresented and he invoked gentlemen on both sides of the house to its support. He alluded to the contempt into which our credit had fallen, and to the ridicule, and expressed his sorrow and indignation at his country's dishonor. He thought his plan a feasible mode of extricating the states from their trouble; and he wished to draw forth its public notice and examination, being sure it would cast that of the gentleman from Maryland effectually into the shade. [A laugh.] After further remarks, not imperfectly heard to be here given, Mr. P. disclaimed being a follower of men—avowed his own political independence—admitted that he had ever opposed any restriction on the distribution, and said he should still oppose it. He had not accepted this as a bargain to carry the bill, but had boldly put his vote upon it, and he was now prepared to repeal. The real question was neither more nor less than this, shall the land distribution bill be repealed? He was against its repeal. It had never been a favorite measure with him, but it had been claimed, as many had done, about the right of the states to these lands: he had heard a very great man say that they belonged not to the states, but to the nation. As the lands had been wrested from the grasp of Great Britain by the common blood and treasure of all, they rightfully pertained to all. Without pretending to decide this question, he was for distribution and against the restricting clause, which looked to the compromise act. Mr. P. continued with his remarks and having concluded

Mr. *Jones*, of Va. spoke in opposition to the proviso. Mr. *White*, of Ia. next addressed the committee.

Mr. *Kennedy*, of Md. supported the bill.

Mr. *Gamble*, replied to Mr. *White*, of Ia.

Mr. *Fillmore*, made explanations in relation to the bill, and its progress and vindicated the action of the committee of ways and means.

Mr. *Arnold*, of Ten. said gentlemen harangued about distribution as if the public lands were yielding a sum worthy of being contended for. They yielded nothing comparatively and would not yield to come. Mr. A. spoke in favor of the bill.

Mr. *Habersham* considered the bill as a violation of the compromise act and a violation of the compromise implied in the 20 per cent. clause of the land distribution bill of last session.

The hour of two o'clock having arrived the committee proceeded to vote on all amendments pending or which might be offered.

Mr. *Roosevelt's* motion to strike out the proviso was rejected by yeas 103, nays 113.

Mr. *Gwin's* amendment to add the words "to a later period than the 1st of August, 1842" was rejected by a vote of yeas 87, nays 111.

Mr. *Gilmer* moved to strike out the words "until the 1st of August and no longer" and insert "until the same shall be changed by law." Rejected by yeas 90, noes 105. The committee rose and reported the bill as amended to the house, and the house concurred in the amendments.

Mr. *Eastman* moved to stike out the proviso. His motion was decided in the negative by yeas 107, nays 113, and the question being now on the passage of the bill, it was passed by the following vote:

YEAS—Messrs. Adams, Allen, Landaff W. Andrews, Sherlock J. Andrews, Appleton, Arnold, Ayerigg, Babcock, Barnard, Bidlack, Beardsley, Betts, Briggs, Brookway, Bronson, Milton Brown, Jeremiah Brown, Burnell, Calhoun, Thos. J. Campbell, Carusthers, Casey, Childs, Chittenden, J. C. Clark, Staley N. Clarke, Cocke, Cushing, Cowen, Cranston, Crosswens, Cushing, G. Davis, Deberry, J. Edwards, Everett, Fessenden, Fillmore, A. Lawrence Foster, Gentry, Goldings, Gregg, Patrick G. Goode, Graham, Granger, Green, Hall, Halsted, Howard, Hudson, Hunt, Joseph R. Ingersoll, James Irvin, Wm. W. Irvin, James, William Cost Johnson, Isaac D. Jones, John W. Jones, Kennedy, Lane, Lawrence, S. Mason, Mathiot, Mattocks, Maxwell, Maynard, Mitchell, Moore, Morgan, Morris, Morrow, Osborne, Owsley, Parmenter, Pickens, Rathbun, Reding, Rowell, Ramsey, Alex. Randall, Randall, Alexander Randall, Randolph, Ridgway, Rodney, Wm. Russell, James M. Russell, Saltonstall, Sheppard, Simonton, Slade, Slaughter, Stanly, Stanly, Stokely, Sturgis, T. L. H. Stuart, John T. Stuart, Summers, Taliaferro, John B. Thompson, Richard W. Thompson, Tillinghast, Toland, Tomlinson, Triplett, Trumbull, Underwood, Van Buren, J. Wallace, Washington, E. D. White, Joseph L. White, Thos. W. Williams, Joseph L. Williams, Yorke, A. Young, J. Young—[illegible]

NAYS—Messrs. Ainsworth, Beeson, Bidlack, Black, Bowne, Boyd, Brewster, Aaron V. Brown, Charles Brown, Burke, Wm. Butler, Wm. O. Butler, Green W. Caldwell, Patrick C. Caldwell, John Campbell, Wm. B. Campbell, Chapman, Clifford, Clinton, Coles, Colquit, M. A. Cooper, Cross, Daniel, R. D. Davis, Dawson, Doan, Dogg, Eastman, John C. Edwards, Egbert, Fornance, A. Flora, Chas. A. Floyd, Fornance, Thomas F. Foster, Gamble, Gilmer, Wm. O. Goode, Gordon, Gustine, Gwin, Habersham, Harris, J. Harris, Hastings, Hoffman, Hopkins, Houck, Houston, Hubard, Hunter, Chas. J. Ingersoll, Jack, Cave Johnson, John W. Jones, Keim, A. Kennedy, King, Lewis, Littlefield, Lowell, Abraham McClellan, McClellan, McKay, McKeon, Alfred Marshall, John Thompson Mason, Mathews, Medill, Miller, Newbard, Oliver, Patridge, Payne, Pickens, Plumer, Pratt, Prescott, Reding, Renefer, Richard Rhett, Riggs, Rogers, Roosevelt, Saunders, Shaw, Shields, Snyder, Steenrod, Bunter, Sweney, J. Thompson, Turney, Van Buren, Warren, Watterson, Weller, Westbrook, James W. Williams, Wise, Wood—103.

A message was received from the senate informing the house of the passage of the bill for the armed occupation of Florida, and also informing that the senate insisted on its amendments to the apportionment bill.

The apportionment bill was then, on motion of Mr. Everett, taken up.

Mr. *Everett* moved that the house *recede* from its disagreement to both the amendments of the senate, and the question being taken first on the first amendment substituting 70,680 for 50,179, shall the house recede? it was decided in the negative by yeas 104, nays 110. The question was then taken on the 2nd amendment (in relation to fractions,) and the house refused to recede.

Mr. *W. C. Johnson* moved that the house *adhere* to its disagreement to the amendments of the senate.

The question was then taken, shall the house adhere to its disagreement to the first amendment of the senate? and was decided in the negative, by noes 127, yeas 80.

The question on adhering to its disagreement to the 2nd amendment being about to be taken, on motion the house adjourned.

CHRONICLE.

CENTRAL AMERICA. Balize papers to May 14th state that the ex-president Morazan passed near the port of Realejo, apparently bound for Costa Rica. He had five vessels, one of which mounted eight guns and was accompanied by all his old officers and had funds in abundance. The claims of Great Britain against Central America are to be prosecuted by her diplomatic agent.

ANTIQUITIES. A curious discovery of a Roman villa, with various antiquities, has been made at Comberton, in Cambridgeshire, Eng. It is described as nearly as perfect as some of the houses at Pompeii.

J. T. AUDUBON, the American ornithologist, has received as a compliment from the emperor of Russia, through the hands of the Russian minister to the United States, a magnificent gold snuff box, studded with costly diamonds—estimated to have cost over two thousand dollars.

BANK ITEMS. The attempt of the Banks of New Orleans to resume specie payments has proved unavailing. They resumed on the 18th and 19th ult.; an immediate depreciation of the Municipality notes ensued, and on the 20th a mob destroyed several brokers' shops, but was soon quelled with the arrest of the ringleaders. In a few days, more than $650,000 were drained from them. Some disagreement amongst themselves led to distrust; a panic and a severe run ensued, which some of them maintained for several days, but finally all had to suspend. The Citizens bank and Louisiana state bank on the 31st ult. announced that they suspend until the 5th Dec'r. The Consolidated bank, the Commercial bank and the Canal bank were overwhelmed on the 1st inst. The crowd was tremendous and some lives were lost. The City bank held out until the 2d inst. but then gave in. The Mechanics and Traders bank, the Carrollton bank, the Union bank, and the Bank of Louisiana continue to pay specie, but except the latter, they are said to have no notes out, and to be doing but little business.

BUENOS AYRES MASSACRE. Letters from Buenos Ayres speak of a massacre of the centralists or Unitarians, commenced by the federalists, their political opponents in that city, as soon as they heard of the successes of their army in the north. The public papers preserved silence on this subject. On the night of the 11th of April, the anniversary of Gen. Rosas' installation, they commenced the work of butchery, and cut the throats of all they met in the streets of the Unitarians, and threw their bodies in a cart to be taken out of the city. Two or three hundred had fallen victims.

On the morning of the 13th, the heads of two persons were found hanging in the principal public beef market, having had blue ribbons drawn through their nostrils. Many of these assassinations were acts of private vengeance; and it was not till others had been killed besides centralists, that the authorities interfered.

These proceedings have been entirely among the native Americans. The rights and property of foreigners have been respected.

The Unitarians were escaping to Monteviden and elsewhere, as many of them as could. Rosas has issued a decree disapproving of these atrocities.

CANADA IMPROVEMENTS. A writer in the last Toronto Patriot estimates the money to be expended in making internal improvements, in the province this season, at £600,000, or about two and a half millions of dollars. All the Canadian prints and business men seem to rejoice exceedingly at the circumstance that the enlargement of the Erie canal is abandoned for some years at least, while all improvements in Canada are prosecuted with vigor and will soon be completed.

CORN BRINGS in the Baltimore market, 53 to 55.

CHEAGE is now abundantly supplied with the pure water of Lake Michigan, raised by steam engines.

CROTON AQUEDUCT, (New York.) Messrs. Stevens, Ward, Ring, and Birdsall, the water commissioners, have been making a journey through the aqueduct, entering at its mouth, the Croton river, and pursuing their course along the tunnel thirty-three miles, sometimes above ground and sometimes below; occupying in the whole three days. The general condition of the work they found good, and the small checks and some openings left to draw the water while the last finish was being put upon the work, have been directed to be closed up. The line of aqueduct and the dam will both be so far completed as to introduce the water into the city by the time proposed by the commissioners—on the 4th of July. The pipes across the Harlem river are already laid, and have been filled with water to prove their tightness and ability to resist the head, which is about 120 feet. In both respects the proof was satisfactory.

CONNECTICUT. The legislature adjourned on the 10th instant.

The house of representatives by a vote of 107 to 54, have passed a bill to repeal all laws regulating the sale of spirituous liquors.

They have postponed till the next session the bill for the total abolition of imprisonment for debt; and opposed four commissioners, viz: Samuel Church, Ralph I. Ingersoll, Isaac Toucey, and Stillman K. Wightman, to take that subject into consideration, and also the attachment laws, and report at the next session such bill or bills on the subjects as they may think are demanded by the people.

The house by a vote of 97 to 50, have also passed a bill prohibiting students from obtaining a residence so as to be qualified to vote in the town where they are obtaining an education. This bill is intended to apply particularly to Yale College.

COUNSEL. The president has recognised Frederick Boller Garl as vice consul of the Oriental Republic of Uruguay for the port of Baltimore.

THE FESTIVAL IN HONOR OF HENRY CLAY, at Lexington, Kentucky, on June 10, was attended by from 15 to 25,000 people of whom 2 or 3,000 were ladies. A banner was presented by a deputation from the whigs of Ohio, to the ladies of Kentucky, the state whose highest majority in the late election of president Harrison, won the flag. When the 12th sentiment instead of Henry Clay had been read, and the repeated cheers with which it was received had subsided, he arose and addressed the vast assembly for two hours.

DEATHS. James Barbour, ex-governor of Virginia and for many years speaker of her house of delegates and senator in congress, also formerly secretary of war and minister to Great Britain, died at his residence in Orange county, Virginia, on June 8th, aged 67 years, minus 3 days.

Henry Southard (father of the late president of the senate) died at his residence, Somerset county, New Jersey, on 23d ult. aged 95 years.

There were 116 interments at New York last week.

MONROE EDWARDS CONVICTED. The jury in the case of Monroe Edwards, on trial for forgery for several days past, before the court of Oyer and Terminer, New York, gave their verdict at half past 6 o'clock on Tuesday morning, after having been out since 4½ o'clock, P. M. on Monday, and returned a verdict of *guilty*.

THE EARTHQUAKE. Details of the late earthquake in the West Indies continue to reach us. It was severely felt at Turks Island, at Salt Key, by the Tweed steamer at sea, whose captain believed she had struck a rock, and at St. Domingo where the American consul perished.

EXCHANGE. New York on England 7½; on France 5.40; Boston, Philadelphia and Baltimore ¼ a par. Virginia 9½ a 2½; N. Carolina 3.

THE EXPLORING SQUADRON, which left the United States in August 1838, has returned with many curiosities of the Pacific, South and Australian seas, and with the numerous and valuable results of their explorations.

FLORIDA. Meetings in favor of a state government are being held in the adjacent counties of Middle and West Florida. So far as we can learn, scarcely a dissenting voice has been raised against the measure. So say the Florida papers.

GEOLOGICAL CHANGES. The editor of the Farmer's Monthly Visitor says that where the Merrimack river flowed deep in its bed, sufficient to float a 74 gun ship, thirty-three years ago, he has for several years past mowed good English grass, at the rate of two tons of hay to the acre, and where he raised stout corn twenty-five years ago, is now the centre of the greatest depth of the river! He furthermore says that no human power can alter these changes, constantly going on in the Concord intervale, since the onerachments of the river commence in the quicksand at the centre, where neither layers of rocks, or trees, or driven piles have any effect! [*Boston Mercantile Journal.*

INDIVIDUAL ITEMS. Mr. *Van Buren* was at Cincinnati, Ohio, on 10th inst. on his way westward. Mr. *Calhoun* has gone to the south on a visit to his gold mines in Georgia which are yielding from 630 to 1,832 dwts. per day.

INDIANS. The Madisonian says that recent advices have been received at the war department, which furnish ground for a serious apprehension that a conflict will take place between the Sioux and that portion of the united band of the Ottawas, Chippewas and Potawatamies, living near the Council Bluffs.

CANADA. Lizards will be abundant, but the locust and army worm are said to abound in the state. The Albion Telegraph says: "The locusts have literally taken possession of the forests. Never within our recollection have we seen such appetites as at present exist in this section of the state. The result, doubtless, will prove the destruction to a great extent, of the foliage, as well as the small limbs of the trees."

LOANS. The loan of $1,128,300 recently negotiated for the state of New York was taken by 207 individuals. The city loan was taken in the same manner. They are now selling at 1½ a 2½ premium. They pay seven per cent interest now.

THE BRITISH NAVY, the largest in the world, employs in time of peace 33,000 able bodied seamen, 2,000 lads, and 13,000 royal marines, forming in all an effective force of 46,000 men, and 2,000 lads.

RHODE ISLAND. The suffrage men continue to hold meetings for the purpose of keeping up an organization to eventually secure the changes in the constitution for which they have been contending. Several penitential communications have lately been published by letters in the late connections. Among them Z. Allen, the uncle of Mr. Dorr, denies the statements of Mr. Anthony respecting a compromise. Mr. H. D'Wolf, their late military leader, states that he was commanded for no purpose but to keep order, prevent bloodshed, and protect property, and was so placed as to be unable to avoid it.

NEW YORK SCHOOL COMMISSIONERS. The election has resulted in the choice of 13 in favor and 21 against the new school law. The majority is, cited therefore, against the law—the whigs and four of the opposition being opposed to it.—*N. Y. Am. June 8.*

STEAMERS. The Medina steamer, whose loss at Bermuda we noticed last week, is said to have been valued at £100,000 sterling, of which the Royal company will suffer £70,000. She was fitted up superiorly to any on the line.

The price of passage in the Cunard line has been reduced to $135.

TOBACCO. The inspections of last week in Baltimore exceeded in quantity any former week, being 2,077 hhds. In the last ten weeks, 17,275 hhds. have been inspected in this city, of which 14,156 were Md. Inspections continue firm, though the demand is affected somewhat; common Maryland 2.50 to $3.50; middling to good 4.50 to $6.50; good $7a8; fine 8 to $12. Ohio is in demand, nearly 500 hhds. having gone off this week; prices, however, without improvement on our last quotations.

THE BUTTON-WOOD TREES in the neighborhood of Boston, and from thence as far south as N. Jersey appear to have been killed by a frost which occurred in the spring of 1841 as they were budding, and which they showed the effect of last summer, but it is far more obvious this season.

FOR TRADE. A party of about a dozen freemen, (i. e. traders on their own hook), from the Forks of the Platte, arrived previous to sunset, on the steamboat Thames, from Independence. They report that Messrs. Bent & Co. have traded with greater success than during any previous season, and may be expected here before the first of June, with upwards of eleven hundred packs of robes and two or three thousand pounds of beaver.

[*St. Louis Repub. May 13.*

VENDOUL, the Fejee chief who was brought to the United States in the U. S. ship Vincennes, died on the 14th.

WEST POINT. The annual examination at West Point, commenced on the 5th. The board of visitors was organized by choosing gen. McAlister, of Kentucky, as president, and the Rev. Prof. Potter, of Union college, as secretary. The examination will last a fortnight, probably.

WHEAT is in demand at Philadelphia at $1.20, at Baltimore 1.10 to $1.22 for Pennsylvania red; prime lots of Maryland white $1.35.

N. Y. WHIGS. The Whig Young Men's state central committee at Albany, have published a call for a meeting of the young men of the state at Auburn, on the 27th of July next, to adopt measures for a thorough reorganization of the Whig party preparatory to the next fall election.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

GREAT BRITAIN.

The steamer Britannia arrived at Boston on the 18th instant with London and Liverpool dates of the 4th June thirteen days later European news.

The British war steamer Rhadamanthus arrived at Halifax on the 18th instant, with despatches for Lord Ashburton, and orders for the Warspite now at New York to proceed to the Mediterranean. The special messenger to Lord Ashburton came from Halifax in the Britannia, and it is rumored that his despatches are of importance.

The British appear to be making immense preparations for the prosecution of the war in China and India. No less than 50,000 stand of arms had been forwarded to Bombay by way of Alexandria and Suez.

Attempts upon the life of the queen of England. Another madman, or a monster without the excuse of madness, has attempted the assassination of the sovereign of the British empire. At six o'clock on Monday evening, as her majesty, accompanied by Prince Albert, was returning to the palace, in an open barouche, with confidence, an assassin presented a pistol and discharged it at the queen, from very nearly the same spot on Constitution hill from which Oxford fired. The wretch was immediately seized by a soldier of the Scotch Fusilier Guard. He was at first supposed to be a foreigner, but it appears, unhappily, that he is an Englishman, named John Francis, son of a second-shifter at one of the theatres. He is about 20 years of age.

The royal *cortege*, when the pistol was discharged, was fortunately proceeding at a rate rather more rapid than usual, and in that circumstance, it is supposed, her majesty, in a great measure owes the preservation of her life, as Francis was seen by a police constable to take deliberate aim. The act had been noticed by Prince Albert, who sat on the right hand of his royal consort, and who immediately rose from his seat. He pointed out the miscreant to one of the outriders, when the royal servant got off his horse to assist in his apprehension, but, finding him secure in custody, again followed his royal carriage.

A respectable woman states that, just before the attempt she heard the prisoners say to another man in a flannel jacket, "The queen! why should she be such an expense to the nation! It is to support her in such grand style that us poor fellows have to work hard."

The barrel of the pistol was quite warm when taken from the prisoner. Of course, at present, there cannot be any evidence as to whether it was loaded with balls or slugs, but the impression is, that it was loaded with a ball; but search for it has been ineffectual.

It appears that an attempt also had been made upon her majesty's life on Sunday. A Mr. Pearson states that, on Sunday, about two o'clock, while walking in St. James park, he saw the carriage, containing her majesty, Prince Albert, and suite, approaching from the chapel royal, and when near the little gate leading out of the drive into the Green park, he saw a young man, who was standing near him, with his back to the rails, pull a pistol out of his breast, and, as the queen's carriage passed, present it, but whether he pulled the trigger he could not tell.

Parliament reassembled on the 20th ult. after the Easter holidays.

Sir R. Peel's tariff bill was passing quietly and surely through the commons. Much apprehension among the stock-breeders had been occasioned by the proposition to admit live cattle at a fixed duty; but sir R. Peel stood firm, and the duty, as prepared by him, of 20s. or $4 80 a head, was adopted. Lord Howick attempted, without success, to reduce the duty on foreign butter to 10s. instead of £1 per cwt. But sir R. Peel objected. He said $40,000 revenue was at stake on that day. Many other points of detail were argued; but in all the minister maintained his ground, and his tariff will, as well as his revenue tax bill, doubtless become laws.

The income tax bill was passed to a third reading, in the house of commons, on the 31st ult. by a vote of 255 to 149—and was subsequently passed. In the house of lords, the 11th instant had been fixed upon for its second reading.

London market June 3d. All descriptions of coffee are extremely depressed, and quotations little more than nominal; some St. Domingo has been sold from 3½ to 3¾. and a few bags Brazil at 3¾. to 4¼. the colony good ordinary, being again 1s. to 2s. lower. In the near ports of the continent, the transactions continue on a very limited scale.

Flour and wheat. American flour of good quality would to-day bring 29s. per barrel, and Canada free 34s. to 35s. Bonded wheat has been dealt in largely, both to arrive and in germany, at an advance of about 3s. per qr. but the demand has now subsided. The weather is extremely fine, and the late rains have done much good to the growing crops. Present duties are, on wheat 12s. per qr. and flour 7s. 3d. per barrel.

Lead. Missouri has been selling at Liverpool at 17l. per ton; we quote it 17l. to 18l.

Tea. The various public sales since our last have offered 44,000 packages, of which, however, only 9,700 have been sold. On Congou, a decline of 2d. per lb. has occurred; Twankays are 1½d. and young hyson, imperial and gunpowder 2d. to 3d. lower, while on Souchong a decline of 4d. has been submitted to. We quote Congou from 1s. 4d. to 1s. 10d. to 2s. 4d. and Twankays from 1s. 6d. to 1s. 7d. Present stocks in London, 38,150,000 lbs. against 28,820,000 lbs. last year.

Banes tin is held firmly at 70l. to 71l: Straits 66 to 67l.

Tobacco. In the finer kinds of both leaf and strips a moderate business has been doing, but ordinary qualities of all descriptions are entirely without demand, though there are eager sellers.

Turpentine without change: we quote it at 12s. to 12s. 6d. at which one or two parcels are offering.

BANK OF ENGLAND. Quarterly average of the weekly liabilities and assets of the Bank of England, from the 1st day of March to the 21st day of May, 1842, both inclusive, published pursuant to the act 3 and 4 W. IV. cap. 98:

Liabilities.		*Assets.*	
Circulation,	£17,536,000	Securities,	£21,366,000
Deposits,	8,015,000	Bullion,	7,032,000
	£25,581,000		£28,398,000

Downing street, May 27, 1842.

Compared with the last monthly return this statement exhibits an increase of £301,000 in the circulation, a decrease of £138,000 in the deposits, a decrease of £532,000 in the securities, and an increase of £443,000 in the amount or bullion.

London money market, June 3d. "It does not appear to us (says the Banker's Circular), that the value of money is likely to fall lower; at least we may say that it would not be prudent to look it up at a low rate permanently, or for a long period. The East India company must, we think, at no distant date, come into the English markets as borrowers. They have raised the rate of rupee in drawing from 1s. 10. to 1s. 11d. 2s. 1d. This will probably force out remittances of silver and some gold from England to India.

London Exchange. News—Friday evening, June 3. The English funds are very flat to-day, with generally any business; Consols 91¼ ex dividend; three per cents, reduced, 91; 91¼; three and a half per cents, reduced, 100; 100¼; ditto, new, 100¼; bank stock, 168½; India stock, 250, 252; India bonds, 22, 24; exchequer bills, old, 42, 44; advertised, 1 36, 39 prem.

American funds. Pennsylvania 5 per cent 47¼ 3; U. S. bank 20 3½.

Corn exchange. The weather continues favorable for the growing crops. Foreign wheat was very difficult of disposal, but unaltered in value. In bonded wheat we did not hear of any transactions. English wheat is firm at Monday's rates, and bonded is held at 2s. to 3s. more than it would bring by paying the present duty; in consequence very little has been done in it to-day. The averages are advancing slowly.

London, June 3. American stocks. Alabama sterling bonds, 5 per cent. 1859, 50. Illinois 6's, 1870, ditto dollar 6's, 1860, 19 to 22. Indiana sterling 5's, 1863, and ditto dollars, 20 to 22. Louisiana sterling 5's, 63. Maryland sterling 5's, 50. New York state 5 per cent. 1845 to 1860, 74. Ohio 6's, 1850 to 1860, 70. Pennsylvania 5's, 1854 to 1863, 47. Canada 92 per cent. United States' bank shares 15s. per share.

Liverpool market. Cotton—June 3. A lively demand for cotton throughout the week, and a pretty large business was done; sales 34,450 bags. The market has been abundantly supplied, but holders have shown no disposition to give way in price, but, on the contrary, have contended for extreme rates, which have generally been obtained without difficulties. Speculators have bought largely, including 6,500 Am, and have taken 850 Am. The trade has taken considerably more than their usual weekly consumption, owing to the improvement in the yarn and goods' market which was last Tuesday at Manchester rather better than on the previous week. Forwarded into the country last month unsold 3,000 Am. To-day's sales include 2,500 bags, taken chiefly by the trade, at steady rates.

Sales from the 28th ultimo to the 3d inst. inclusive, 280 Sea Island 8¼a13: 30 Stained do. 5¼a6¼; 9,950 Upland 4¾a6¼; 12,340 Orleans 4¾a8¼; 6,410 Alabama and Mobile, 4a6¼.

Corn exchange. Upon all foreign and colonial grain and flour, duties remain unchanged for the ensuing week. In flour under last week no sales have transpired, and all kinds available for consumption have moved off very sparingly at late prices. Indian corn, being still in request, commands 45s. to 46s. per quarter of 480 lbs. Wheat per 70 lbs. United States mixed 9s. 6d.a9s. 9d.; Indian corn per 480 lbs. duty paid, 42s.a46s.; flour, Canadian per bbl. of 196 lbs. 35s.a35s. 6d.; States do. per ditto, per 196: 33s.a37s.; do. sour 30s.a31s.; do. in bond 39s.a30s.

FRANCE.

A prolonged and animated debate took place on the 20th and 21st ult. in the chamber of deputies, on the right of search. The speeches of M. M. Lefebvre, Lamartine, Mauguin, Berryer, Tocqueville, Dupin, and Salvandy, were all in direct opposition to the ratification of the treaty of 1841.

M. Guizot defended his conduct, also the line of policy followed by his predecessors on this question. He willingly accepted the whole of the responsibility with which it pleased others to load him, although he had been a total stranger to the treaties, negotiations, and protocols, that had preceded and natural ly engendered the new treaty of 1841. He maintained that the protocol signed in London by the French ambassador on the 13th of December, 1838, constituted a moral engagement for France.

The Commerce enters into a detailed statement of the financial situation of France, from which it seems to result that the amount of the deficiencies and expenses to be met until the year 1853, is 2,133,000,000 francs, whilst the resources offered by means of credit for the same time are only 1,347,000,000 francs.

The minister of foreign affairs has received from the Belgian company a communication of a law passed by the Belgian chambers, granting indemnities to such persons as sustained losses in consequence of occurrences during the revolution in that country, and also of a royal decree, dated on the 1st instant, regulating the mode of carrying the law into effect. The first article of the law provides that independently of the 1,334,962f. already distributed, the further sum of 8,000,000 shall be divided among Belgians and foreigners of such nations as Belgium was not in a state of hostility with, whose property, lying within the kingdom, and consisting of buildings, furniture, crops, farming utensils, cattle, and merchandise, were either destroyed, deteriorated, or carried away.

The chamber of deputies voted on Monday the 30th, the entire supplies required for the year by a majority of 200 to 70. The prorogation and dissolution would take place about the 10th inst.

A considerable amount of angry feeling against the United States is expressed in France, on account

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of the proposed increase of duties in congress. They seem to think that French products are singled out for special impost, and from an American feeling of hostility to French interests.

The Infanta of Spain, sons of Don Francisco de Paula, were daily expected in Paris. This movement is said to have nothing to do with the alleged intension of the regent to bestow on the eldest of them the hand of Queen Isabella. The count de Pontois was about to resume his functions as ambassador for France at Constantinople. The Baron de Bourquency will return to London to resume his diplomatic duties at the British court.

The Moniteur contains the returns of the principal articles of merchandise imported into France during the four first months of 1842, in which colonial sugars figure for 17,044,000 kilogrammes, foreign sugars for 1,865,000, coffee for 8,398,000, cotton wool for 34,572,000, olive oil for 6,977,000, wool for 1,936,000, coal for 508,949,000, raw iron for 10,786,000, raw lead for 4,366,000, flax and hemp threads 4,554,000, linens 2,126,000, &c.

Many more arrests have been made at Paris of persons supposed to be implicated in the late attempts upon the life of the king.

SPAIN.

The Carlo-Christino troubles in Spain, do not yet appear to be at an end. There were continued disturbances at Barcelona, seditious cries were frequent at the theatre and other places of public resort, and there were many suspicious movements on the frontier.

The royal manufactory of arms at Oviedo had closed for want of funds in the Spanish treasury to carry it on. The finances of Spain were never before at so low an ebb.

ALGIERS.

The Gazette de Tribunaux contains an account of the decapitation of about thirty more Arabs at Constantine, for imputed offences, but without trial. There were reports that the French had experienced some further reverses near Tlemcen, and that Abd-el-Kader was still in the field and unconquerable as ever.

The Paris Moniteur publishes a report of General Clamager, dated Biliah (Africa) 17th ult. conveying an account of an expedition into the land of the Chiffa, from which he had just returned. The general has brought back 211 prisoners, a number of horses, and about 1,000 head of cattle. The civil and military prisoners, unconditionally liberated by Abdel-Kader, arrived at Algiers on the 20th May.

INDIA.

The Indian overland mail, arrived at Marseilles, brings an account of the fall of Ghuzni. The place capitulated and surrendered on condition that the garrison be safely conducted to Cabul.

On the other hand, Colonel Pollock had forced the Khiber pass, and taken possession of the forts commanding it, and would, no doubt, march to the relief of Jellalabad. General Sale, in a sortie from that place, overthrew the enemy.

A rumor prevailed that Akbar Khan had been badly wounded.

General Knott had gained some advantage on the side of Candahar, but Gen. England had not joined him. It is reported that Shah Shoojah had been poisoned. There is no news from China.

HAYTI.

We learn to-day, says the Philadelphia Evening Journal of 21st from Capt. Hill, of the brig Williams Thatcher, which arrived here from St. Croix on Saturday, which place she left on the 7th instant, that just before his departure, he was informed by one of the most respectable citizens of St. Croix, that letters had just been received by an arrival from St. Domingo, giving the important information that a revolution had taken place in the Island—that President Boyer had been deposed, and *had been or would be* put to death.

MEXICO.

Vera Cruz dates to the 18th of May have been received at New Orleans by the brig Apalachicola, on board of which vessel were also 13 of the Santa Fe prisoners, released at the instance of the German consulate, and one claimed as a British subject.

Santa Anna has issued proclamation that representatives to the next Mexican congress will not be admitted from Yucatan, on account of her friendly relations with Texas. All Yucatan vessels are ordered to be seized in all the ports—and any inhabitant of Yucatan who shall be found in Mexico, and who acknowledges the validity of the present government, is to be considered and treated as a traitor.

The minister for foreign affairs has issued a proclamation, which has been sent to all the ministers and consuls of Mexico in foreign countries, giving notice that, inasmuch as among the Texian prisoners captured at Mora Fe, were persons claiming to belong to North America, as well as several countries of Europe, who were claimed by the representatives of the several countries, and released by the government as an act of generosity and mercy,—the representatives of all the government are now notified that all prisoners so enjoined hereafter, will be treated according to the most rigid rules of war.

TEXAS.

The New Orleans Bulletin of June 14 says—The steamship Neptune, captain Rollins, which arrived yesterday in 36 hours from Galveston, brings the papers of Saturday. Ex-president Lamar and hon. B. B. Bee, were passengers in the Neptune.

The Houston papers of the latest accounts from different parts of the country give assurance that the people are preparing with energy for the expected campaign, and await with impatience the order to go forth.—There is no diary or bustle; no more flaring "war talks"—for the people are too actively, busily and determinedly intent upon preparation to take care for or listen to them. The citizens of the Brazos are ready and willing; and the following extract of a letter from Fayette county will exhibit the spirit of the people in that quarter.

"The people up here are waiting with impatience for Gen. Houston's contemplated movement against Mexico. Our rifles and horses are ready—let orders come and we are off for the Rio Grande."

The Civilian says—We have from private letters that the crops on the Upper Brazos are still highly promising—or, rather, have done remarkably well—having been recently visited with plentiful rains.—The Telegraph says—Our Texas Indian affairs are much better than those west of the Trinity, having been visited by plentiful rains some three weeks since.

Isaac N. Moreland, chief justice of Harris county and commander of the artillery company at the battle of Jacinto, died at Houston on the morning of Thursday last.

Every part of the country is in the enjoyment of peace and quiet, except the old Mexican frontier town of Bexar, where the people seem to suffer some annoyance from volunteers who are continually coming and ceasing, as well as apprehensions of robbers beyond the border.

We regret that our government has not the means of permanently maintaining a strong and well disciplined military force at this point.

FRENCH COLONY IN TEXAS. A contract has lately been entered into between the Texan government and Messrs. Dumas and Sourgeois, by which the latter parties are to introduce 1,700 emigrants upon a tract of land lying near the sources of the Rio Frio. This region is in the vicinity of the Camanche Indians, but it is well watered and healthy. The Telegraph thinks these French agriculturists will show themselves soldiers enough to easily drive off the bow-and-arrow men that may come against them.

FOREIGN ITEMS. The subscription in London for the relief of the sufferers by the conflagration of Hamburg exceeded 26,000 pounds.

The magnificent ball for the benefit of the Spitalfield weavers took place at the Italian Opera house, May 27. The queen and royal family, with many of the distinguished personages connected with the court attended.

Sir Robert Ker Porter, the celebrated traveller, died at St. Petersburgh on the 3d of May, of apoplexy. He had on the morning of the same day written a letter to his brother, announcing his intention to return to England.

It is stated in a letter from Vienna, of the 23d ult. that the preliminaries of the intended marriage between the emperor of Brazil and the third sister of the king of Naples, have been fully agreed upon, and that an attache of the Brazilian embassy of Vienna will leave shortly for Brazil, with that treaty as concluded with the Brazilian plenipotentiary in that city.

CAPT. ELLIOT—Texas consul. Sir Robert Peel has volunteered a declaration, that after a careful investigation into the conduct of Capt. Elliot in China, he has arrived at the conclusion that "every confidence may be placed in his integrity and ability to perform his functions." The captain has, consequently, departed for his consulship at Texas, which remotes, of course, any remaining doubt, if any existed, as to the formal recognition of the treaties between Great Britain and Texas. Lord Aberdeen has expressed an opinion that the international obligations of England will compel him to recognise the blockade of the coast of Mexico by Texas, should it be effective.

The calamityse at Hamburgh. We have the following statistical details of the destruction of property by the late calamitous fire: Streets destroyed, 61; lanes do, 120; houses do in streets, 1,992; small houses in lanes, 495; cellars, 463; inhabitants dispossessed, 21,556. Churches destroyed, 3, viz: St. Peter, St. Nicholas and St. Gertrude. The value of the private buildings is estimated at 47 million marks banco, in the mutual assurance effected by the municipalities, and the public buildings at 10 millions, making together 57 millions, equal to £5,363,000.—The furniture and goods are estimated at £2,963,000; making the total value of the property £6,326,000. The amount insured in the foreign insurance companies on furniture and goods is estimated at 10 million marks banco, or £741,000; but we are informed on very good authority, that this item is so overrated, that it throws a doubt upon the accuracy of the statement of the other sums here mentioned. We are credibly informed that the total amount of the liabilities of the English insurance companies will not exceed at the very utmost, £450,000; and according to the most recent accounts, £420,000 is held as nearer to the truth. It is further rendered perfectly certain that even this latter amount will very materially reduced, for, as the researches in the ruins proceed, considerable amounts of property were rescued daily, which was constantly increasing the salvage to the English companies.

The total destruction of books, as yet ascertained, amounts to 300,000 volumes. Several collections of scientific objects have perished, particularly one, consisting of 4,000 models of machines belonging to the Patriotic society, and which were used in the evening and Sunday classes, instituted for the mechanics of the town.

The subscriptions in London, Paris, and indeed all over Europe, in behalf of the sufferers by the great fire at Hamburgh, have been on a most liberal and unprecedented scale, notwithstanding the commercial depression which prevails so extensively every where.

A letter from Hamburgh, of the 19th, says that the reflection of the fire in the air was seen not only in the Baltic, but in the Mediterranean, at the distance of 100 miles, by the persons on board the ships that were coming to the Elbe.

There had been more failures among the wine merchants at Oporto and Lisbon, and indeed the wine trade was never before in such a terribly depressed state, throughout the whole south of Europe.

Emigration to Canada and the United States was still going on with activity at the ports of the British ports. Indeed, the rage for emigration appears to run higher than ever. There were over eight hundred emigrants ready to embark from Greenock alone.

Charles Albert, king of Piedmont, had revoked his decree for the virtual expulsion of the Jews from the city of Genoa. This decree had, in other portraitures of Europe, small and great, would not countenance a piece of barbarity worthy of the darkest ages.

The grand jury of Dublin had insulted O'Connell, by going to dine their usual dinner rather than invite the lord mayor to the feast—a rule which custom has made imperative. The agitator says that he can go as long without a dinner as they can.

Jalapa, May 24. We had yesterday a grand meeting of the society, called, from its favorite food, the Hippolajic club. The company consisted of several priests, private teachers, a number of students, and several persons of consideration. Dishes of soup, made of horse flesh and horse steaks were served up; but the great favorite was *chered a la mode*, dressed with potatoes. The liver, the tongue and other parts, were prepared in different manners.—The company praised the entertainment, and said the dishes were preferable to the same made of the best [illegible] [Southern Cultivator.

A rich vein of copper ore has been discovered at Tramore county, Waterford, adjoining "the Donerraile core." There is a fair prospect of its being worked soon, and profitably.

A Madrid paper mentions the discovery of a rare near Oviedo, which is nearly a league and a half in circumference! A quantity of human bones were discovered, as well as the handle of an antique sword.

The News. Our readers have ample details, but there are some points of striking interest that may not attract their attention. Among them is the strong desire exhibited by Great Britain for peace with the United States. The sentiment seems universal that two great nations of kindred faith, speaking the same language, and of the same stock, should settle all their difficulties, shake hands, and be at peace forever.

We regret to see that the health of Louis Philippe, King of the French, is failing in his age. At a recent consultation of physicians the features of his majesty's disorder, as well as general health were narrowly examined. The conclusion arrived at by the distinguished members of the faculty present, was, that the disease was dropsy, his life may not be in any immediate danger, but that the complaint has become painful and serious. The stability of the French government, if not the peace of the world, depends in a

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good degree upon his life, and every thing that endangers it, is therefore, to be looked upon with apprehension.

So far as the British journals indicate the feeling of the people respecting British power in India, the disposition seems to be, to teach the Affghans and others the effects of British vengeance, and then to retire within narrower bounds. The inference is that British ambition is attempting too much.

British commerce and manufactures are laboring just now under difficulties similar to ours, viz: a suspension of enterprise and of action, until a tariff is settled. The cry of distress from the British manufacturing districts is general and very distressing.

What the British journals call the French crime, that is, the attempted assassination of their sovereign, has created a universal and most profound sensation. It is the subject of official addresses in all quarters, and strikes the nation with horror.

There is a curious discussion in the French chamber of deputies upon a proposed remodification of our tariff. One of the journals, the *Courier*, proposes to *cannonade* us into admitting wines and silks duty free. [*New York Express.*

STATES OF THE UNION.

RHODE ISLAND.

Judge Story, at the opening of the circuit court of the United States, at Newport, in his charge to the grand jury alluded to the recent events in that state, and defined particularly what constitutes the crime of treason. He passed a high eulogy upon the characters of the state and its institutions, and deeply regretted that any events should have occurred to tarnish the reputation it had acquired for an attachment to law and order. The Rhode Island bar resolved, unanimously, to request of the learned judge a copy of the charge for publication.

The general assembly met at Newport on the 21st inst. An ineffectual effort was made to steal a couple of field pieces at Warren, on the night of the 18th inst by some suffrage men who made their escape on horseback, and were said to be from Providence.

The suffrage legislature when last in session was adjourned to the 4th of July. Since the adjournment a great many members have resigned. How the rest will act, or what will be done, remains to be seen.

An extra from the Providence Journal of 21st, states that all the indications are, that Gov. Dorr, (so called) means to meet what remains of his legislature at Chepachet, on the 4th of July, the day to which they adjourned; and, meantime, arms, munitions, and military organization, appear to be aimed at by the insurgents.

The perpetual demonstration was given last week:

The powder-house of Dutee Greene, was broken open some time between Friday evening and Monday afternoon, and forty-eight kegs of gunpowder, containing twelve hundred pounds, were stolen therefrom. The building is of stone, with an iron door, and is of very great strength. The door was fastened by strong locks and massive bars and bolts. Four locks were broken by the thieves.

A letter from Foster relates an unsuccessful attempt on Monday night to steal the guns brought into Providence for the volunteers. The building where they were deposited, was broken open, but the guns were not found; and perceiving indications that they were discovered, the marauders made off—*unparmed!*

MARYLAND.

ASSESSMENT—TAXES. The profound interest with which every body is now regarding financial topics—personal as well as public, has induced us to ascertain through the friendly aid of the treasurer of the Western Shore, so far as returns to his department, up to yesterday, afford data, of the amount of assessments made according to the late act of assembly, of taxable property in the several counties of the state—(*some few counties it will be seen have not yet made returns!!*) and also the payments which have been made into the treasury according to the provisions of the law laying a direct tax upon said assessable property—

Assessable property in Maryland, so far as returns have been received at the Western Shore treasury—16 June, 1842.

Alleghany county	$4,008,586 00
Anne Arundel county	6,915,014 00
Howard District, A. A. co.	3,922,797 00
Baltimore city	68,170,612 00
Baltimore county	13,666,233 00
Calvert county	2,935,600 14
Caroline county	
Carroll county	6,911,250 00
Cecil county	5,055,790 00
Charles county	5,473,920 00
Dorchester county	8,263,741 00
Frederick county	19,081,867 46
Harford county	4,839,901 00
Kent county	3,672,391 00
Montgomery county	
Prince George's county	
Queen Annes' county	3,315,397 00
Saint Mary's county	4,359,048 00
Somerset county	3,450,315 00
Talbot county	4,759,147 51
Washington county	
Worcester county	
Am't of assessable property, so far as returns have been received	$164,902,269 11

Payments into the Western Shore treasury to 17th of June, 1842, inclusive, on account of the direct tax.

By Allegany county,	3,653 92
Anne Arundel county,	15,559 59
Howard District of A. A. co.	2,000 00
Baltimore city,	30,809 23
Baltimore county,	2,657 35
Caroline county,	154 00
Carroll county,	6,496 58
Cecil county,	500 00
Charles county,	4,874 65
Harford county,	4,115 00
Frederick county	19,000 00
Prince George's county,	9,292 55
Saint Mary's county,	700 00
Talbot county,	1,620 26
Washington county,	9,000 00
	$110,222 23

[*Annapolis Republican, June 18.*

GEORGIA.

WHIG CONVENTION. The Milledgeville Recorder gives the proceedings of the states rights' whigs of Georgia, assembled at that city on the 13th inst. There were 194 delegates from every part of the state. Mr. Dawson presided as chairman. On motion of Mr. Wilde a committee of 21 was appointed to report on the subject of the next presidency. The committee in the afternoon presented a report nominating Henry Clay to the next presidency, with an address to the people of Georgia. They were adopted with enthusiasm.

The following gentlemen were subsequently nominated as candidates for the state of Georgia in the next congress of the United States, viz: R. L. Gamble, R. W. Habersham, T. B. King, R. H. Wilde, A. H. Kenan, A. H. Chappell, P. H. Smead, A. R. Wright.

The address to the people has not yet been published, but is supposed to be from the pen of Mr. Wilde.

The vice presidency is left for subsequent action.

MISCELLANEOUS.

LAW CASES.

LEGAL DECISIONS. *Accomplices* At the Harford county court, held by judge MAGRUDER, the principle which has prevailed in the courts of England excreising criminal jurisdiction, was adopted in the case of the *State* against *Moses Anderson*, viz: that the *accomplices* giving evidence under an *implied* promise of pardon, on condition of their making a full confession of the whole truth, have an equitable title to be recommended to mercy, on a strict performance of the condition on which they are admitted as witnesses, to the satisfaction of the court, and that upon the evidence of a witness thus received, the prisoner was convicted.

Sabbath day. In the case of the *State* against *Lancaster*, May term, 1842, Harford county court, Md. judge MAGRUDER decided that the truth section of the act of assembly of 1728, chapter 16, which prohibits work or labor on the Sabbath, under a penalty therein set forth, was in force at this day, and the traverser was fined for working his grist mill on Sunday.

"*Free man of colour.*" In the case of the state of Maryland vs. Collins, May term, 1842, the court decided that where a party is charged in an indictment as "a free man of colour," it is necessary, in order to support it, that the person charged should not simply be proved to be a man of colour, however dark his complexion, or whatever his associations, but that he must be a negro or mulatto, or descendant of one of that class, or an Indian of some of the North American tribes—in other words, that a Malay, or East Indian, or any coloured man who would, under the laws of the United States which only authorise "white" persons to be naturalized, be entitled to the right of citizenship, is not a "*man of colour*" within the meaning of the acts of assembly of the state of Maryland.

In another case at the same term, the court held that although a free negro, or mulatto, is permitted to institute a suit in any of the courts of this state having jurisdiction in civil causes, yet he cannot, on *his own oath*, continue his cause, as white persons may in similar cases, for the want of material testimony. It had been, heretofore, decided by the court of appeals, in *Queen V. Neale, 3 Harr. & John.* 158, that a negro *petitioning* for his freedom, was not competent to take an affidavit in support of a suggestion that an impartial trial could not be had in the county in which the petition for freedom was pending, and that therefore a removal of the record and proceeding should take place as directed by the act of 1804, ch. 85, sec. 2, and that such a petition was comprehended within the general terms of "suits or actions" mentioned in said *second* section; and it is said that Baltimore county court some time since ruled on its equity side, that an injunction could not issue upon the affidavit of a negro. We understand, says the Baltimore Patriot, that the judge who sat in Harford county, which with Baltimore city and county, comprise the judicial district, reared his decision upon those adjudicated cases.

A DIFFICULTY EASILY SETTLED. A singular correspondence, according to the Philadelphia Ledger, has taken place between the governor of Georgia and Col. Worth. It seems a portion of the U. States troops were in Georgia near the Florida line, and the governor wrote to the war department requesting the withdrawal of these troops from the soil of the sovereign state of Georgia. In the meantime, Col. Worth, ignorant of this application, and for the purpose of carrying into effect his own arrangements, ordered the detachment to some other point—which alterness proving the course pursued by the governor, he thought proper to write to his excellency, to assure him that the "accidental compliance" with his requisition would not have taken place if he had been aware of the correspondence between the executive of Georgia and the war department. The governor in his reply says to Col. Worth, "Your ignorance of my wishes is accepted as a sufficient apology for your execution of them." An odd version, which shows that the governor is easily satisfied, and that offended state sovereignty can forgive offence without the necessity of a humiliating apology. [*Excerpt.*

MR. ALEXIS DE TOCQUEVILLE. Paris, April 2. The Academie Française, properly so called, held a *seance* yesterday, for the purpose of inaugurating the new member, M. Alexis de Tocqueville, the celebrated author of *La Democratie en Amerique*, already a member of the Academie des Sciences Morales. The attendance was prodigiously numerous, all the seats being occupied long before the ceremony was announced to begin, the greater portion by ladies, who appeared to take much interest in the scene, judging by the entire and unbroken attention they paid to it. M. de Tocqueville opened the scene with his eloge of the deceased member, M. de Cessac, the course of whose existence happened to have led him into intimate connexion with the political affairs of the last century. M. de Tocqueville availed himself of the coincidence to weave into his biographical notice a commentary upon the revolution of 1789, the empire, and the dazzling career of its hero, Napoleon. The address of M. de Tocqueville, was listened to with an attentive and sustained interest. M. le Comte Molé replied to the young academician with great dignity, and a shower of compliments; the latter so judiciously and delicately conveyed, that it was impossible not to acknowledge their justice.

He took, however, some pains to repel the insinuations against Napoleon's government, displaying much ingenuity in the endeavor to justify the necessity of a despotism at that particular epoch. He politely taunted M. de Tocqueville with his partiality towards American institutions, slily insinuated that many of the charms which belong to civilized life were yet wanting to the American character—at truth too well recognised for M. de Tocqueville or any other observing spectator to repudiate it.

HISTORY OF DELAWARE. An address, embracing the early history of Delaware and the settlement of its boundaries and of the Drawyer's congregation—delivered in Drawyer's church, Del., May, 10, 1842, by Rev. GEORGE FOST.

We have been favored with a copy of this work, and have read with pleasure its contents, which are most interesting, and evince deep and laborious research. No Delawarean can open this book and pe-

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rose a page without feeling a desire to go through the whole. Much light is thrown on the early history of this state—the settlement of the Swedes—their locations—possessions—names and characters. But more particular reference is made to the early settlement within the bounds of the Drawyer's congregation, and to persons living within those bounds a perusal of the book must be a source of high gratification. The names of the early families are given, and the location of their habitations. Among the early settlers in that vicinity there were four classes. 1st. The Swedes, the Petersons, Andressons, or Andersons, and Pipers, belonged to this class. 2d. The Dutch; to this class belonged the Alrichs, the Hansons, the Vandegrifts, the Van Dykes, the Vanzandts, the Vances, the Hyatts, and the Kings. 3d. French Huguenots; to this class belonged the Naudains, the Dushanes, the Gettons, the Ladroges, the Bayards, the Larroux, the Seays or Sees, the Vigorues and Cannons. 4th class was composed of the Irish, Scotch and English, and a few early settlers from New England; their names are not given.

A list of the ministers who have labored in this congregation is given; the first was the Rev. John Wilson. He died in 1712. Lemuel Nowland was the first elder. The names of the trustees are given, as also the treasurers and members of the church; and a great amount of very pleasing information of a similar kind. So full and perfect a history of Drawyer's congregation cannot fail to be appreciated by all whose families sprung from its early founders, and should be read with interest as a correct ancient record.

The investigations of Mr. Foot have been deep and comprehensive, and throw light upon the early settlement of Delaware, and he has enumerated a great many citizens of this state who have been eminent for their goodness, wisdom, learning, patriotism, and valor.

Mr. Foot informs us that "the earliest permanent settlement in Delaware seems to have been made by the Swedes, in 1627. Christian, Queen of Sweden, formed the plan, and sent Peter Menewe as Commander of the colony, in the ship, '*Key of Kalmar.*' This colony purchased the land on the west side of the Delaware, from Cape Henlopen, called by them 'Paradise Point,' to the Falls of Sanchikan, or Trenton. The Swedes settled on the Christina creek, where they built a fort, and called both the creek and the fort after the name of their Queen."

The following brief notice of the gallant Kirkwood recommends itself to every Delaware:

"Captain Kirkwood was a veteran of the revolution. He early entered the service, and remained in it till the close of the war. The Delaware regiment was raised, and mustered at Dover before *the revolution of Independence was made*, and was put under the command of Col. Haslet. In this regiment, Kirkwood held a captain's commission. This regiment was in the battle at Trenton, on the 25th December, 1776. January 3, 1777, they were in the battle at Princeton, where Haslet was killed.

The command of the Delaware regiment, then devolved on lieut. col. Vaughan. On the 11th of September, 1777, the Delaware troops were engaged in the disastrous battle of Brandywine, and in October following, in the battle of Germantown in 1778 and 1779, they were actively engaged in the middle states. In 1780, they were ordered to Charleston. In the battle at Camden, they were in the front division, under the command of Major Gist. Gist, The Marylanders and the Delaware regiment, maintained their position with noble intrepidity until the retreat was ordered, undismayed by the conduct of the panic-stricken militia of Virginia, and North Carolina. Col. Vaughan, and Major Patton were killed, and the Delaware regiment reduced to less than two companies. This shattered remnant was put under the command of Captain Kirkwood, who commanded it till the close of the war. He was also in the battle at Guilford court-house, at Waxhaw, and also at the fort of 'Ninety-Six.' Wherever dangers thickened, or bravery lovincible was demanded, there Kirkwood and his Delawares were always stationed. At the battle of Monmouth, Capt. Wm. Clark, father of the late Gov. Clark, commanded a company of 75 men, raised principally between Smyrna and Cantwell's Bridge. At the close of the battle, 45 of these brave men were among the slain.

"Captain Clark resided in Appoquinny hundred, and was the great grand-father of Mrs. A. Snow Naudain, and Mrs. Anthony Higgins.

"Kirkwood was engaged in *thirty-two* battles during the revolution. At the close of the war, he returned and established himself in mercantile business, at Cantwell's Bridge, and occupied the house now standing east of the old tavern house. In 1785, he removed and established a store at St. George's. Afterwards, he removed his family to Ohio. When the army was organized under Gen. St. Clair, to march against the north western Indians, he volunteered his services, and Gen. Washington gave him a captain's commission, expressing at the same time his regret that he could not promote him, because all the higher offices were already filled.

"The army marched to Ohio, and cut their way through the swamps and woods along the course of the great Miami. They encamped at Ludlow's station for two weeks. This station is six miles from Cincinnati. There was a tree on which with the fast and date of this encampment carved on the bark, which the writer saw standing in 1837. After marching ninety-eight miles into the wilderness, they were attacked on the morning of the 4th of November, 1791, by the Indians, and that dreadful battle, which resulted in St. Clair's defeat, was fought. Of the distressing scenes in this defeat, lieutenant Michael McDonough, in an original letter now before me says, "We left every thing behind; eight pieces of cannon, cattle, horses, flour, officers and soldiers, baggage, officers' private property in cash, supposed to be ten dollars per man, amounting to 30 thousand. We retreated day and night for this place, without provision, which is ninety-eight miles, and arrived at this place on the 8th inst. The number of non-commissioned officers, musicians, and privates that fell in the field is upwards of six hundred. More than sixty women were killed, and I saw some of them cut to pieces, and others cut and burning, with a number of officers, on our own fires, before I left the field of action. I saw Capt. Smith sitting — just after he was scalped, his head smoking like a chimney. These soldiers have come to with all the skin and hair taken clean off their heads." The regiment to which Kirkwood and McDonough belonged, consisted of two hundred and fifty-eight commissioned officers, musicians, and privates, one hundred and eleven only of whom were left after the battle, and forty-two of these were wounded. But two out of the officers, Lieut. Bissell, survived. "Out of 1,200, near 800 officers, men, and women were killed and wounded." In this terrible battle Kirkwood fell. This was the *thirty-third*, in which he was engaged. Yet, in the reorganization of the army, he could not be promoted, because he had the remnant of the entire regiment under his command. He lived and died the brave, unrewarded captain Kirkwood. Lieutenant McDonough, was born in St. George's Hundred.

"No state in the Union, "says Mr. Foot, has produced as many eminent patriots and statesmen, in proportion to its population, as Delaware; and a large portion of its clergymen have risen to eminence. Delaware furnished 5,000 officers and soldiers during the revolution, of whom more out of a hundred returned. "THE BLUE HEN'S CHICKENS," as the Delaware regiment was called, bravely met danger and death, in defence of their country."

The character of the more general remarks of Mr. Foot in this admirable address may be deduced from the extracts we have given; the work abounds in information of this kind, and cannot be read without deep interest. The matter relating to Drawyer's congregation is of more peculiar concern to the families and members connected with it, but still a general desire to know who the early settlers of that region and the founders of that church were, will we presume, excite a desire to possess and peruse the book.

We recommend it as a publication worthy the attention and patronage of every Delaware, as containing an amount of information on a most interesting subject not to be found elsewhere. [*Del. Jour.*

THE DIVINING ROD. *From the Delaware Journal.* The art of discovering water courses under the surface of the earth by means of a green rod or wand newly cut from peach hazel or cherry tree, has been known in Europe for several hundred years. It is said the discovery was made in Germany, but by whom is uncertain. Until a very late period it has been considered an imposture, and ranked with the arts of magicians and other vain pretenders to mysterious powers. This opinion of the power of "the divining rod" or "magic wand," as it has been termed, has shaded from the part, that in many hands of many persons the action of the rod is wholly imperceptible, whilst in others the attraction of the water, especially if it be near the surface and the flow large, is so powerful, that the mere touch of a bristle nature the attractive power is so forcible as frequently to break it.

From numerous experiments made in France, since the commencement of the present century, by Thouvenel and other men of science, the claims of the divining rod are found to rest upon well known material powers. The art of finding water by its means is well established and promises to be of great utility to our country. The theory explaining the phenomena of the "magic wand," supposes that the water forms *with* the earth above it, and the fluids of the human body, *a galvanic circle.* This circle is more or less perfect, as the state and condition of body of the operator qualifies it to be a better or worse conductor of the galvanic fluid. The human body is one of the best conductors yet discovered, and wealthy or delicated persons are said to be better conductors than persons in sound health, and the attraction is greater when the skin is wet, particularly the hands and arms. Salt water, or a weak solution of the muriatic acid are the best fluids for moistening the skin. The effect will be increased if the operator be barefooted, his feet and hands having been previously wetted with either of the aforesaid fluids, but if he have silk gloves or silk stockings on, the rod will not be attracted. If the rod be suspended by an electric, or in immediate contact with an electric, no attraction will be felt, and the degree of attraction varies as any substances lying between the water and the hand of the operator, are more or less adapted to conduct the galvanic fluid.

Such are some of the facts stated by writers on the subject, but of the reality of the powers attributed to "the divining rod," we now need no foreign authorities to carry conviction to every intelligent mind. We have in this city several operators, men of the most unquestionable character, whose powers have been tested by the severest scrutiny, and who have been the most determined and the most incredulous. The writer has known several stout unbelievers thrown into the most ludicrous predicament, by suddenly discovering that they themselves were among the magi, and had all the powers of the best water diviners! The powers of "the magic wand" being natural powers, it only requires that the natural means be present in any individual to produce the necessary result.

Any person may discover whether or not he has the powers of a water finder by the following experiment. Let him cut a branch of a peach or cherry tree, having a fork with two twigs of a length and thickness nearly equal, and slender enough to be quite flexible. If formed correctly it will nearly represent the letter Y. Let him take the small ends of the twigs, one in his right hand, and one in his left, and hold it so that the main branch, where the forks begins, shall be uppermost and nearly perpendicular to the earth, but a little inclining forward:—Holding it in this position let him walk slowly and carefully over the ground where water is to be sought for, and if the body of the operator be a good galvanic conductor, the wand when over a vein of water that is near the surface, will be drawn forwards and downwards with considerable force; and if the vein be large it will point directly down to the earth.—The causes of this phenomenon being natural, and invariably as the principle of gravitation, water will *always* be found nearer the surface of the earth, when thus indicated by the divining rod, than in other places.

SENEX.

6th mo. 15, 1842.

LAKE FISHERIES. *Detroit river—St. Clair river—Lakes Huron, Michigan and Superior.* With the immense business which is destined to be done on our lakes, that of the fisheries should not be overlooked, as it has already become a considerable item in our *exports.* The number and varieties of fish taken, are worthy of notice, and it is stated that no fresh waters know, can, in any respect, bear a comparison.

From the earliest period of the settlement on the shores of the lakes, fishing has been carried on to supply the inhabitants with a part of their food, but not within the past five years has it been become an article of export. Since that time the business has rapidly increased. The number of barrels taken, so far as information can be gathered, in 1835, was 8,000, and in 1840 it reached 32,005 barrels.

The weight to which some of the fish attain, is unparalleled, except in the Mississippi, as follows:

Name of fish.	*Greatest weight.*	*Average.*
Sturgeon,	220 lbs.	70 lbs.
Trout,	60 "	10 to 20
Muskellunjh,	40 "	10 to 15
Pickerel,	15 "	5 to 6
Mullet,	10 "	3 to 6
White fish,		2 to 3
At the Sault Ste. Marie,		4 to 5
Perch,	1 "	
Roach,	1 "	
Black Bass,		2 to 3
Bill fish,		6 to 8
Cat fish,		10 to 20
Sisquoette,		8 to 10

Varieties usually taken for pickling are, Trout, Pickerel, White fish and Sisquoette; the latter, however, is only to be found in Lake Superior.

Since the projected canal at the Sault Ste. Marie has been suspended, Yankee enterprize, at great ex-

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pense, in the absence of artificial locks, has surmounted the difficulty in getting over the falls, leading from Lake Michigan to Lake Superior, and within two years past, two vessels, by means of slides, rollers, &c., have reached the upper lake. One of them is owned by J. L. Ankrim and others, and the other by a Cleveland company.

Three vessels have also been built on Lake Superior by the American Fur company. The two former vessels will hereafter be engaged in the fishing trade, in freighting salt, provisions, &c., to various points on the lakes, and returning with fish. Heretofore the American Fur company have monopolized the trade. This will open a new era in the upper lake fisheries, as they are said to be inexhaustible.

From the following table, of the amount barrelled, which was obtained from various sources, the rapid increase of the business will be seen:

	1836.	1837.	1840.
Lake Superior,	2,000	5,500	10,000
Mackinac,	1,200	800	4,000
Sault Ste. Marie,	300	600	2,555
Green Bay,	600		
Various points on L. Huron,	500		
Fort Gratiot,	3,100	4,100	3,000
Shores of Lake Huron,	500	600	
On Detroit river,	4,000	2,500	3,550
Shores of Sanilac county.			500
St. Clair river,			1,000
Drummond's Island,			600
Twin rivers,			1,500
Mouth Manistee river,			600
do. Sheboygan river,			275
Racine,			255
Saginaw bay,			500
Thunder bay,			500
South Saginaw bay,			500
Number of barrels,	12,200	14,100	32,005

The average price of fish per barrel, for the five last years in this city, is $8, which gives a total value of the business in 1840, at $256,040. In its infancy, it adds this amount annually, to the wealth of Michigan; gives employment to a great number of persons; and allowing 600 barrels as freight for a vessel, it would require *fifty-four* to transport the article to market. Its importance in augmenting the wealth of the west, particularly in a few years, when the business is more extensively pursued, is not surpassed by any other species of traffic, and presents a marked example of productive labor.

There is one obstacle in connection with it, that should be removed. The British side of the lake, also, abounds in fine fishing grounds, but in consequence of a duty of $1 per barrel, which our government imposes on fish taken in British waters, but little has been done. It is to be hoped our senators and representatives in congress, will bring forward the subject at the present session, and allow American fishermen, on American bottoms, to enter American ports, free of duty.

[Detroit Daily Advertiser.

SOUTH SEA EXPLORING EXPEDITION.

The exploring squadron sailed from the United States on the 18th of August, 1838, and has been absent nearly four years; during which time we learn that the different vessels have sailed about four hundred thousand miles. The expedition has thoroughly executed every part of the duties confided to it by the government.

The ports, harbors, islands, reefs, and shoals named in the list annexed have been visited and examined or surveyed.

The positions assigned on the charts to several virgin, reefs, shoals, and islands have been carefully looked for, run over, and found to have no existence in or near the places assigned them.

Several of the principal groups and islands in the Pacific Ocean have been visited, examined, and surveyed; friendly intercourse and protective commercial regulations established with the chiefs and natives; aggressions on our citizens and commerce redressed, and a justly merited punishment meted out in some flagrant cases of unprovoked and cold-blooded murder.

The discoveries in the Antarctic ocean (Antarctic continent—observations for fixing the southern magnetic pole, &c.) *preceded* those of the French and English expeditions.

The report which has been in circulation of Captain Ross having run over a portion of the land discovered by this expedition is unfounded. No land to the *eastward* of 160 degrees of east longitude was discovered, seen, or claimed by the American expedition, as appears by Captain Wilkes' report to the navy department, published in 1840, after the return of the squadron to New Zealand. If this statement originated with Captain Ross, based upon the particular chart of the Antarctic sea, and discoveries of land, with the full explanatory letter which was furnished him by Captain Wilkes (previous to Captain R.'s antarctic cruise), he (Captain R.) must have taken *that portion* of land reported to have been seen by *Bellanny* in 1839, which was represented on it as being in 163 degrees to 165 degrees east longitude or thereabouts, and which the American expedition had never seen or heard of until its return to Sydney, N. S. W. after their discoveries in the Antarctic ocean.

Capt. Ross, according to his report, has passed over, or gone so far west as 163 degrees east in latitude 67 degrees south, (a portion of land not have seen the land discovered and claimed by the American expedition, but seems to have run over the position where land is reported to have been seen by his own countryman, Bellany.

The expedition, during its absence, have also examined and surveyed a large portion of the Oregon territory, a part of Upper California, including the Columbia and Sacramento rivers, with their various tributaries. Several exploring parties from the squadron have explored, examined, and fixed those portions of the Oregon territory lying between, of the territory, embracing its rivers, sounds, harbors, coasts, forts, &c. has been prepared, which will furnish the government with a mass of valuable information relative to our possessions on the north west coast and the whole of the Oregon.

Experiments were made with the pendulum on "Mouna Loa," on the island of *Hawaii*, one of the Sandwich islands, at a height of 14,000 feet above the level of the sea. Topographical surveys and views were made of some of its active and most extensive craters.

Experiments have been made with the pendulum, magnetic apparatus, and various other instruments, on all occasions; the temperature of the ocean, at various depths, ascertained in the different seas traversed; and full meteorological and other observations kept up during the cruise.

Charts of all the surveys have been made, with views and sketches of habitable, towns, or villages, &c. with descriptions of all that appertains to the localities, productions, language, customs, and manners.

In some of the islands this duty has been attended with much labor, exposure, and risk of life; the treacherous character of the natives rendering it absolutely necessary that the officers and men should be armed while on shore, and constantly guarded against their murderous attacks. On several occasions boats have been absent from the different vessels of the squadron on surveying duty, (the greater portion of the time of the expedition,) among the islands, reefs, &c. for a period of ten, twenty, and thirty days at one time; on one of these occasions two of the officers were killed at the Feejee group while defending their boats' crew from an attack by the natives.

The scientific gentlemen have been actively engaged in the various departments, and subjected to all the exposures incident to researches among dangerous and hostile savages. Mr. Hale, the philologist of the expedition, was left at the Columbia river for the purpose of prosecuting his labors among the different tribes of the Oregon territory, and may be expected home overland early in August.

Several islands not laid down in the charts have been discovered, on one of which the natives offered worship, evidently believing that their visiters had come from the sun.

The Soolos sea has also been examined, several islands found to have been erroneously laid down upon the charts, and others not laid down at all. Protective commercial regulations established with the sultan of Soolos, and a correct chart made of a feasible and short route for passing through these seas towards China, against the northeast monsoon.

The tender, Flying Fish, which had accompanied the squadron during the whole cruise, until reaching Singapore, was so much used up by hard service that it was deemed imprudent to hazard the lives of men and officers in her for a passage around the cape at that season, without considerable delay for thorough and extensive repairs. She was therefore, disposed of at that port, under the direction of the American consul.

About eighty distressed American seamen have been received and shipped on board the vessels of the squadron at their different ports and islands of the Pacific ocean—several of them brought to the United States in the Vincennes; the remainder are on board the brigs Porpoise and Oregon, now on their way home, and may be expected early in July.—These two vessels left St. Helena a week before the Vincennes called there for Rio Janeiro and home; all well.

Six of the crew of the brig Uxor, of Mystic, Connecticut, wrecked near Prince Edward's island, are also on board the Vincennes.

Although the officers and crew of the expedition have been exposed to every variety of climate, the general health of the squadron has been without a precedent. But one officer (Mr. Vanderford, master's mate, who died on the passage home) and only eight of the men have died from disease.

The officers, scientific gentlemen, and men have been constantly employed, as will appear by the labor performed and the results of the cruise.

In addition to the large collections already received from the expedition, the Vincennes has now on board a very rich and valuable collection, including several boxes of live plants, bulbs, &c. collected in the Pacific, Soolos, Philippines, Singapore, Cape of Good Hope, and St. Helena.

LIST OF PORTS, REEFS, ISLANDS, &c.

Visited, examined, or surveyed by the U. S. exploring expedition during the cruise.

Ports visited. Madeira, Port Praya, (Cape de Verde), Rio de Janeiro, (Brazil), Valparaiso, (Chili), Callao, (Peru), Sydney, New South Wales, New Zealand, Manilla, (Luconia), Singapore, Cape of Good Hope, St. Helena.

Reefs, Shoals, &c. looked for and not found. St. Ann's Shoals, Marie Rock, Bonetta Felix Shoals, Bonnetta Shoals, Hartwell's Reef, Patty's Overfalls, Warley Shoals, French Shoals in two positions, Triton Bank, Vizia, Bowcett's Sandy Isles, Submarine Volcano of Kruzenstern.

ISLANDS SURVEYED, WITH THEIR HARBORS.

Low Archipelago. Clermont de Louvaire Island, Series Island, Minerva do., Hondees do., Wyhite do., Otookoo do., King's do., Rarakaa do., Vincennes do., Carlshoff do., Wakefield do., Wilson and Peacock do., Rurick's Chain, Prince of Wales, Kruesenstarn's.

Society Islands. Matte, Otahaite and Harbors, Eimeo, Bellingshausen, Eooa.

Navigator Group. Manuesah, Lutuella, Upolu, Monoko, Apposimo, Savaii, Wallis' Island, Horn, Lord North's Macquarie's, Eooa, Tongataboo, Harpai, Turtle.

Feejee Group. 15 islands and 50 reefs, viz: Tulanga Island, Angeo, Nambua Angee Bank, Angaa Island, Ambo, Moramboo, Engrasso, Cambia, Kaloo, Mothe, Karoni, Oloma, Oneata, Avia, Lakemba, Bacon's 2, Reed's 3, Nean, Tubutted, Yenki, Hatafouga, Vanderford, Verna, Ballan, Susui, Manea, Nanoa, Ovalau, Ogea, Oubia, Hanathea, Mofaiso, Ohembon, Nartombo, Zelangula, Chielia, Vatala, Namko, Oneholafrango, Onuminsio, Houlelaveu, Oretena, Lavatala, Kenobid, Ine, Lomo Somo, Budd, Northern Reef, Bay of Islands, Port Denis, Orandi, Dold, Lortoni, Maola, Nanai, Angasa, Gora, Batika, Vanui Levu, Morna Orna, Malee, Vakai, Macona 2 Islands, Dimition 4 Islands, Horse Shoe Reef, Ovalow Island, Moro, Nenisiu, Passage, Ono, Kantaro.

Passed Midshipman's group of islands, 10 in number. G. Endua, Beauman, Mallana, Benga, Nuanoka, Vitl Levu, Flying Fish Reef.

Midshipman's group of islands, 4 in number. Matom Island, Malolo.

Vonno Island, Speedin, Palmer, Peny, Alden, Case, Johnson, Carr, Walker's, Emmons.

Knox Island, Davis Island, Baldin's Island, Totten's Island.

Vouno Island, Vier, Valane, Waid Lalal, Ward. Biva, Agate, Sinelair, Fox Island, Eid, Navidi, Nagotta, Matatha Valve, Otossan Island, Nanoga Island, Nadora, Oruva, Ya Asalana, Ya Asona, Ya Roan, Mimbora, Naloa, Vendola, Tavia, Muthausta, Kinsuna, Round Island, Angrajas, Gera, Chicobia, Nugulou, Corabis, Muselou, Amaua, Beosa, (2 islands), Endua Islands, and 51 Reefs in this Feejee Group, Gardner's Island, McLean's, Hull's, Sydney, Tabor, Washington or New York Island, Jarvis', Enderby's, Bennie, Duke of York, Duke of Clarence, Bowditch, Swain's, Gardner's Islands or Group, Tracy's Island seen, Depeyster's, Island discovered.

Kingsmill Group. Drummond's Island, Bishop or Sydenham's, Woodle's, Henderville's, Hull's, Simpson's, Knox, Charlotte, Mathews, Pitt's Islands, (S. Mulgrave, Arrowsmith's, Daniels, Peddars, Pescadores, Karnakoff, (2 islands).

Marshall Islands. Oubia, Kaui, Hawaii, Maui.

Columbia river—Surveyed to the Cascades and Falls, 120 miles. Straits of Quan de Fuca, Puget Sound, Nasqually, New Dungeness, Classet Harbor, and all the harbors in that vicinity.

Examined, territory of Oregon, &c. &c.

San Francisco, Sacramento.

Ladrones. Wakes, Guaan, Assumption.

Madeira Island.

Soolos Islands and Sea; Mangees, Straits of Balaback, Balanguay, Ribo, Banca, Bunda, Casper, Bur-

bon's Island, Hunter's, Barney, Favorlis, Luis, McKennie's, Straits of Barandena, Vasquer Island, Pylstaarts, Sunday.

Rio Negro, Cape Horn, Orarbor, &c. Hange Antarctic Continent.

Loss of the brig Union, of Mystic, Connecticut, Captain Joshua L. Stevens, of Stonington Point Connecticut:

The UNION was cast away on the south side of the most southern of Prince Edward's Islands, on the 28th of October, 1841, *all the officers and crew saved*. William H. Eldridge, second mate, and John Weller, George Hall, Edward Nicols, E. McIntyre, and J. Antonio, seamen, being part of the crew, took the boat and went over to the Northern Island, in hopes of finding a vessel to proceed and take off the captain and crew. They remained there until the month of February, when the English schooner Regent Packet, of Cape Town, took them off, but could not reach the Southern Island, where the captain, (Stevens), the first and second mates, Patrick and Austin, five Americans, and the others, foreigners, were left in October.

Eldridge, Hall, and the other four above named, were placed in charge of the American consul at Cape Town and taken on board the Liverpool ship there in April, 1842, for passage to the United States.

Eldridge states that he found on the North Island the mate and four men of a Portuguese brig, formerly the American brig Athenian, which was cast away there in August, 1841. Captain and twelve men lost.

The islands (Prince Edward's) afford sea elephant, seal, penguin, albatross, &c. The men were comfortable, having made huts of grass and turf, and covered them with the skins of the elephant. The flippers, heart, &c. of the elephant were made into pies, and the blubber used with grass for fire for cooking and keeping the men warm.

There is an abundance of eggs which are deposited by the sea fowl—so those left behind are not likely to freeze or starve before they are taken off.

Vessels go there after the elephant oil, seal skins.

Our whalers cruise in that vicinity, but seldom or never communicate with the shore.

POLITICS OF THE DAY.

LETTER FROM MR. C. MORRIS, OF OHIO.

FROM THE HOCKING VALLEY (OHIO) GAZETTE.

Washington city, May 24, 1842.

DEAR SIR: Although I have for some time been rather a silent observer of the ruinous condition of the affairs of our beloved country, I have not been an indifferent one. For some time I have been convinced of the importance of a speedy and efficient effort on the part of the people to rescue the country from the oppression and ruin in which party strife and party bickerings have involved us; but we have had been the shackles of party, thrown around every man in public life, that I too find it almost impossible to sever the cord.

Party spirit and party strife, to a reasonable extent, are commendable and praiseworthy, and ordinarily impart a healthful influence over the whole body politic; but there is a point beyond which they become destructive to the interests, and even the very liberties, of the whole country; and I cannot but feel that to that point we have nearly arrived. So long as party strife for the object the accomplishment, or carrying out, of important measures involving the true interests of the government, so long should it be cherished and encouraged; but just as soon as these great principles are lost sight of, and the political interests and promotion of men are substituted in their stead, then it is that ruin and distress follow in the train. Such I conceive to be the present state of things: the contention seems to be for men, and not for measures.

For months the inquiry has been abroad among the people, from one end of the union to the other, "Why does not congress do something by which the people and the country can be relieved?" I answer: it is not because its members do not labor intensely from day to day; nor it is because they prefer their case to the service of their constituents, but it is simply because party spirit and party considerations have insinuated themselves into all the public business of the country, and have acquired such control over the actions and transactions of public men, that every other consideration yields to their all-absorbing and controlling influence: so much so, that when a proposition for the relief of the country is submitted, the inquiry is not, will it meet the wants and subserve the interests of the people, but will it operate for or against this or that man's pretensions to the *presidency*? will it impart to, or diminish from, the party more or less *power*? Hence the protracted discussions, personal slander, and abuse in the legislative bodies throughout the country.

In this state of things there is but one course for the people of this country to adopt, and that is to place their seal of disapprobation, in terms not to be misunderstood, upon the course pursued by some of the leaders of each party in and out of congress to promote the interests of a few individuals who are aspiring to the presidency at the expense of the whole country. Then, and not till then, will their business be attended to and their rights protected.

The people must demand a speedy and speedy action on the part of their public servants, and he who throws himself in the way of that action ought to take the consequences.

It will be time enough to select the candidates for the presidency after the country is righted up and the people relieved form their sufferings and embarrassments. It does seem to me that no patriot, no lover of his country, no American citizen, ought to stop to inquire, "who shall our next president be?" while the country bleeds at every pore. Very respectfully, your obedient servant,

CALVARY MORRIS.

LETTER FROM THE HON. CALVARY MORRIS.

FROM THE CINCINNATI GAZETTE OF THE 13TH.

Washington, June 4, 1842.

DEAR SIR: I return you the Athens Gazette which you handed me last night, and will not withhold the expression of my hearty approval of the sentiments contained in Mr. MORRIS's letter to the editor. They are such as denote a patriotic heart and mind. With an embarrassed treasury, commercial prostration from a state of plethora to a condition approaching the opposite—with a broken up and disordered currency, arising from the bursting of those numberless bubbles which for past years have appeared in their chase the whole country—with the mechanical arts greatly prostrated, and industry suffering an extensive paralysis—with the greatest and most important questions now pending, both foreign and domestic, which at any preceding time have engaged the public functionaries—in this a time for the spirit of faction to be exclusive, or for the country to be agitated by the question of who shall succeed to the presidency three years hence? Personal abuse of myself has entered largely into the discussions in and out of congress. This is a man who may be in this office may be ready to expect; but I should be most ready to compromise with my bitter assailants in congress by seeing conceded to them any portion they may wish or demand. I fear the dignity of their insurpassed eloquence in abuse of me, if the residue of their time could be given to the public good! Is this great end to be sacrificed to gratify a small clique of mousing politicians, who think that their petty schemes of hatred or ambition are of more consequence than the consideration of measures designed for general relief?

I intended, however, only to express my approval of the sentiments contained in Mr. MORRIS's letter, and I find myself betrayed into the above remarks.

Accept assurances of my highest respect.

JOSEPH GRAHAM, Esq. JOHN TYLER.

AMERICAN LABOR AND A TARIFF.

From the Poughkeepsie Eagle.

CORRESPONDENCE. Among the gentlemen invited to address the recent tariff convention in this county was the name of Mr. Gilbert Livingston of this place. He was absent from New York at the time, and did not receive the letter until it was too late to attend. The following is his answer to the letter of invitation. It will be read with general interest.

New York, June 4, 1842.

GENTLEMEN: An absence from home the last month prevented the receipt in due time, and delayed an earlier answer to your very kind letter, requesting me, "in compliance with a general wish, to attend a mass convention to be held in the county of Dutchess on the 18th of May by the friends of the protective system, to adopt measures to secure the permanent protection of American industry, and desiring me to address the people who may be there assembled."

I am gratified with this invitation to meet in public assembly the intelligent inhabitants of Dutchess, the county of my nativity, and a people among whom I was nurtured, and from whom I have received so many tokens of regard. They know that more than twenty years ago, and since, my voice has been unceasingly hazed, and oftentimes, and in different places, as their representative, to put forth and support the great principle of 'protection for the home industry of the country.' My feelings recur to those circumstances with delight, and you do me but justice in saying, "you believe I concur with you in sentiment, and that I have at heart the objects you are seeking to promote."

The resolutions adopted at the meeting I have seen. They were honorable to the individuals concerned, and worthy of Dutchess county.

It is no new belief with me that all the essential interests of the nation require ample and steady protection to be given to the home industry of the country. Without such protection, agriculture cannot prosper, commerce will sink, and manufactures must perish!

A bountiful providence has bestowed upon us every blessing—a country extended and embracing every variety of climate, soil and production—bounded on the wide Atlantic, having a lake coast surpassing its extent, and equal in utility, with numerous navigable rivers, and internal communications through a land of unequalled fertility.

We are spared by the same benificent providence from war, pestilence and famine. Yet who will doubt, that "we have been left to ourselves" and by our own nets and doings the country has been brought to its present distracted, depressed and degraded condition? Party strifes show their fruits in the manner and conduct of too many of our public bodies; explain the willingness of individuals to countenance insurrection, abet domestic rebellion, encourage the lawless into action, and give importance to the people and idle sympathisers among us, and on our Canadian and Texan frontiers.

Such individuals and all such classes of society, are a premium of better circumstances in any alteration, even though it be a foreign war, or domestic revolution. It is the sacred duty of a government to encourage and protect the labor of the country, and such protection, by giving employment to every condition of individuals, secures prosperity, and proves itself to be a *measure of peace*. .

War is known to be employment and *protection of the highest order*.

Under our constitution our *coasting trade* has been protected by laws prohibiting any foreign vessel trading from *one* point to another. In the last twenty years, under our constitution, the tonnage in our coasting trade has nearly trebled. Under the same constitution, "free trade" has been let into our commerce with foreign countries; our population has increased in the same twenty years, yet the tonnage of our vessels in foreign trade has *not increased*, while the British vessels in our trade have increased to more than one-third of the whole amount. Such measures are destroying our commerce and breaking down our shipping interest. Ship building is entirely suspended, and more than 500 vessels are now lying in the docks of New York; while English vessels find employment in the West India trade, recently lost to our vessels and the market to our produce. "*Free trade*" on one side only, is as destructive to our commerce as *free pasturage* would be to agriculture. I differ entirely from those measures which have opened our ports; and, in a degree, extended a FREE TRADE to those nations which refuse to us a similar reciprocity. The system of discriminating duties in favor of our commerce, and the labor of the country, ought not to have been given up to those nations whose commercial regulations shut us out from their ports, or impede our trade by high duties. The consequences are ruinous to our commerce and to our people.

The fire of 1835, which burned in one night twenty millions worth of property, was an affliction less severe, on this city, than the change of measures and the adoption, by party, of a principle hostile to the prosperity of the industry of the country—This latter affliction has been common to the nation at large. Commerce is depressed—currency derange—agriculture without a market—manufactures ruined—commerce without employment—bankruptcy prevalent—internal improvements stopped—states repudiating their debts—an empty treasury, with its notes under protest; and the nation, in time of profound peace, chaffering with brokers and usurers to borrow money for its current expenses. Surrounded with every blessing, and abundance from the hand of Providence, these are among the fruits of our own sets, in the course of administration, and the altered system of legislation. Such are the legitimate effects of the non-committal, stand-still, do-nothing policy which has been pursued by our government. Experienced mercantile men tell us, it is believed that one hundred and fifty millions of dollars would be inadequate to make good the loss to the city of New York alone the amount of losses in the varied pursuits of her industry, which have fallen to her share in this general calamity and destruction.

Under the depression of existing circumstances, a higher tariff of duties must now be required to provide *revenue* for the necessities of the government than any manufacturer ever before had assurance to ask. The matter of its discriminating assessment, has become the important point and material question, affecting the labor of the country.

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The clamor, by foreign sympathisers among us, that high duties were "a *burthen on the many for the benefit of the few*," caused wines, silks and other luxuries to be imported "*duty free*," and established an *uniform rate of twenty per cent.* on articles of necessary consumption, as well as on all those importations which can be produced within ourselves, and afford employment to our own labor. The result of the destructive experiment is before us, to the present depressed condition of the country.

The party policy of late years to talk 'free trade' and a 'judicious tariff,' while they deny the aid and protection of government, to the home industry of the country, leaves it to struggle in hopeless competition with the almost naked and starved labor of Europe, now brought, by the aid of steam, within fourteen days distance of our dwellings. It should be remembered that there the average price of labor is from 12 to 15 cents a day, without subsistence. This fact established, proves that the present condition, and without meat, tea, coffee or sugar, they are without a table, or any of the comforts of life, deriving a scanty and miserable subsistence from a wattle, and in a condition beyond the reach of the benefits of any school.

Immeasurable is the distance between the condition of American labor and that of Europe.

Having seen that, I have no desire to reduce wages and see cheap produce or cheap goods come from cheap labor. Let American labor, in its agricultural, manufacturing and manufacturing pursuits continue to hold its proud pre-eminence—with a home and a table filled with comforts, and surrounded with a family rising in distinction and intelligence, under the blessings of our free institutions and our public schools.

Under a steady and adequate protection, domestic competition with labor saving machinery and steam power, will supply the cheap goods at the lowest rate of production. The English periodical publications state, that steam power in use by men is equal to the added labor of forty millions of them.—Why shall "free trade" and a "judicious tariff" be permitted to glut our markets with the productions of such a mighty power, breaking up our importing merchants and regular traders, and depressing our home industry to the condition of pauperism, and leaving inactive the abundant intellectual and mineral wealth of our own country. With regulations designed to injure our trade and commerce, and with a duty on flour of $1 50 per barrel, on pork of $6, on rice amounting nearly to a prohibition, and on tobacco a duty of 1,100 per cent.—with all American feelings, can doubt the justice and the propriety of putting like duties on their cloths, silks and manufactures, to the extent of full protection for our home industry!

It is an assertion, I believe almost universally true, that all cases of ample protection have so stimulated domestic competition, that a supply has been produced at a rate below the lowest price of the imported articles. However, let those who think otherwise calculate which is the cheapest to the laboring man, a cent at the importing price, to be paid for by his labor at 15 cents a day, or, with the addition of a protecting duty, to be paid for at one dollar per day, the now average price of American labor, which I think tends to encourage and sustain in its present elevated condition.

The magnitude of this subject is taxing me beyond the limits of a letter. Allow me to urge you to persevere in the noble purposes you have undertaken, and to assure you I am, gentlemen, very respectfully, yours, &c. JAMES TALLMADGE.

To Messrs. Adam Henderson, Geo. Van Kleeck and others, central and corresponding committee of Dutchess county.

*NOTE—*Wages in France.* Calais, common laborers 7½d. (or 15 cents) per day, with board and without dwelling; Boulogne, 5d. per day, do. do.; Nantes, 8d. per day, without board and without dwelling; Marseilles, 4d. to 7d. per day, with board and without dwelling. The food in some districts "consists in rye bread, soup made of millet, salad, made of Indian corn, *now and then* some salt provisions and vegetable; rarely, if ever, butcher's meat." In others, "wheaten bread, soup made with vegetables, and a little grease or lard twice a day, potatoes and other vegetables, but seldom butcher's meat."

Sardinia. "The daily wages of a skilled agriculturist are 7d. and 8d. whilst the unskilled obtain no more than 3d. or 4d. and board themselves. Agriculturists in the southern provinces live upon salt fish and potatoes; in the northern provinces, porridge and rye bread form their food."

Bavaria. "Laborers are paid at the rate of 8d. per day in the country," without board.

Belgium. "A skilled artisan may earn in summer 1s. 2d. to 1s. 5d.; in winter from 10d. to 1s. 2d. unskilled half as much, without board, live upon rye bread, potatoes and milk." Agricultural laborers have less.

Germany. Dantzig laborers 4d to 7d. per day, without board; Mecklenburgh 7d. per day do; Holstein 7d. per day, without board.

Netherlands. South Holland laborers 3d. to 4d. per day with board; North Holland 2½d. per day without board; Antwerp 50c. per day do., West Flanders 96c. to 104c. per year, with board.

Italy. Trieste laborers 12d. per day without board, 6d. per day with board; Istria 8d. to 10d. per day without board, do. 4d. to 6d. per day with board; Lombardy 4d. to 8d. per day do.; Genoa 5d. to 8d. per day do. and without lodgings; Tuscany 6d. per day without board.

Saxony. "In 1837 a man employed in his own loom, working very diligently from Monday morning to Saturday night, from 5 o'clock in the morning until dusk, and never at his wheel with a lamp, his wife assisting him in finishing and taking him the work, could not possibly earn more than 20 groschen (about 60 cents) per week. Nor could one who had three children, aged 12 years and upwards, all working at the loom as well as himself, with his wife employed doing up the work, earn in the whole more than $1 per week."

DISTRESS IN ENGLAND, 1841. *Value of labor. Condition of the working classes.* This statement comprises Bonhill and Alexandria; Renton is included in the 1 labors of another committee acting for Cawdra's parish.

4 persons at 7½d. per day.			96 persons at 3½d. per day.		
21	5½d.	63	"	2½d.	"
11	5½d.	" 133	"	3d.	"
14	5½d.	" 125	"	1½d.	"
14	4½d.	" 128	"	1½d.	"
11	4½d.	" 31	"	1d.	"
11	4½d.	" 28	"	1d.	"
31	4d.	" 9	"	1d.	"

And there are 65 with nothing at all.

This statement is an average of wages for twenty-eight weeks, and the number of persons in each place at the respective averages. Trade it is stated is getting worse every week.

[*Renfrewshire Reformer.*

THE TARIFF.

MR. SALTONSTALL'S SPEECH,

IN COMMITTEE OF THE WHOLE HOUSE, JUNE 17, 1842.

From the National Intelligencer.

MR. SALTONSTALL was entitled to the floor, (under the motion of Mr. HAMMONS, who had yielded it to him on a former day), and now addressed the committee.

MR. SALTONSTALL said the subject had been so long delayed, and was of so great importance, that he felt it his duty on the first opportunity to say what he had to say to the committee, which must be brought within a very short time on account of the rule which has been adopted. He had yielded to himself and on the part of this committee that before this rule had been adopted—and for which he had no fault, although he thought it would have been more fortunate if it had been delayed a few days till the general subject had been considered—he congratulated the house that it was not adopted until the chairman of the committee of ways and means (Mr. FILLMORE, had had an opportunity to give his views and the views of that committee on the bill which he had reported.

If the bill reported from the committee of ways and means had not been taken up, Mr. S. would have felt it his duty to have gone at large into the subject; but now his remarks must be brought within the hour, although he felt impossible, in treating of the subject, to go into more than a general view of the bill he had had the honor to report within that space of time.

Mr. S. had not made the motion to amend the bill reported from the committee of ways and means with any hostile feelings towards that bill, or with any view to produce embarrassment; and if, in the consideration of the subject, it should be found at any time that it would be an impediment to the consideration of the bill from the committee of ways and means, he should, without any hesitation, withdraw the motion he had made. The house and the committee must see at once that it was of the utmost importance that they should very shortly, and with but little delay, come into the consideration of the sections and the details of the bill, and that it would be the height of absurdity to undertake to pass this bill in the manner in which they had been compelled to pass many important acts of this congress.

It was not necessary for him to make a remark on the importance of this subject; it must press itself on the consideration of all, as well as the importance of acting on it without delay, both as respects the treasury and the people of this great country, and every condition of people in the country. The treasury was empty, they all knew; our revenue fell short of our expenditures; and when we talked about a debt on us, whether of 18 or 20 millions, it was going on and accumulating from day to day and month to month, and at the end of every month while this congress had been in session the debt was perhaps $1,000,000 greater than at the commencement of the month.

That was the condition of the treasury. What was the state of the credit of the country? Who could think of the credit of the country without mortification? That the credit of this vast nation, with its resources, its industry, should not be worth a dollar of any nation of the globe, and inferior to that of any individual in the country; that at this very moment it was difficult, as was stated for the secretary of the treasury to hire money at 6 per cent. interest, while Great Britain, encumbered with a debt of thousands of millions of dollars, with no annual expenditure of over $300,000,000, and with the necessary interest of her debt near $150,000,000, should be able to hire money at 3½ to 4 per cent. interest, while this nation, on the London exchange, on our own exchanges, in Great Britain, France, everywhere, was unable at this time to borrow money.

That was the state of our credit. As to the causes of this it was unnecessary to remark. Who doubted that if they should pass this revenue bill now—if the bill from the committee of ways and means or from the committee on manufactures should pass into a law, that the credit of this country would at once be restored—that our nation would be able to borrow money to any extent at the lowest rate that any country or individual on the face of the earth could hire money? It was, therefore, indispensably necessary that there should be action on the subject of the tariff. The wants of the treasury and of the people alike required a thorough revision of the tariff, and it should be done immediately.

He had spoken of the treasury, let him refer to the condition of the country. They had been here six or seven months, pent up, without the means of knowing the actual observation and witnessing themselves the condition of the country, (and he considered it a great misfortune that congress sat where they had not the means of knowing it); but they could avail themselves of the means of information within their power—of the newspapers from the various quarters of the country. They found that it was in an unparalleled degree depressed; that every branch of industry was paralyzed, and every kind of business in a state of stagnation. What branch of business could go on? Could the manufacturing interest of this country go on with any degree of confidence? Could the farmer look at the wheat and stalks of our large cities they saw that when our ships came in they were put in there as it was under the operation of the embargo. Why was it? Who could send a ship abroad with any degree of confidence as to what amount of duties it would have to pay when it returned, or whether it would be cash duties or the ordinary credit of three or six months, or the accommodation of the warehousing system?

These circumstances had produced a degree of depression on the country. But time was so precious that he could not enlarge on these topics, so excessively interesting. The whole country felt it so. Their table was laden with three or four hundred petitions; the tables of the committee on manufactures and of the committee of ways and means were laden with hundreds of petitions; and they came not from any one interest of the country alone; for otherwise; they were from the manufacturing; from the great mechanical, from the commercial; and from the agricultural interests—from the east and from the west, from the north and from the south. This very morning a petition had been presented, signed by six or seven hundred citizens of old Virginia, asking for a tariff which might operate incidentally for the protection of the domestic industry of the country. As to the state of public opinion on this subject, there could no longer be any question. A vast advance had been made since they came here. At the commencement of the session, it appeared that it was thought in some quarters that we were to struggle along as well as we could under the compromise, which made these gradual reductions of one-tenth and struck the final blow on the 30th June—that we must go on and try it. But now how was it? A close observation had satisfied them that, while the treasury and the wants of the country required an increase of duties, their interests cooperated in this, and that the good of the country

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and the prosperity of the union required that there should be a revision of the tariff, and such a rate of duties imposed as, while it brought a sufficient amount of money into the treasury to carry on the government, would at the same time operate to the protection of the vast interests now put at hazard.

As to the deficiency of ways and means, the chairman of the committee of ways and means had stated to them that, since 1834, under the operation of the compromise act, there had been a deficit of the revenue from customs towards meeting the expenditures of government of $53,000,000. In 1834 there was a deficit of 2,000,000 dollars. Mr. S. considered that it was the duty of congress at that time to have stopped at once the operation of the compromise act; and that, by the very spirit and genius of the act itself, it was an act relating to the revenues of the country, and providing for the support of this country; and in terms it provided that, from and after such a day, there should be no more raised in that way than was necessary for an economical administration of the government. The great purpose of the act was, that there should be sufficient revenue raised by imports to meet the demands on our government; and therefore, in 1834, when there was a deficiency in that year of 2,000,000 dollars, did it not become the duty of congress to look into it? In 1836 also there was a deficit of 3,000,000 dollars, and yet that year was suffered to pass by without a provision being made by congress. The next year there was a still greater deficiency; and in 1838 the receipts from customs were 16,000,000 dollars, and the expenditures were 31,000,000 dollars, and so on from that time to this. This was perfectly well known to the government. It was known to the head of the treasury department, and by him reported to congress. And yet what was done? what was recommended by the government? Mr. S. said this with no party view whatever; he was a Whig himself. He hoped that they might avoid altogether in this debate any unkind allusions that would interfere with the consideration of this great subject; yet, as a matter of fact, he had stated that nothing was done to check the course of expenditures or supply the deficiency in the revenue; but, on the contrary, for some extraordinary reason, the whole of the current means were used, and they fell back on one resource and another, until every source of revenue was exhausted, and the treasury was left empty.

The deficiency for 1842, under the present laws, as stated by the secretary of the treasury at the opening of this session of congress, would be 14,000,000 dollars, supposing no additional provision to be made. As to the amount of debt, it was generally, he knew it was 17,000,000 dollars, or would be that, at that amount of loan had been authorised. At the last report there were outstanding 20,000,000 of treasury notes. The president, in his last message recommending a repeal of the distribution law, had reported the amount of debt at $18,000,000, and Mr. S. asked whether there was a member on this floor who had the slightest doubt that the debt of this country, if liquidated, would not fall short of $25,000,000; or near that amount. So that we were not only living on, from day to day, a deficiency in the revenue, but were actually encumbered with a debt of no inconsiderable amount. The interest of which, it appeared from the report of the secretary of the treasury accompanying the bill which they had received from him the other day, would be 1,000,000 dollars, and the interest and principal to be met within three years to come, would be over 20,000,000 dollars.

How much revenue, then, was to be raised? We were obliged to raise at least the sum stated in the report of the committee on manufactures, at least $26,000,000 or $27,000,000. All agreed in this who had paid any attention to the subject, and he believed that a portion of this committee were satisfied that it would be found impossible even to reduce expenses within that amount. The secretary of the treasury had estimated the amount which his bill would raise at $27,500,000 in addition to the avails of the public lands. And in the senate, the distinguished senator who had considered the subject on the resolutions which he had there introduced was of the same opinion, that, retrench as far as they might, still the government could not get along with less revenue than $27,000,000. Could this amount be reduced? They had heard a good deal of retrenchment and economy, and they all went for it where they thought it was required; but had they any assurance that there would be any retrenchment to any considerable degree, or that there could be? They knew what they had done with regard to the army and navy, but would the other branch concur in it? What would be the result no one knew. As to the navy, he ventured to predict that there would be no reduction in that establishment, which had fought itself into so great favor throughout the land. He believed if they were to poll the country they would find nine-tenths of the people, certainly in the north and east, who would say excises or direct taxation, rather than reduce the navy. But they might hope that there would be retrenchment to some extent, and there ought to be, so far as it could be done without injury to the public service. They ought, however, to be prepared for a reduction of $27,000,000 supposed retrenchment. The annual expenditures for the last five or six years had been at least $28,000,000; and the expenses in some years had run up to $35,000,000, $36,000,000, or $37,000,000, including however a portion of trust funds and some contingencies, just such as must in all probability arise in the administration of the concerns of this government. He thought they ought to be able to have a bill which would bring into the treasury from year to year, especially taking a series of years, an average amount of not less than twenty-seven millions of dollars.

What amount would be raised under the present laws? The secretary of the treasury told them $15,600,000. Mr. S. thought that amount too large. The importations would be greatly reduced, and for various reasons, which he could only state. It was thought that the importations would be greatly reduced, first, by the operation of the compromise act of the tariff, which operated to check commercial adventures, and then the great over supply of all articles of importation, whether from Europe or from the East Indies. The state of the country would also greatly affect it. He might go into the question how we were to pay for the importations? Heretofore we had received the 1,000,000 credit; there was no more to be received in this way, but we had and ought to pay the amount of interest on this, which would probably amount to some six, eight, or ten millions per year. As he understood the report, he might remark on the low prices of all the great articles of exportation from this country. It might be suggested that, under the tariff which sir Robert Peel had introduced, there would be an increase of importations into that country. Mr. S. was satisfied that it would have no such effect. There might be some items that it would increase the importation of—such as flour, for instance. He believed that these were all the articles which it would increase the importation of, and they could not be relied on at all as a steady exportation from this country.

Under these circumstances, the subject had come to the committee on manufactures. They had considered that they were called on to report a revenue bill, not merely a bill for protection to manufactures, as had been suggested over and over again. What had been referred to that committee? That part of the president's message relating to discriminating duties. What was they to do, report a bill in part, without considering the whole subject of the tariff? It was found at once to be impracticable. The resolution referred to, which was the ground of reference, that they were to go into the consideration of the subject fully. They accordingly went into the subject, and had given to its consideration as much time as they possibly could, and satisfied themselves of all the lights within their reach; and in due time, after repeated and, as he thought, most unjust intimations from this house of delay, they reported a bill; and as early was it reported, that he was congretied that it had been as soon by several weeks, because, if it had been taken up for consideration, it would be necessary to have a considerable time given to it. The committee had called on the house to adopt a resolution authorising them to send for persons and papers: the call was refused. He felt it his duty to state that if the resolution had been passed, in all probability a report would have been presented much more full and much more comprehensive than had been in their power under the circumstances. It was a matter of great regret, that great amount of information had came to their possession, which would have enabled them to make a report of a satisfactory nature that would have been full of interest, and to such an extent that he even contemplated, after the adjournment of congress, if he found leisure, in some form or other, to present it to the public.

The great question arose to that committee, on what principle they should proceed in preparing this tariff act, and the compromise had first come under consideration. The committee were desirous of carrying it out if they could; they knew very well the circumstances under which it was made, how many men had taken a deep interest in it, and the motives, pure and patriotic, whether mistaken or not, in which it originated; and therefore their attention was called, and closely called, to the consideration of that act. The first thought was of the requisition of that act that, after the 30th June, all duties should be assessed at 20 per cent. of valorem, and by the home valuation. The committee made inquiries with regard to this home valuation, of different classes in community, of all who came before them, and of merchants in particular. From one end of the country to the other a correspondence was opened, and the committee learned that, without exception, it was the opinion of all with whom they communicated, that the home valuation was impracticable; and some of the reasons for which were set out in their report, and he intended to have dwelt on them, but he could not, his time being so limited. The committee on manufactures, therefore, felt it their duty to abandon this principle of home valuation, and the secretary of the treasury and the committee of ways and means had come to the same conclusion. It was understood that the committee on the senate had been examining this subject almost from the commencement of the session; no report had been received from them, and the only chance of any thing practicable on the subject was from the report of that committee, should it be made, and find favor in congress.—But the opinion of the committee was, that it could not be done; that it would be attended with so many difficulties, different valuations in different ports, and would create such a set of appraisers, &c. that it could not be carried out, and that the only substitute to be resorted to was by adding a certain per centage to the invoice. But he could not dwell on it.

The question, then, was, how should duties be imposed? By a new rule, or as heretofore? By the compromise act all the duties were to be reduced to 20 per cent. ad valorem. This would produce a great change in our system—a system designed, at least in part, to last for a long indefinite period for protection. If this rule were adopted, they must go on the ground that this idea had been abandoned, and a tariff only designed for revenue was to be made. But if it was to be resorted to, the first follow must be a radical change would be necessary. Not at all. They could not make any change, however slight it might be considered, without affecting a great multitude of interests, and which would be followed by consequences which they could not anticipate. It had been the practice to make discrimination, and they had discrimination in duties in our system of all enlightened commercial nations. It had been so in our government, from the first act of congress of 1789 down to the very last act, except the compromise, and even a discrimination under 20 per cent. was contemplated in that.—He knew that under the first act of congress the duties were imposed on different grounds, part being specific and part ad valorem, and he was aware that over and over again we had been taught that it was for the protection of our manufacturing, agricultural and other interests in this country.

It was said that the compromise act had changed the policy of the country, and that it was beneficiary there were to be no specific and no discriminating duties imposed. Was it so? He contended the very contrary. That it would be most unwise and injudicious legislation; legislation it could be called, not binding on any future congress, and that it would not be their duty to vote for continuing that act if they were satisfied that it was unwise and injurious to carry it out. He contended that it had not changed the system in this country. It had done nothing more than give notice (if he might be allowed the expression) that a change was contemplated; that there was a system they were disposed to try, and which was an experiment. What was the situation of the country at that time? If the framers of that act had contemplated such a state of things as we now beheld, and as had existed in this country for several years past, they never would have adopted that act. Read the report of the committee of ways and means at that time, and of the secretary of the treasury in his plan of finance. What was the amount of annual expenditures of the country, as estimated then by the chairman of the committee of ways and means, a gentleman from South Carolina? He put it at $11,000,000, and the highest estimate was $18,000,000. Was there a man who voted for that act who could have said, in the course of seven or eight years the expenditures would go up to $30,000,000 and upwards? Not at all.

This system therefore had not been changed; a change was contemplated, notice was given to the country that if it should answer the purpose, if it should satisfy the authors of this experiment, that at this time, in a few days, the act should be passed which would collect the duties in the manner he had stated. But its success had not been such as to encourage them to make any effort to carry it out; it had been attended with many most disastrous consequences; it had been a most unfortunate measure. He spoke plainly, and that after four or six months' consideration of the subject, to which he had come with different opinions. He felt that he was speak-

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ing to the country, and not with reference to any particular interest; but he was speaking what he knew, and from all the information he had on the subject, when he said that the operation of the compromise act, owing to a state of things which did not exist at that time, had been most unfortunate and most disastrous; and this committee, if they would read the report of the committee on manufactures, would be satisfied of it. It appeared from many of the petitions that had come to them from various interests, that they were in the last trial in the cruelties to show whether they could live or not. They showed the manner in which the iron establishments had gone out; that the glass works had been reduced two-thirds; and so he might go from great to small through different branches, and might appeal to the knowledge of gentlemen who came from different sections of the country that it was so; and that, so far as the manufacturing and mechanical interests were concerned, this act had been any thing but fortunate. And this was not merely the case with the manufacturing interests.

Was there any interest more important to be preserved than the great interest of coal, which, by the blessing of Heaven, we found from one end of our country to the other, to supply fuel to the end of time, when our forests had fallen before the march of civilization and settlement? Should it remain in the bowels of the earth because coal could be imported from foreign countries cheaper? Let him show a statement from Virginia, from which he had but little time, and his remarks must be brought to a conclusion before he had entered on the subject; but he could not forbear to refer to this. On page 7 of the report of the committee on manufactures find a statement from those interested in the coal business in Virginia showing the amount sent to market from 1820 to 1841, inclusive; that it increased from 1,350,000 bushels in 1822 to 4,000,000 in 1833, and was then reduced to 2,000,000 bushels in 1841; and in another column showing the importations of foreign coal during the same period, that it had swelled up from 966,644 bushels to 5,000,000 bushels per year, under the operation of the deductions of this compromise act. And in this it was stated that if duties were brought down to 30 per cent. it would be impossible for them to continue this business.

So it was with sugar and various interests of the country to which he had not time to advert.

He had come to the conclusion that a 20 per cent. ad valorem duty would be wholly insufficient to produce sufficient revenue, and that it would be fatal in its effects to many of the great interests of this country.

Mr. S. would make a single observation on the amendment of his friend, (Mr. HARDSHAW), for whose opinions he thanked him. The amendment which the gentleman had moved proposed an addition of 10 per cent. on the foreign invoice and a duty of 20 per cent. on that, which was equal to 22 per cent. ad valorem. This retained all the inconveniences of the ad valorem system, and would be entirely insufficient, according to the view he had taken, by yielding the necessary amount of the revenue.

In what manner, then—and this was the question of the greatest interest—could duties be so levied as to be least felt by the consumer, and at the same time the burden be partially counterbalanced by the advantages of the duty itself? There were many objections to the ad valorem duty. One was, that the duties would not be collected; it would effect a loss of revenue; that there would be large frauds; that would be committed. Frauds to an immense amount had been committed by this mode, not with respect to woollens alone, but extending to glass, cutlery, cotton, and all the great articles imported. With respect to woollens, it had become a system, and by it the government was defrauded of revenue, and the manufacturers deprived of the protection which the government had always intended they should have the benefit of. The manufacturers had been sensible of this for a long time; and in the statements and petitions made, he believed all those interests preferred a specific duty equivalent to 30 per cent. rather than actual ad valorem duty of 30 per cent. Our merchants concurred in this. Mr. S. believed it was their opinion throughout the country, that specific duties were advisable; that they were most certain and equitable; and that it is better for the community that duty should be equal throughout every portion of the country.

Mr. S. had intended to refer to the reports of the commissioners, made after a long examination, of the officers of the New York custom-house. They came to the same conclusion. But he could merely read a single sentence. Mr. S. then read the following from the report of Messrs. Kelley and Stewart:

"But in assessing duties, by any system of valuation, so much depends upon the erring judgment of men; so great and frequent are the changes in the character, description, and value of goods; and so liable are men to be misled by local interest, partiality, prejudice, or intentional deception, that any system of ad valorem duties seems to be liable to insuperable objections.

"The question naturally presents itself, 'what system can be adopted which will obviate these objections, and better accomplish the great objects of establishing uniformity and preventing fraud in the collection of import duties?'

"To this question we unhesitatingly answer: '*A system of 'SPECIFIC' duties on all articles susceptible of being so described and classified as to render the duty certain, and the rule of duty approaching to uniformity in its operation to the extent of practicable, so far as such uniformity may be considered important.*'"

The experience of other nations, continued Mr. S. was not to be slighted on a question like this. They all know that their duties were specific. In sir R. Peel's bill lately introduced into parliament, they found the duties almost entirely specific. This was the result of the experience of the great commercial nation on the globe. The same mode prevailed in France, Russia, Germany, and everywhere. Then, was it a time for us to run adrift with an experiment contrary to the experience and to the opinions of the treasury, the collectors of customs, the manufacturers and every one conversant with the subject? To try this experiment of ad valorem duties would be insanity.

But there was a strong prejudice in some portions of the country in favor of the compromise act, and therefore the committee were so disposed to frame their bill as to adapt it to the known possible objections. He had intended to read the resolutions introduced by the gentleman who had rendered so efficient service in the house and to the country, on which this bill was framed. The first clause provided for a 30 per cent. ad valorem duty, embracing an immense number of articles, many of which were of little importance, and yet adapted to the principle for as much uniformity as possible. The great principle of it was, that they should be as nearly alike as possible, and that, as the duties were before the last reduction of 3-11 per cent. they had brought the duties to what they were in 1840, with the hope that we would be able to struggle along and live and breathe. But it was now satisfied that they ought to have gone back to the duties as they were 1837, or at least as in 1839. But this was the principle on which the bill was founded, with the hope that it would bring sufficient revenue into the treasury, and that, by retrenchment and rigid economy, the government could be carried on under that deduction.

The amount of dutiable articles by the secretary's bill was $93,000,000, by the bill from the committee on manufactures, $90,000,000. So we would say that the bill as reported would be wholly insufficient for the revenue of this country. The bill accepted by the importations of 1832, would only yield a nett amount of revenue of $22,687,000; the bill from the committee of ways and means was estimated to raise an amount of $27,500,000. The committee would add to it portions of the bill from the committee on manufactures how easy it was to amend it. There was no duty in the bill, as reported, on tea, coffee, hides, skins, quicksilver, &c. The amount of imposts on these articles in 1840 was $18,270,000. The differences in this way between the amount of the two bills were accounted for.

It might be said, why report a bill without a duty on tea and coffee? A portion of the committee were satisfied that there must be a duty on them; but a majority of them were not disposed to report it, hoping that we should be able to get along without it. The bill was framed on the idea that a duty on tea and coffee might be added to it, and then the duty would be no more than the revenue required.—Adding for a duty on tea and coffee and other articles, which were reported in the secretary's bill, an addition would be made of $6,000,000, making a difference of only $94,000, and that in favor of the bill from the committee on manufactures. For one, he was satisfied, although he could not dwell on the subject, that they must impose a duty on tea and coffee, and that they could not provide a sufficient revenue without. If gentlemen would avoid a continuance of this state of the treasury, he was sure that no man who felt for the country as he ought to feel could refuse to go for a duty on these articles—a duty which would pour into our treasury a large sum of money in a manner which would be less felt than the same amount in any other way would be.

They had heard that this was a protection bill—that it proposed a protective tariff. He had already intimated the course taken by the committee. They could not avoid opening their eyes on the subject. They did look to the interests of the nation. Who could legislate without it? The committee, when they were establishing this duty, inquired what would be the operation of it? They had no constitutional doubts on their minds; they considered that that question was settled—that the historical and the contemporaneous arguments were unanswerable; they looked at the debates on the act of 1789; and considered that they were conclusive—that they settled the question—and they did hope that there would be something settled in this country. They also knew that it was one of the great purposes for which the constitution was made. A committee on manufactures was established at the first session of the first congress, and petitions were then presented, and were now on the files of congress, for the protection of every branch of business.

The constitution was considered, and he now considered, that every part of this country and every interest was alike interested in this great subject; it was not only a question for the manufacturing, but for the agricultural and for the planting interest. They considered it as *the* great question of the country, alike interesting to all parties and classes throughout the country, and especially interesting to the laborer. It was the poor man's cause; and the question was whether, because he wants to buy his coat cheap, they would compel a man to work for 13 cents a day, as in England. The question was between the laborer of this country, and the respectable laborer—whether he should be enabled to give an education to his children, and dress them to go to church, or the distressed laborer of Europe.

In this light the subject was considered by the committee in framing the bill; they so fixed the duty that they hoped it would give a new stimulus to the country, revive its drooping industry, and move its stagnant waters; so that they should no longer hear of complaints throughout the land. Was there ever a country before that found itself like this under the blessings which it had obtained under this system? Free trade! There was no time for this. How had it operated so far as it had been carried out? He asked, what was our exchange, where foreign exchange had increased 600 per cent. and its effects on the coasting trade as connected with coal; to the increase of the coasting tonnage, within the last two years of 50 per cent. the coastwise commercial tonnage had increased only at the rate of 4½ per cent. and to its effects on various interests; but his hour was done, and he must submit to the rule.

Mr. S. having concluded his remarks precisely as the hour expired.

MR. HABERSHAM'S SPEECH.

IN GENERAL OF THE WHOLE HOUSE, JUNE 18.

Mr. HABERSHAM had moved to amend the amendment by inserting, in lieu thereof, after the words "be it enacted," &c. the bill which had heretofore been reported by him from the minority of the committee on manufactures.

Mr. HARDSHAW, who was entitled to the floor, addressed the committee during the allotted hour.

Mr. H. said he rose on this occasion under feelings of great embarrassment. This subject was one of great importance to every portion of our people, and to every portion of our vast country. It was a subject of the most comprehensive character, embracing, for the purpose of a correct decision, a great variety of facts and considerations; and when he recollected that he had not at his command sums like subject presented on this floor scenes which every man must regret; when he recollected the scenes which occurred, in consequence of the action of congress at that time, in the cities of the United States in which he lived; when he remembered the excitement which the action of congress produced there, and recalled to memory that not only boys, but men of excitable dispositions, were thrown almost into a state of resistance to government, but that the most sage and most discreet, the seniors and judges of the land, and the men of religion—all of those on whose wisdom and on whose consideration the country must rely in any great and similar crisis—were thrown into a state of like excitement, he rose under feelings of great embarrassment to address the committee on this subject.

From having taken that view of the immense importance of the decision to which they would in a short time come, he had devoted his time—days and nights—to endeavor, by the research after facts, to certain what was the truth in relation to this matter; and he had collected, by immense labor, and by the loss of rest, a variety of facts and tables—all which he deemed would have an important bearing on this subject—with an earnest intention to come at the truth, whatever it might be, or however profitable to one or the other portion of the union. He had submitted to that labor, as he trusted and most conscientiously believed, to ascertain and act on that truth. But, after the collection of all this information, after all this labor, he was, by the sudden action of the house, some two or three days ago, called on to pre-

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sent to them, within the space of one short hour, the results of all this labor. It was impossible to do this; it was evidenced yesterday in the fate of his honorable friend—for he most sincerely called him so—the chairman of the committee on manufactures, (Mr. Saltonstall), who had undergone on this subject, during the present session, most unremitting labor, and yet he was compelled from the limited time, almost to confess himself to the mere assertion of facts, without even being permitted to attest the truth of what he asserted.

Under the conviction that such must be the case, Mr. H. had voted against the one-hour rule. He believed that, as general thing, it might be beneficial; for he had seen during this session of congress, day after day, week after week, and month after month wasted, much of it by discussion which had nothing more to do with the point before this committee, before this house, or this congress, than any other point which might have been started. He had seen the time thus wasted in inquiry into the character of the proceedings or intentions of Martin Van Buren, Henry Clay, or John Tyler, which had no more to do with the subject under consideration than any of the matter that might be collected from the discoveries made by the exploring expedition. For himself he had not occupied one hour during this session. He had objected at this session to the one hour rule, and had voted against it. His feelings were first excited against it from the scenes he witnessed on this floor during the extra session, in which one of the most eloquent of Kentucky's sons was interrupted in the midst of a most eloquent and argumentative harangue on the subject before the committee, by some one rising and saying 'your hour has expired'—(the remainder of the sentence was lost to the ear of the reporter, as was the case in several succeeding sentences.) And Mr. H. then said that, with this one hour rule an instrument, like an electric rod had on this floor might clip the wings of the eagle.

Under these circumstances of embarrassment, Mr. H. was compelled to rise for the purpose of presenting to this committee the result of the labors of the last two months, and was compelled, after having prepared a speech, to make a synopsis of that speech, which, with the documents he had collected and put in his hand, he was obliged to tender and deliver to the reporter of the house for subsequent publication, that they might be presented to the house and the country. And he hoped the committee would consider the speech as delivered, [laughter]; or, in the language of a bill in equity, he prayed that it might be annexed to his bill of complaint, and be taken as part thereof, and that he might have leave to refer to it as occasion might require.

Having explained to the committee that the speech he was about to deliver was not his speech, but that that would afterwards appear, he would proceed, reserving to himself the privilege of making certain extracts from that speech, as a sample of the whole—he would proceed to deliver to the committee a speech, made up, in a great measure, from a report of the learned and venerable gentleman from Massachusetts, and a distinguished English statesman, sir Robert Peel.

Mr. H. would remark, in the first place, that an honorable friend from the state of New York had informed him, a few days ago, that when he should get the floor on this question, he intended to 'floor' him, (Mr. H.) He did not intend to give the gentleman a chance of flooring him. He intended to avoid this by availing himself of the experience which he had derived from a scene which occurred yesterday. A small man was assailed by another, and finding he was about to be threshed, he jumped behind the largest man in his neighborhood. The assailant was struck at him, he dodged round and round the large man, until the large man happening to receive a blow, the large man took up the fight, and the little man left them to fight it out. So in this battle with his friend from New York, he (Mr. H.) meant to jump behind the venerable gentleman from Massachusetts, and he would warn his friend from New York that, if perchance he should hit the venerable gentleman from Massachusetts, he would get a blow in return which would floor him; for that venerable gentleman seldom failed to give blow for blow, and generally hit the hardest.

One of the most objectionable features of this bill was that of the specific duty and the minimum principle. He would submit to the committee the opinion of the venerable gentleman from Massachusetts on this subject, whose opinions were very deliberately formed, and expressed, and communicated to this house some ten years ago, as chairman of the committee on manufactures, in which opinion Mr. H. did not believe the gentleman had changed to this day, because he was not conscious, since he had been in the house, that the gentleman had changed one opinion. He therefore would quote from a report made by the gentleman, as chairman of the committee on manufactures, in 1832, which might be found in the "reports of committees," 1st session, 26th congress, volume 5. Before he proceeded to read the expressed opinion of the venerable gentleman on the subject of minimum and specific duties, he would remark to the committee that the same reasons given as objections to the minimum duties, would, at least, apply with equal force, equally as strongly to specific duties. Whenever the quality of the articles varied, then the objection to specific duties, which made no discrimination between the low and high priced articles, would apply; and this bill, as well as the bill from the committee on manufactures, and the bill of the secretary of the treasury, were made up, in most cases, of specific and minimum duties

On that subject the venerable gentleman from Massachusetts (Mr. Adams) used language that he would now quote, and he did it that it would not be said that these were theories of southern men, and got up for effect. He did it for the purpose of showing that it came from a quarter where no undue bias could be charged, although it would have been much more gratefully received by some gentlemen if its learning had been the other way. The gentleman's report proceeded as follows:

"The committee, after a full and deliberate consideration of the arguments submitted to them by several of the most eminent of the manufacturers, concur with the secretary in the opinion that the system of graduated minimums upon the manufactures of woollens ought to be abolished. This system appears to a majority of the committee to constitute the great cause of complaint on the part of the south against the existing tariff. It must operate necessarily in one of two ways: either as a prohibition upon the import of all the articles included between the minimum and the specific duties, or by levying a duty on the articles of intermediate value far higher than that apparent upon the face of the tariff, and thereby effecting an artificial inequality between the duties imposed on articles of the same kind and the same value, and an equality of burden alike unnatural upon articles of different value, but of the same kind."

Thus, continued Mr. H., was an objection presented to the minimums, that they made the coarser and cheaper article pay a higher duty, while they made the finer and more expensive article pay a lower duty. And on this subject he would refer to the remark of the honorable chairman of the committee of ways and means, (Mr. Fillmore) and to what (Mr. H. did not know that the gentleman referred to him,) that there had been demagoguing on the subject of making the poor pay a higher tax than the rich paid. If they were not demagogues, he thought gentleman from Massachusetts was demagoguing too; and he had never been charged with that, so far as Mr. H. knew.

Mr. Fillmore (Mr. H. yielding the floor for explanation) said he had no recollection of making use of the word demagoguing or demagogue. He had stated that he believed, for popular effect, it had been sometimes said that they were imposing a duty on the lower classes; but he meant no reference to the gentleman or to any particular person.

Mr. Hangsman acquitted the honorable gentleman of any personal intention of demagoguing. He would do the gentleman the justice to say that, in the Intelligencer, his remarks were reported in milder language than he had used; but, he thought, if they were not demagogues, they certainly were demagoguing, then the gentleman from Massachusetts had been demagoguing also. The gentleman in his report, referring to the minimum principle itself, says: "*It appears to be implicable that the practical operation of such a system should not be unjust; and it contains within itself the seeds of those frauds* upon the revenue of which there have been such heavy complaints on the part of the American manufactures."

Now, what was the fact in relation to that? The chairman of the committee of ways and means, the chairman of committee on manufactures, and the secretary of the treasury maintained ground directly opposite to this report, and, Mr. H. supposed, there would be by a host of others who might be discriminated in the way of the very nice discrimination Virgil made in his Æneid, where, after describing one or two distinguished individuals, he made this delicate discrimination between two others:

"Fortem Gygas! Fortem Cloanthum!"

Mr. H. could make no other distinction between those who were likely to follow in this case, but that made by Virgil, 'Fortem Gygas! Fortem Cloanthum!' Here was the allegation by the gentleman from Massachusetts, that this very minimum principle contained within itself the seeds of the frauds committed on the revenue, and yet they were called on by these gentlemen to adopt these very minimums and specific duties for the purpose of *preventing* frauds on the revenue, and they were told that this was the only mode in which they could be remedied! The venerable gentleman from Massachusetts told them that the minimum principle contained within itself the seeds of fraud, and the honorable chairmen of two committees of the house of representatives were endeavoring to unfold these seeds to full life, and to cover the custom-house with frauds under the guise of preventing them. He told the gentlemen he believed they knew it or not, and he believed they were actuated by that motive or not—*that the object of these minimums was not to prevent frauds, but the object was to afford a premium for fraudulent manufactures.* For instance, under this system, a yard of cotton cloth costing six cents would be rated as worth twenty cents and pay a duty of thirty per cent. ad valorem on twenty cents, which would subject it to a duty of 100 per cent. That was one instance, and there were a hundred in the bill, in which the real duty was disguised in like manner, and where the lower article was charged with a duty of 100 per cent., while the higher quality was even brought down to 30 per cent. He asked if this violation of all rules of just government would be made if it was not for the purpose of protecting a particular interest; for it was well known that the manufactures of all the lower articles in this country required higher protection than those of the finer articles.

The honorable gentleman from Massachusetts, chairman of the committee on manufactures, (Mr. Adams,) proceeded to say:

"The committee, also, the articles of manufactured woollen of cost nearly intermediate between two successive minimums, afford opportunities and temptations, which neither the rigor of legislation nor the vigilance of the executive can prevent."

Could language (continued Mr. H.) be stronger? These minimums afford opportunities and temptations to fraud which neither the vigilance of execution nor the rigor of legislation could prevent them. The gentleman from Massachusetts further said, that "this system must operate either as an exclusion or as a premium." The chairmen of the committee of ways and means and the other gentlemen might take their choice between the two. These observations of the venerable gentleman from Massachusetts had been very forcibly addressed not only to the secretary of the treasury, but to the chairman of the committee of ways and means, and to the chairman of the committee on manufactures. They must have been very persuasive to convince them that minimum and specific duties would prevent frauds on the revenue. But the chairman of the committee of ways and means had told them that this bill was calculated only for revenue. The gentleman might take his choice whether it was calculated for exclusion or to cheat the good people; on one or the other, or both. Mr. H. apprehended, there would be intelligence enough among the people to fix it.

Was this a representative government, a government of the people, where the law was so framed as to cheat the people? and was he who rose on this floor and pointed out to the people the cheat, to be denounced as a demagogue, a seeker of popular favor? He asked if such denunciations, either here or elsewhere, could or ought to have any effect abroad but to bring discredit on those who made them? He asked the committee, then, whether they had not good, reasonable, and sufficient authority, from every opportunity for experience, for saying that this bill, so far as minimum and specific duties were concerned, was calculated, first, to prevent revenue by excluding foreign importations, second, to deceive the people, and third, through that deception, to make the man who used the coarsest articles of manufacture pay a much higher tax than he who used the fine articles?

As Mr. H. had mentioned before, the remarks in the report of the gentleman were as applicable to specific duties as to minimums. He would cite as evidence the specific duty on sugar. There was no discrimination in this article between the higher and lower quality; they both paid the same duty. He would also mention as evidence the article of Dutch, of which the very coarsest was subject to a duty of 100 per cent. while the finest paid perhaps only 30 per cent. He would also refer to the article of carpeting; a carpet which cost comparatively nothing was subject to a greater taxation in proportion to its cost than the rich Turkey or ingrain carpetings which were found on the floor of the owners of the manufactories.

Before he parted with the venerable gentleman from Massachusetts, around and behind whom, as he had stated, he had taken shelter, and behind whom the gentleman from New York must attack him, if

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he attacked him at all, Mr. H. begged leave to refer to another opinion, or rather a solemn advice to this house and this congress. The gentleman from Massachusetts says:

"If it be admitted that the operation of this system of taxation is unequal upon the different sections of the union, that it favors one portion of our common country while it acts oppressively upon another, that *alone*, in the opinion of the committee, *is a conclusive reason for abandoning the system*, and for modifying it as to remove the inequality, *against which remonstrances so earnest have been made.*"

That was a sentence which ought to be attached to the farewell address of Washington.

The people of the south (continued Mr. H.) had sent up to this hall no remonstrances. They had sent up here resolutions of public meetings, not resolutions of conventions of planters or mechanics, but they relied on their own representation in this hall to make these statements for them, and they disdained to come here complaining, knowing that their representatives, at all times and on all occasions, would represent their real complaints. He said to this committee that if, in the bills from the secretary of the treasury, from the committee of ways and means, or even from the committee on manufactures, if they considered the difference between the prices of most manufactured goods now in England and the prices when the acts of 1828 or of 1832 passed, the duties proposed were, in many cases, equally as high as the duties by those bills, in reference to the prices of the times. In this view of the matter he asked the committee if—he would not say the south, he would not confine it to the south, but would go over the broad face of this land and say the consumer—if that portion of the consumers who, when they were so excited by the injustice of these acts—he asked if the consumers of every section of this country, who, whose rights were invaded, always displayed a spirit of resistance, understanding that the same rule of duty against which they complained, and against which they almost raised the standard of opposition, was again to be imposed on them at a time when the present distress, in which men had put the law at defiance for the purpose of preserving their property from sacrifice by the sheriff, would not again be influenced in the same manner? If an argument presented itself thus, was it not fearfully true that an excitement might be raised among these consumers when they came to understand that the bill was cheating and deceiving them, and that it was oppressive, and they be brought to rise, if not in opposition to the laws of the union, in opposition to those who enacted those laws?

Mr. H. had read from the message and report of the gentleman from Massachusetts, and would new turn to the opinions of an eminent and leading statesman in England who had advanced the idea that it was policy to distribute taxation among the people as possible, so that while moderate incidental protection was granted to every particular department of industry, none should receive a special or singular protection above the rest. If gentlemen would turn to the speech of sir Robert Peel they would find that he said in substance that the system of laying duties for the protection of one class of labor was destructive and oppressive to all, and he had therefore proposed a reduction of all duties, and said the highest duty that should be imposed on manufactured articles was 25 per cent. And he (Mr. H.) said that the allowance of 25 per cent. by the bill which he (Mr. H.) had proposed was insisting on the free trade principle. Free trade principle! Who talked of or advocated free trade on this floor? Was imposition of 25 per cent. duty, together with the protection of the cost of bringing the manufactures to this country, the cost of freight, of insurance, and other expenses, amounting to 3 or 4 per cent. more, a free trade system? He appealed to any gentleman on this floor if he could call it so! He agreed with the honorable chairman of the committee of ways and means that free trade, however desirable it might be, was impracticable. But he appealed to the committee if that was free trade which imposed something like 28 per cent. duty on the foreign cost, and if in offering to impose an ad valorem duty equivalent to from 25 to 28 per cent. on the average cost, they showed any desire to introduce into the country an excise duty or direct taxation! That had been charged on them, and the chairman of the committee of ways and means had occupied a considerable portion of his speech in denouncing free trade and direct taxation, when nobody dreamed of it, and when those whose opinions he was denouncing were recommending a system of equalization of duties which he (Mr. H.) solemnly believed would produce more revenue than the system of the gentleman. It was not exactly fair in his honorable friend, the chairman of the the committee of ways and means, and he was sure the gentleman would not have done it had he been aware that they would have been confined to one hour, and that he would not have attempted to make them occupy that hour in fighting shadows instead of the substance.

Mr. H. (after a momentary pause), said he was informed that it wanted some fifteen or twenty minutes of the expiration of his hour, and he would continue his remarks. Sir Robert Peel, in this speech, after saying that he had two reasons for the general reduction of duties, one of which was wonderful, the moment they attempted to reduce the duty on any particular article, to see how the manufacturer and producer then—how every little interest came forward and said, "some fifteen or twenty minutes you think proper, but do not touch this particular article or you will ruin us—you will ruin the whole country." He (Mr. H.) recollected of this before the committee on manufactures. The different interests said "O, do not touch us; you will ruin us; you will stop our work; you will ruin the country." They sometimes intended to stop it, or to do half work, as he believed, to induce the country to believe that the duties were so low that they could not go on without further protection. From this charge he exempts an excellent friend of his in Baltimore.

But Mr. H. could see no reason why, if combinations were formed among the English manufacturers to reduce prices for a limited time, to effect some important end by which prices were ultimately to be increased, like combinations could not be formed here to go to half work, or even for a short time to suspend work altogether, if they could give a belief that higher protection was necessary, or to raise a clamor, by discharging the workmen, to effect that object. Nor could he see any reason why, in like manner, manufacturers in Baltimore might not for a time pour their manufactures into the Baltimore, Maryland, and Virginia market to break down his respectable friend in Baltimore and other manufacturers to the south of the Potomac.

In explaining his new revenue bill Sir Robert Peel says:

"We propose, generally speaking, to apply an amount of duty not exceeding twenty per cent. on articles of foreign manufacture. There may be particular exceptions, but the general rule is, that twenty per centum shall be the maximum of duties imposed on foreign manufactures. I feel that by taking a contrary course we are subjecting the manufactures of this country to a competition with the manufactures of foreign countries, where labor can be had on much more reasonable terms; therefore, our proposal is subject to the English manufacturer. Now I wish to consider fairly the force of this objection. My answer to it is, that it is not supported in a very material degree the pieces of the necessaries of life."

After stating the reduction on the price of foreign corn, meats, and other articles, he says:

"I will now look at the subject of fish. An invidious distinction has hitherto been made in respect to duties imposed on foreign fish; showing that those in 1828 and 1832 had reference to consumption with the rich were admitted, but that fish consumed by the poor were prohibited. I will take a fish in which the poor are most interested—I mean herrings. At present all foreign herrings are prohibited. We propose that foreign cured fish shall be imported at a duty of two shillings per cwt. I will read a statement which has been made to me in a letter from Scotland with respect to herrings:

"Norway (the writer says) prepares about as many herrings as we do. They go to the Baltic, and the herrings cost them about 1s. 6d. to 1s. per barrel; ours cost us from 18s. to 20s. per barrel. We presume the Norwegian herrings may be landed in Ireland at 11s. to 12s. per barrel, while ours cannot be taken there for less than 20s. to 22s. per barrel. I am a free trader in every other respect, but with *respect to herrings, I caution you against applying the general rule to them.* [Much laughter.]

"I give you this extract from Sir Robert, as a sample of the general postscript which is attached to every communication her majesty's government have received respecting every article in the tariff."

And, said Mr. H., it is a pretty fair sample of the statements submitted to the committee on manufactures.

"Now," said Sir Robert, "I do not share in the apprehension entertained by this doubting correspondent, and I cannot help appealing to him, that unless he can convince me that I shall be doing an injury to the working classes in the north of Ireland by enabling them to obtain herrings for 10s. a barrel for which they are at present paying 20s., I do not quite agree that I am absolutely wrong in the change I propose. But my wish is to encourage the native fishermen."

Here (continued Mr. H.) was the true principle. Let them reduce the duty on foreign wool and more would be imported, and we would derive more revenue from it, and domestic manufacturers would be enabled to manufacture cheaper. But the moment they talked about a reduction of duty on wool all the manufacturers cried out at once, "dont touch wool, for if you do you will ruin the whole country and break us down." Here was a true material of any other manufacture and they produce the same effect by reducing the duty; they in that way indirectly afforded aid to our manufactures to enable them to compete with the foreign manufactures.

Mr. H. had but little time to spare. He had merely referred to this for the purpose of showing what wise men, experienced practical statesmen, thought on this subject. Here was a most interesting document from the commissioners in England in relation to the improvements made in machinery, containing a mass of information which would be valuable to our manufacturers any where. He had not time to refer to it at much length; he would, however, did the time last, read one passage.

The contrast was not between the foreign and domestic laborers, but between machinery and the laborer, as per extract from the report of the inspectors of factories for the year ending 31st December, 1841, made to parliament.

"I have learned that in one mill the same number of spindles which produced 12,100 pounds of cotton in 1834, produced 13,300 pounds cotton in 1841, and that one drawing frame attended by one person produced in 1841 2,700 pounds weekly, while two drawing frames attended by six persons produced 900 pounds weekly in 1834."

Again: They gave another instance of the means and extent by which manual labor has been superseded by machinery:

"In one mill of the cotton-mill the object of substituting machinery for manual labor has been carried, more or less, into effect, but in no department so conspicuously as in one of the last processes, by which cotton is made, which is performed by the most *skilled*, and therefore *the highest paid class of workers* in the mill. This change has been brought about by *lengthening the mules*, which are performed by carriages, so as to make them carry a greater number of spindles; by making *one* man work *four* instead of *two* of these carriages by a process technically called piecing, and by the introduction of self acting mules. This last change is going on at a very rapid rate, chiefly by an invention of Mr. James Smith, of Deanston, by which hand mules can be converted into self-acters, by a small number outlay of capital than is necessary when the self-acting mule is entirely new. I shall give (says Mr. Horner) a specimen of these alterations. He then gives the particulars of alterations made in a mill in Manchester, by which one man now, in 1841, works 2,592 spindles, which in 1829 were worked by four men. He then gives other instances, among which is one of a mill in Bolton, where, by increasing the length of the mule, they in 1841 employ only 26 spinners to do the same work which employed 35 in 1832. He gives several other examples of this one of which I refer. In a mill in Manchester, engaged in spinning only, they have reduced the number of persons employed from 330 to 258, thus saving the wages of 72 persons, without diminishing the quantity of work turned off."

Mr. H. read this for the purpose of showing that, workmen who are employed in the manufactories throughout the land, are very anxious to have high duties, or who, by the low rate of duty, were to turn them out of employment, were not their enemies, but that the improvements in machinery were so great, and so constantly tending to increase to such an extent, that, as it was said, machinery would at last do the whole work itself, so as to require the labor of no individual; the operatives, as they were called in this country, the honest laborers in manufactories, were to be forced out of employment by machinery, and driven to new lands and to turn agriculturists. This was to be the effect. But machinery did not only operate to diminish the amount of human labor in manufactures, but aided by high protection must necessarily operate to create a competition in the whole domestic market ruinous to all parties, in which the weaker would be broken down by the stronger, and the whole manufactures and trade of the country fall into the hands of a few extensively engaged in them.

Mr. H. said that the low price of cotton would force the people of Georgia and South Carolina to divide their labor, and throw a portion of it into other employment than the raising of cotton. The lands of those states could not compete with the more productive lands of Alabama, Mississippi, Louisiana, and Arkansas. Lands which yielded only 1,000 lbs. or 1,500 lbs. to the acre could not compete with lands and a climate which yielded from 1,500 lbs. to 2,000 lbs. with the same amount of labor. In those two states there must of necessity be a division of

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labor, and a portion of it must be turned to raising their own bread, hogs, and horses, and to the manufacturing of the coarser quality of cloth, and to that of iron and other articles of primary necessity. As the extensive and rich regions of Texas were opened for the culture of cotton, other southern and southwestern portions of the the union would be placed in a like situation with South Carolina and Georgia; and in that event what would become of the market for the wheat, the hogs, and the horses of the western states, and what would become of the market for the manufactures of the north and east?

There is no foreign market for either, nor can there be found a market abroad for the domestic manufactures, unless the domestic prices are so reduced as to enter into competition with the foreign manufactures in the foreign market. If the northern manufacturers would take the advice of a friend, they would at once endeavor to prepare for this loss of the southern market. They would reduce the duty on foreign wool and other foreign raw materials so as to procure the raw material at a cheaper rate, and thus be enabled to reduce their prices on manufactures, and bring them down to a fair working profit. They ought to do this to prepare gradually to meet the ruin which must otherwise result from the increase of the domestic competition. It is know to all, from Georgia, North and South Carolina, Tennessee, and Alabama that manufactories are beginning to multiply in those states. It is a duty which the people of those states owe to themselves, at the present low prices of cotton and their other productions, to raise and make all they can within themselves, and thus be independent. It is wisdom in them to do this. If, independently of bringing these facts to the knowledge of the committee and to the people of the north, he had had another motive, it was to urge upon his people the necessity of a division of their labor, so as to supply their own wants within themselves. If this is done now, they may be saved from that imporverishment, and perhaps ruin, which is inevitable if they continue to act upon the present principle of employing all their labor in the production of cotton and of buying from abroad all the common necessaries of life. He most fervently prayed them to make this change as soon as possible; it was the only way to save their state from ruin.

[Here the speaker's hammer fell, Mr. H's hour having expired.]

TWENTY-SEVENTH CONGRESS.

SECOND SESSION.

SENATE.

June 16. Mr. *Buchanan* presented a memorial from the commissioners of the Northern Liberties of Philadelphia, asking the establishment of a marine rail way. Mr. B. remarked that the Philadelphia navy yard had been much neglected of late years, a port whose waters were much freer from the worms so destructive in the southern waters, where construction was cheap, and where the proper skill of architects was acknowledged.

The provisional tariff bill from the house to extend for a limited period the present laws for laying and collecting duties on imports was taken up and read.

Mr. *Evans* moved its second reading. Mr. *Sevier* objected. Mr. *Buchanan* said he should vote against the bill in its present shape and should vote to refer it to the committee on finance to give to the senate an opportunity to strike out the proviso. Mr. *King* would oppose the countenancing the bill for a single moment, even its being read a second time. He thought the senate owed it to its dignity not to order it to a second reading, as it was a direct attempt to violate a pledge not to disturb the compromise act.

The question was then taken on its being read a second time and decided in the affirmative, yeas 26, nays 18.

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Choate, Clayton, Conrad, Crafts, Crittenden, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Rives, Simmons, Smith, of Indiana, Tallmadge, White, Woodbridge—28.

NAYS—Messrs. Allen, Bagby, Benton, Cuthbert, Fulton, King, Linn, McRoberts, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young 18.

Mr. *Evans* moved the reference of the bill to the committee on finance. Mr. *Simmons* thought that it should be referred to the committee on manufactures, which committee he thought would be able to show that there was no such great infraction of the compromise act as was anticipated. By a vote of 20 to 14, it was referred to the committee on finance.

The naval appropriation bill was then taken up, the question pending being to strike out the proviso as amended.

Provided, That until otherwise ordered by congress, no part of this or of any future or existing appropriation shall be applied to the payment of any officers in the navy appointed after this date beyond the number of each grade now in service.

Mr. *Benton* addressed the senate in favor of retaining the proviso. He said that in the last twelve months, 3,000 men had been added without any reference to congress whatever. The proviso sought only to keep the navy at what it was in 1841 and what it should be in 1843. Mr. B. detailed the various attempts that had been made to put the navy on a peace establishment, but which had failed because the work was not done. The work done, it was considered too extensive. He also alluded to the pledges given by the whigs to retrench and reform, in which the opposition stood pledged to aid them.

The question was then taken on striking out the proviso, and decided in the affirmative, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clayton, Conrad, Crittenden, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Preston, Rives, Simmons, Tallmadge, Woodbridge—23.

NAYS—Messrs. Allen, Bagby, Benton, Buchanan, Crafts, Cuthbert, Fulton, King, Linn, McRoberts, Sevier, Smith, of Conn. Smith, of Indiana, Sturgeon, Tappan, Walker, White, Wilcox, Williams, Woodbury, Wright, Young—23.

The next amendment was to strike out $35,300 for improvement and repairs of the navy yard at Pensacola and for a naval constructor, and insert $33,800, which would be the amount after deducting the salary for naval constructor.

Mr. *Barrow* moved to amend that amendment by inserting $10,000, and supported the amendment in a speech of very considerable length. He said that from 1825 to the present time, a period of 17 years, only $554,000 had been appropriated for the Pensacola navy yard, while millions had been appropriated for others. He was in favor of appropriations for others, but not in favor of neglecting the southern coast.

Mr. *Conrad* advocated the amendment.

Mr. *Evans* was of opinion that it would tend to impede the passage of the bill which was all important.

The question was then taken on the amendment to the amendment and it was adopted by yeas 19, nays 18.

After discussing subsequent items of the bill, and appropriating $30,000, for the improvement of the navy yard at Pensacola and for the articles brought in by the exploring expedition, the senate adjourned.

June 17. Mr. *Allen* submitted a resolution calling for details of information from the treasury department. Objection being made it lies over.

The naval appropriation bill was resumed.

The amendment pending at the adjournment last evening was the amendment of Mr. *Evans* to strike out from the clause relating to the payment of officers and of seamen, $335,000 and insert $800,000.

Mr. *Buchanan* led an argument against the amendment, which Messrs. *Williams, Evans, Woodbury, Huntington, Crittenden, Buchanan, Bayard, Archer, Cuthbert, Benton*, and others participated; when the question was taken by yeas and nays and decided in the affirmative, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clayton, Conrad, Crafts, Crittenden, Evans, Graham, Huntington, Kerr, Merrick, Miller, Phelps, Preston, Rives, Simmons, Smith, of Ind. Tallmadge, Woodbridge—23.

NAYS—Messrs. Allen, Bagby, Benton, Buchanan, Fulton, King, Linn, McRoberts, Mangum, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—19.

Mr. *Walker* then moved the following amendment.

"That no part of this or any existing appropriation shall be applied to the payment of those appointed beyond the number now in service."

Mr. W. said there was not a senator that voted for the proviso in the senate who did not admit the necessity of limiting executive discretion in this matter.

Mr. *Crittenden* offered the following as a modification of the amendment of Mr. *Walker:*

Provided, That until otherwise ordered by congress the officers of the navy shall not be increased beyond the number now existing in their respective grades, nor any midshipman be appointed beyond the number now in service.

Mr. *Crittenden's* substitute was adopted by yeas 27, nays 17.

Mr. *Sevier* then moved to add after the amendment of Mr. *Crittenden*, "and all vacancies of midshipmen shall be selected from states, territories and the District of Columbia, which at the time have not their due proportion in service, having regard to federal numbers, provided that suitable applications have been made.

Mr. *Sevier* said all the midshipmen have been appointed from Virginia and Maryland and this District, which had more than one-half of all the number in service. He was for putting a stop to this. He had been trying to have a midshipman from his state, but without success.

This led to debate, in which Messrs. *Linn, Merrick, Archer*, and others participated; when the question was taken, and decided in the affirmative.

Mr. *Buchanan* offered an amendment appropriating $20,000 for the marine rail way or floating dock at the Philadelphia navy yard. Negatived by nays 19 ayes 13.

The bill was then reported to the senate and the several amendments concurred in, when the amendments were ordered to be engrossed, and the amendments having been correctly engrossed, the bill was read a third time and passed.

On motion of Mr. *Sevier*, the senate proceeded to the consideration of executive business, and after some time spent therein, adjourned at about five o'clock, P. M.

June 18. A petition was presented by Mr. *Graham* from James Heron, praying an extension of the time of his patent for his improvement in the construction of rail ways, to 30 instead of 14 years.—Referred.

The provisional tariff bill was reported back to the senate without amendment; by Mr. *Evans* from the committee on finance.

Mr. E. gave notice that he would ask its consideration on Monday next, when he had if the judiciary committee urged on that day the bill to provide further remedial justice in the United States courts, he should not press its consideration before Tuesday. Mr. E. also reported back with certain amendments the bill from the house making appropriations for the army and military academy for 1842.

The consideration of the bill providing for satisfaction of claims arising out of the treaty of Dancing Rabbit creek was then prosecuted and the senate adjourned.

June 20. Mr. *Allen's* resolution offered a few days since, calling upon the secretary of the treasury to report to the senate, as soon as practicable, the amount of the public debt since the 4th of March, 1841, including the outstanding treasury notes, &c. was taken up. Mr. *Allen* explained the nature of the resolution, and asked for its adoption at this time.

Mr. *Evans* objected. He believed the information called for was in a great measure already before the senate; and did not think it necessary, when it was sufficiently well known what amount of treasury notes was outstanding, to answer every purpose, to impose such a laborious task upon the department.

Mr. *Allen* rejoined; and the question was decided by yeas 16; nays 22. So the resolution was rejected.

The bill from the house of representatives, to repeal a supposed unconstitutional process, in the county of Washington, District of Columbia, was referred to the committee on the judiciary.

Mr. *Tappan* moved to take up bill No. 256, which authorizes the publication of an account of the discoveries made by the exploring expedition, under the command of lieutenant Wilkes, United States navy; and the senate as in committee of the whole, proceeded to consider it.

The bill was then discussed and amended in committee, its first blank being filled with the words "the sum of twenty thousand dollars" and then reported to the senate and ordered to be engrossed.

The senate then proceeded to the consideration of the bill to provide for the claims under the 14th and 19th articles of the treaty of Dancing Rabbit creek.

The bill was debated until a late hour, and was amended, and the amendment ordered to be printed.

Mr. *Berrien* then moved to take up the bill further to extend remedial justice in the courts of the United States.

This motion led to a long debate, after which the bill was taken up by a vote of 20 to 17. And then the senate adjourned.

June 21. Mr. *Tallmadge* presented a memorial from citizens of Buffalo county, in favor of a protective tariff and of the exchequer plan of the senate committee.

Mr. *Preston* from the military committee presented a report recommending a moderate reduction of the army, instead of the reduction in the house army bill, which the committee of finance proposes shall be disagreed to, and which would reduce the army from 11,804 to an army nominally amounting to 7,229. This would not give an effective force exceeding six thousand men. The committee propose that the army shall be reduced to 8,884 men, which would reduce the expenses very materially. The army has already been reduced under the direction and discretion of the secretary of war, so that there

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has been a saving of $39,400. Mr. *Preston*, in his report, further states that the proposed reduction of the army would make that service smaller than it was in 1808.

The report was accompanied with a bill for its organization. The first section reduces corps of rangers to 64 men exclusive of commissioned officers; the second substitutes ordinance officers in place of superintendents of the armories at Springfield and Harper's Ferry; the third substitutes quartermasters in place of the commissary of purchases; the fourth abolishes three paymaster's offices; the fifth authorises a superintendent of the manufacture of cannon at the several foundaries which may make them by contract; the sixth restricts somewhat the extra ration of commanders of separate posts.

The report and bill were ordered to be printed.

Mr. *Allen* asked that the resolution submitted by him on the 18th April lost in relation to the disturbances in Rhode Island be taken up. By yeas 21, nays 15, it was taken up and made the special order of next Monday week.

The bill for publishing the account of the exploring voyage was taken up, discussed chiefly in relation to the propriety of involving the patent office in any duties connected therewith, read a third time and passed.

The bill to provide farther remedial justice in the courts of the United States was taken up.

Mr. *Walker* replied to the speech delivered by Mr. *Berrien* on April 26th, and to that of Mr. *Choate* of May 11th, and adduced his authorities in opposition to its constitutionality. He thought the bill was one of the most important, that had come before the senate since he had had a seat there, and that if passed, it would sweep away the whole criminal jurisdiction of every state of the union.

On motion of Mr. *Berrien*, the senate adjourned.

JUNE 22. Mr. *Buchanan* presented several memorials in favor of protection. Also a memorial signed by citizens of Pennsylvania, who propose that the government of the United States shall issue a stock of two hundred millions of dollars for the benefit of the states, the stock to be loaned upon the credit of the public domain; the general government to receive the land revenues, and the states the benefit in the form of what is referred to the department of finance.

Mr. *Tallmadge*, of New York, presented a memorial praying congress not to allow the tariff bill to be endangered by the distribution bill. The memorialists regard the revenue bill as the most important object.

The army appropriation bill was taken up. The bill was then considered, with the recommendation of the committee of finance that the provisos of the house be stricken out.

The house proviso for stopping the recruiting service, for disbanding the dragoons, and for reducing the pay of staff officers to the pay of officers of the line of corresponding rank was then considered and by the following vote was struck out.

YEAS—Messrs. Archer, Bagby, Barrow, Bates, Bayard, Benton, Berrien, Choate, Conrad, Crafts, Crittenden, Evans, Fulton, Graham, Henderson, Huntington, Kerr, Lane, Mangum, Merrick, Merehead, Preston, Rives, Sevier, Smith, of Indiana, Tallmadge, Walker, Woodbridge—28.

NAYS—Messrs. Allen, Clayton, McRoberts, Sturgeon, Tappan, Wilcox, Wright, Young—9.

The next amendment of the house proposed "that hereafter no additional rations should be allowed to the commanding officers of separate posts." This amendment of proviso was also struck out.

The senate then voted $30,000 extra for arsenals, the house bill making an appropriation of $120,000.

The following items were added to the house bill:

For expense of preparing drawings of a uniform system of artillery, $1,350.

For military surveys for the defence of the frontier, inland and Atlantic, $15,000.

For arrearages and for the preservation of the public property at the several places of harbor and river improvement, $15,000.

Mr. *Preston* proposed that of the appropriation in the bill of $360,000 for the purchase of arms, the secretary of war, if he thought proper so to do, might expend $60,000 for purchasing of arms, by contract, making or experiments, &c. &c. By a vote of 21 yeas, 16 nays, this amendment was carried.

Mr. *Crittenden* moved an amendment appropriating $100,000 for removing obstructions from the Ohio and Mississippi rivers, and after being advocated by himself, and Messrs. *Allen* and *Linn*, it was adopted.

On motion of Mr. *Berrien* $19,399 were appropriated to defray the expenses due for services of Georgia volunteers in defend their frontiers from Indian depredations. The bill was then reported to the senate, the amendments concurred in, and the bill passed.

After some time passed in executive business, the senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, June 14. A resolution heretofore submitted by Mr. *Stanly* from the committee on public expenditures, for inquiring into the expenditures made in satisfaction of the bounty land claims allowed by the state of Virginia, was taken up, and Mr. *Hall*, of Vermont, addressed the house in relation to the origin, history, and nature of the claim, until he was interrupted by the expiration of the allotted hour.

Mr. *Fillmore* arose and said that the clerk of the committee of ways and means under its direction, had prepared a tabular statement (arranged, according to the sections of the bill now under consideration,) of the tariffs of this country for 1816, 1824, 1828, and 1832, also those proposed by the present bill, by the minority, by the executive (manufacturers), and the projected bill from the secretary of the treasury, all with an index. He moved its printing. The usual number of copies were then ordered to be printed. He then moved that 5,000 extra copies be printed.

Mr. *Habersham* suggested his apprehension that there was an omission in this document of one important fact, calculated to create a false impression, in the case of the minimum. The document gave the statement as given in the bill, but it did not carry out what was the per cent on the minimum.

Mr. *Fillmore*, in reply to the objection, remarked that there had been printed with the bill that section of the bill as sent in from the secretary of the treasury, and as amended by the committee of ways and means, which would shew the very fact which the gentleman desired should be shown, and all that could be shown, without going into an estimate of the foreign cost of the articles imported.

The motion to print—the necessity and propriety thereof—were discussed by Messrs. *A. V. Brown*, *Charles Brown*, (in opposition,) and by *W. C. Johnson*, the latter of whom moved the previous question; but, after some conversation, withdrew it, at the request of

Mr. *Arnold*, who said he desired to get the floor, not to make a speech, but merely for the purpose of making a remark for the benefit, and to refresh the memory of his colleague, (Mr. *A. V. Brown*,) who seemed to remember the passage of these tables, and the votes upon the various tariff laws which had heretofore been passed by congress. Mr. A. said he wished to remind his colleague of some things in the history of Tennessee, which he feared had by the abrasions of time, been removed from his (Mr. B's) mind. Mr. A. said in 1823, they had a very exciting contest in Tennessee for United States senator to fill the vacancy occasioned by the resignation of the term of service of the late Col. John Williams, of Knoxville. Col. Williams was charged with being an anti-tariff man; and to use presidential of the United States, Gen. Andrew Jackson, was brought forward as the only man who could beat him. He was brought forward, as I understood, as a protective tariff man. In the contest struggle, Col. Williams was turned out, and Gen. Jackson was sent here in his place. If I mistake not, my colleague was then a member of the Tennessee legislature. Mr. A. said if he was mistaken in any of his facts, he would thank his colleague to correct him. If he was not mistaken, his colleague in that contest took a very active part in turning out the anti-tariff senator and putting in the tariff senator. It had, Mr. A. said, been a good while since he had examined the journal of the senate; but he had had occasion once to examine it closely on this subject; and, if his memory served him, the tariff bill of 1824 was passed in the senate by a majority of only four votes. Both votes from Tennessee (Gen. Jackson and Governor Blair) were recorded in favor of that bill. [Here seems gentleman said Gen. Jackson was in favor of a judicious tariff.] Yes, said Mr. A., and he (Gen. Jackson) thought the tariff of 1824 was a judicious tariff; and if gentlemen would take the trouble to examine Gen. Jackson's votes on the various propositions made in the senate during the progress of that bill, I think he in every instance voted with the friends of protection for the highest rate of duty. Mr. A. said every instance was perhaps too broad—he would say nearly every instance. He at this time, however, recollected no instance in which Gen. Jackson had not voted with the friends of protection. Mr. A. said, according to promise, he would renew the motion for the previous question. The printing of the extra numbers was then ordered by yeas 118, nays 86.

The consideration of the apportionment bill as amended by the senate was then resumed.

Mr. *W. C. Johnson* withdrew his motion that the house *adhere* to its vote disagreeing to the second amendment.

Mr. *Adams* moved that the house insist on its disagreement to the amendment of the senate

Mr. *G. Davis*, of Kentucky, moved that the house *recede* from the vote by which it yesterday *refused* to recede from its disagreement to the amendments of the senate. By yeas 101, nays 97, the reconsideration was adopted.

The question then recurred, "will the house recede from its disagreement to the amendments of the senate?" when on motion, the house adjourned.

FRIDAY, June 17. Mr. *Gwin* offered a resolution of inquiry whether the commissioner of Indian affairs to inquire into the expediency of reporting a bill to appoint commissioners to settle claims under the treaty of Dancing Rabbit creek. The resolution was adopted.

Mr. *Botts* asked leave to offer a resolution calling upon the president of the United States for information as to the fact whether J. Washington Tyson, the commissioner of the United States at Philadelphia, is now in office, (having been rejected by the senate,)—If so, by what authority, and also whether any money has passed through his hands since the senate refused to confirm his nomination. The same information is asked in reference to Thomas Claiborne, marshal of the middle district of Tennessee, who is said to be retained in office notwithstanding his rejection in March last.

Objections were made to the resolution.

Mr. *Botts* moved for a suspension of the rules and upon this motion the yeas and nays were ordered. A vote of two-thirds was necessary and the result was a vote of 110 in the negative to 62 in the affirmative. The motion of course was lost.

The bill from the senate for the armed occupation of Florida was read twice and referred.

The Virginia bounty, as the unfinished business of the morning hour of yesterday was next taken up. Mr. *Davis*, of Virginia, had yesterday moved an amendment to the resolution.

Mr. *Underwood* gave a detail of facts in relation to the subject.

Mr. *Gilmer* followed and replied to Mr. *Hall* and said that all that was asked was an impartial committee and a thorough investigation.

The morning hour having expired Mr. *C. J. Ingersoll* reported from the bounty committee that it refused ing $1,000 fine to Gen. Jackson. It was twice read and committed. Mr. *Ingersoll* stated that a majority of the committee were opposed to this bill and report, and he offered it as a report of three of its members.

Mr. *Barnard* (its chairman) stated that the committee had directed that a bill should be reported, and also that the gentleman from Pennsylvania, had presented a written report which the committee had not adopted. No written report therefore from the committee, as such, accompanies the bill. The question for the house to determine was, whether it would (for the first time, he believed, in the practice of the house) adopt, in the shape of a minority report, a report emanating from one or more members of a committee, when the majority of that committee had adopted no report whatever? It seemed to him that it was not in accordance with the previous practice of the house, and that it would be opening a door to a practice which might hereafter be injurious, or, at all events, very inconvenient. The question being taken the report was ordered to be printed. The consideration of the apportionment bill was then resumed.

The main question "will the house recede from its disagreement to the amendments of the senate" was taken, and decided in the affirmative, yeas 109 nays 104. And the question received "will the house concur in the amendments of the senate?"

And the question being first, "will the house concur in the amendment of the senate, striking out the number of 50,179, and inserting 70,680?"

Mr. *Snyder* asked the yeas and nays, which were ordered; and, being taken, resulted as follows:

YEAS—Messrs. Allen, L. W. Andrews, Sherlock J. Andrews, Barnard, Barton, Beeson, Bidlack, Black, Brooks, Aaron V. Brown, Milton Brown, Jeremiah Brown, Burke, Wm. Butler, Patrick C. Caldwell, T. J. Campbell, Casey, Chapman, Childs, John C. Clark, Coles, Cravens, Cross, Daniel, Dawson, Eastman, Everett, Fessenden, Fillmore, Thomas F. Foster, Gamble, Gilmer, Gerggin, Patrick G. Goode, Granger, Gustine, Gwin, Habersham, Hall, Hopkins, Houston, Howard, Hunter, Hunt, Chas. J. Ingersoll, James Irvine, James, Cave Johnson, John W. Jones, Isaac D. Jones, King, Lane, Lewis, Lowell, McKay, S. Mason, John Thompson Mason, Mathiot, Maxwell, Miller, Mitchell, Moore, Morgan, Morrow, Owsley, Parmester, Pickens, Pope, Powell, Proffit, Benjamin Randall, Randolph, Rayner, Read, Reding, Rhett, Ridgway, Rodney, Rogers, Wm. Russell, James M. Russell, Saltonstall, Saunders, Shaw, Shepperd, Slade, Truman Smith, Spriggs, Stokely, A. H. H. Stuart, John T. Stuart, Summers, Sumter, Taliaferro, John B. Thompson, Richard W. Thompson, Jacob Thompson, Trumbull, Turney, Underwood, Van Rensselaer, Wallace, Warren, Wash-

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ington, Watterson, E. D. White, James W. Williams, Wise, Yorke, Augustus Young, J. Young—113.

NAYS—Messrs. Adams, Appleton, Arnold, Atherton, Averagg, Baker, Birdseye, Boardman, Borden, Botts, Bowne, Boyd, Brewster, Briggs, C. Brown, Burnell, Wm. O. Butler, Green W. Caldwell, Calhoun, John Campbell, Wm. B. Campbell, Caruthers, Chittenden, Staley N. Clarke, Clifford, Clinton, James Cooper, M. A. Cooper, Cowen, Cranston, Cushing, G. Davis, R. D. Davis, Dean, Deberry, Doig, John Edwards, John C. Edwards, Egbert, Ferris, John G. Floyd, C. A. Floyd, Fornance, A. L. Foster, Gentry, Giddings, Wm. O. Goode, Gordon, Graham, Green, J. Hastings, Hays, Holmes, Houck, Hubard, Hudson, Joseph R. Ingersoll, Wm. W. Irwin, Wm. Cost Johnson, Keim, John P. Kennedy, A. Kennedy, Linn, Littlefield, R. McClellan, McKennan, McKeon, Marchand, Alfred Marshall, Mathews, Maynard, Medill, Meriwether, Morris, Newhard, Oliver, Osborne, Pettibridge, Payne, Pearce, Pendleton, Plumer, Ramsey, Reynolds, Riggs, Roosevelt, Sanford, Shields, Simonton, Snyder, Stanly, Steenrod, Stratton, Sweeny, Tillinghast, Toland, Tomlinson, W. Trimble, Van Buren, Weller, Joseph L. White, C. H. Williams, Joseph L. Williams, Wood—103.

So the house *concurred* in the *first* amendment of the senate.

And the question then being, will the house concur in the second amendment of the senate, to wit: "section 1, line 7, after the word 'state,' insert 'and of one additional representative for each state having a fraction greater than one moiety of the said ratio'?"

The yeas and nays were asked and ordered; and, being taken resulted as follows: yeas 110, nays 102.

The third and last amendment of the senate, and which simply carries out the *number* of representatives for each state under the ratio fixed by that body, after an ineffectual effort of Mr. *C. Johnson* to have the whole subject laid on the table, was concurred in.

On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole (Mr. *McKennan*, of Pennsylvania, in the chair), and resumed the consideration of the bill "to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes."

Mr. *Saltonstall*, who had moved the bill from the committee on manufactures as a substitute for that from the committee on ways and means, by striking out the first item in the latter, arose and addressed the committee. [see page 263.]

SATURDAY, JUNE 18. Mr. *White*, of Louisiana, brought to the notice of the house a case of imprisonment for debt of a gentleman from Louisiana under the liquia laws of Maryland prevailing upon this side of this ten mile square. Governor *White* explained the case and having pointed out some of the abuses under existing laws, presented a bill, the consideration of which was agreed to at this time. The rules were suspended upon the motion of Mr. *White*, and the bill ordered to an engrossment.

The previous question was then moved upon the passage of the bill, and it was passed by a vote of 123 to 35.

The naval appropriation bill as returned from the senate, was then taken up for consideration, (and with the house proviso struck out by the senate.

Mr. *Burnell* called for the reading of the amendments of the senate, which having been read—

Mr. B. submitted a motion instructing the committee on naval affairs to report an amendment to the amendments of the senate providing for the examination of apprentices in the navy, and for their promotion as midshipmen when their attainments and knowledge shall justify such promotion.

Mr. B. addressed the house in favor of his amendment. He asked if it was proper that apprentices should not be considered good enough to be put upon an equality with the sons of other Americans? He complained that the navy was in the hands of the rich. He would say to the poor that, whatever others might do, their right should be heard upon that floor. He would plead for the rights of the boys who entered the navy, not as the children of kings, but on the bows, and who would make the best commanders to bear the meteor flag of the nation. It had been said that to encourage these apprentice boys would break down the "pride" of the navy—as if they would not be the pride of their country.—He asked that they might have a chance for distinction, and not be always confined to their humble position.

The bill was referred to the committee of the whole on the state of the union and the amendments ordered to be printed.

The consideration of the provisional tariff bill was then resumed in committee of the whole, and

Mr. *Habersham* who had moved to amend the amendments offered by Mr. *Saltonstall*, by substituting therefor the bill reported by him from the minority of the committee on manufactures, arose and addressed the committee [see page 265.] Having concluded;

Mr. *J. V. Brown* then arose in strong opposition to both the bills as being an abhorrent violation of the compromise act. As one of the bills was unaccompanied by a report he would confine his remarks to the other. He himself was the only western member on the committee of manufactures. He referred to the remarks of Henry Clay when the compromise act was adopted, and his reply to governor John Davis (then in the senate) who was anticipating a failure of its being complied with. Mr. Clay replied by asking what man would dare to start up and advocate a disturbance of this great guarantee of peace and harmony. When the land bill was adopted at the extra session, the respect showed the compromise act was very great; no one thought of disturbing it. But now however, the party here proposed to violate it, and that too in a manner, which Mr. Clay said no honorable man would dare to violate. The chairman of the committee on manufactures had not called his a revenue bill, but was more candid and bold and no one could mistake it for a revenue bill. Although the house had passed a resolution against taking the testimony of interested men, yet they had swarmed around the committee like locusts, and the committee refused to take any other. Their witnesses were all interested manufacturers. Many of the manufactures ought to go down and never to have existed. There was a passion for novelty at the north for undertaking every new European process without regard to its appropriateness to our country, and for pampering us with luxuries unknown to our fathers. The British weaver, he thought, they could not sustain themselves by a duty of 20 or 25 per cent.

The committee rose and reported progress, and several executive communications having been laid before them, the house then adjourned.

MONDAY, JUNE 20. Mr. *King*, on leave, presented a memorial of citizens of Alexandria, in the District of Columbia, setting forth that they were deprived of the right of suffrage by being included within the limits of the District of Columbia, and praying for the appointment of a select committee to devise means by which the inconvenience and the inequality of their present relations to the federal government may be conclusively and effectually terminated.

Mr. *Adams* moved the reference of the petition to a select committee, to be composed of one member from each state.

Mr. *King*, accepted the motion of Mr. *Adams*.

A motion was then made amidst much confusion, that the memorial be laid on the table, and the motion prevailing, the memorial was laid on the table.

Mr. *Adams*, on leave given, offered the following resolution, which was adopted:

Resolved, That the secretary of the treasury be directed to report to this house, as soon as may be practicable after the third day of July next, the amount paid or credited to each of the several states of this union, from the proceeds of the sales of the public lands, the amount paid in payment of principal or interest of debts due from the states to the United States, and the amount of debt due from each of the indebted states to the U. States.

The consideration of the bill having been the revenue bill reported by the committee of ways and means and the bills of the majority and minority of the committee of manufactures offered as substitutes thereto; was then resumed in committee of the whole house, Mr. *McKennan*, of Pa. in the chair.

Mr. *Randolph* addressed the committee for one hour. He vindicated the action of the committee on manufactures, who, said he, having been denied the privilege of sending for persons and papers, were compelled to use the bestevidence within their reach. He expressed his hatred of the protection that he expressed his preference for that of the majority of the committee on manufactures.

Mr. *Hunt* said that we were but wrangling about wools, protection, free trade, &c., whereas the true question was whether we should by legislation counteract the legislation and action of other governments which were warring upon the interests and industry of our country. A bill to raise the revenue to an economical administration of the government, made with the discrimination that every gentleman would assent to, would amount to the protection that he as a northern man from a heavy manufacturing district, would desire. Mr. H. assumed $27,000,000 as the minimum that would be required for the fiscal year of 1842. He would lay excises and taxation as out of the question as means for raising it—since the organization of the government they had been discarded; and he assumed that no statesman or legislator would contend that we should resort to them. If he should have time he would hereafter allude to the public lands as a source. From 1834 to 1840, importations averaged $94 000,000 per annum. He had estimates to show that for a series of years hereafter, with our present individual and state bankruptcy, repudiation, and discredit of national stocks, they must fall far short of $94,000,000 per annum, and therefore that the duties proposed in the bills are not sufficient. Permanency of policy is far more important than the passage of a bill hurried through so as to contain within itself the seeds of its own dissolution. Mr. H. cited authorities to show that congress had the constitutional power and that it was their duty to protect the labor of the country against the hostile legislation of other countries. By the late census it is shown that $267,726,000 are invested in manufactures (atlantic) so called, and that 231,5- individuals, near one million or one-seventh part. the population of this country were employed and fed by this capital. As to one single item, which the census did not show, but according to the best calculation, there were thirty-four millions of sheep in this country, one-fifth of which, or six millions belonged to the state of New York. Their annual crop must be at least ninety millions of pounds. The article of wool alone was an interest sufficient in amount to be worthy of protection. Mr. H. alluded to the British and Portuguese treaty of 1704, and to the policy of France since 1815, and to Great Britain herself for the various national advantages growing out of the policy of protection. Yet the latter prohibited goods on which their hypocritical doctrines of free trade, which she never practices, be her statesmen whig or tory. Mr. H. referred to the speech of Sir Robert Peel in the British house of commons on 22d February last, and to the Mad of St. Cloud, and to the "Constitutionel" of Paris, who all treated of free trade as good in the abstract and as a doctrine to be talked about, but repudiated it as not to be practised. The increase of importations of wines and silks from beyond the Cape of Good Hope, after the compromise deductions of duty, was from 7½ to 23 millions of dollars. For three years before the compromise act the excess of imports over exports was, $35,000,000; for the three years succeeding the passage of that act, the excess was $111,000,000. All the country had to pay was the mere manufactured articles and she took from us only raw materials. We received from her and England the necessaries of life. Was it a wonder that we are in debt to foreign governments, who are enriched while we are impoverished. Protection reduces the price to the consumer and in some cases it did it to the extent of 100 per cent.

Mr. *Jno Davis* endeavored to shew that the main object of the last special session was to make such lavish expenditures as should create a necessity for a high protective tariff. He asked what had been the effect of teaching the states to rely on the general government, instead of on themselves? Why the effect was, as might have been expected, *repudiation*. After illustrating this branch of the subject, he drew a comparison between the promises of the whigs before the election, and the present state of things.

Mr. *Brockway*, of Con. advocated for one hour the expediency of a protective tariff and its constitutionality, and said that he took pleasure in not obeying the instructions of his state legislature to vote for the restoration of the land fund.

Mr. *Thompson*, of La. regretted that party feelings or prejudices had been excited in this discussion, and went into a history of the protective policy through each administration, down to the present time. He alluded to the reward of the distinguished statesmen who had introduced the compromise act that it was done not only for revenue but also for the protection of manufactures. Under it a sufficient revenue was to be raised by duties independent of any land proceeds or any other sources; and against the doctrine that those who had voted for it had forever surrendered the principle of protection. He considered this as the question of American industry and labor against the pauper labor of Europe: and that every other civilized nation of the globe acted on the principle of protecting its own labor, independent of all free trade theories. Being cut off by his hour, Mr. T. concluded, and

The motion the committee rose.

Mr. *J. D. Ingersoll* offered a resolution, which was adopted, authorising the secretary of the treasury to employ a clerk in aid of himself and the attorney general, in preparing a code of naval rules and regulations in conformity to the resolution of 4th May.

The house then adjourned.

TUESDAY, JUNE 21. Mr. *Cushing*, on leave given, offered the following resolution, which was adopted:

Resolved, That the president of the United States be requested to communicate to the house, if in his

opinion the same be not incompatible with the public interest, information in the proceedings of the government of the United States in the case of George Johnson, a citizen of the United States aggrieved by acts of the government of the republic of Uruguay.

Mr. *Triplett*, on leave given, offered the following amendment to the revenue bill now under consideration, (to come in between the 10th and 11th sections,) which was ordered to be printed:

Sec. 11. *And be it further enacted*, That from and after the 1st day of July, 1843, there shall be levied, collected, and paid, in addition to the duties imposed by this act, twenty per cent. on such duties upon the following articles, to wit: on manufactures of silk or of which silk is a component part, on laces of every description, bleached or unbleached linen, broadcloths costing at the place from whence imported more than one dollar and sixty cents per square yard, ready-made clothing, boots, shoes, and hats, on sugar, distilled spirits, and wine of every description imported either in casks or otherwise.

Sec. 12. *And be it further enacted*, That the additional duty imposed by the preceding section shall cease so far as it is imposed upon any article the produce or manufacture of any kingdom or nation, whenever it shall be proved to the satisfaction of the president of the United States that the tobacco, grain, flour, and rice, the produce of the United States, are admitted into the ports of such nation at a rate of duty not exceeding that imposed upon any article imported from such kingdom or nation into the United States, and that any citizen of the United States may sell and dispose of the tobacco, grain, flour, and rice, the produce of the United States, in the ports of such kingdom or nation, upon the same terms and with no other restrictions than are imposed upon the citizens or subjects of such foreign nation or kingdom when importing or disposing of the produce or manufactures of such nation or kingdom in the United States. And on such satisfactory proof being made, the president of the United States shall immediately issue his proclamation declaring that such proof has been made, which shall be conclusive evidence of the fact.

On the suggestion of Mr. *Adams*, and by general consent, the speaker laid before the house the following message (transmitted yesterday) from the president of the United States:

Washington, 20th *June*, 1842.

To the house of representatives:

A resolution of the house of representatives of the 13th instant has been communicated to me, requesting, so far as may be compatible with the public interest, a copy of the quintuple treaty between the five principal powers of Europe for the suppression of the African slave trade; and also copies of any remonstrance or protest, addressed by Lewis Cass, envoy extraordinary and minister plenipotentiary of the United States at the court of France, to that government, against the ratification by France of the said treaty, and of all correspondence between the governments of the United States and of France and all communications from the said Lewis Cass to his own government, and from this government to him, relating thereto.

In answer to this request I have to say, that the treaty mentioned therein has not been officially communicated to the government of the United States, and no authentic copy of it, therefore, can be furnished. In regard to the other papers requested, although it is my hope and expectation that it will be proper and convenient, at an early day, to lay them before congress, together with others connected with the same subject, yet, in my opinion, a communication of them to the house of representatives at this time would not be compatible with the public interest.

The message was read, and, on motion of Mr. *Adams*, was referred to the committee on foreign affairs, and was ordered to be printed.

The following resolution, heretofore reported by Mr. *Stanly* from the committee on public expenditures was taken up.

Resolved, That a select committee be appointed with instructions to inquire into the amount and character of the expenditures which have been made by this government in satisfaction of bounty land claims allowed by the state of Virginia, which amount of the claims are still outstanding, and whether any further legislation of congress is necessary to secure the treasury against the payment of improper or unfounded claims of that description.

And the pending question was on the motion of Mr. *Goode*, of Virginia, to amend the resolution by adding thereto the following words:

"Or to satisfy outstanding claims which are just and well founded, and that the said committee have leave to report by bill or otherwise."

Mr. *Gilmer* resumed and concluded his remarks in favor of the reference to an impartial committee, by whom the subject of these claims should be thoroughly sifted and examined. Mr. G. having concluded

Mr. *Goggin* obtained the floor, but, yielded to a motion by

Mr. *Fillmore* that the house resolve itself into committee of the whole on the state of the union.

The motion prevailed and the committee (Mr. *McKennan*, of Pennsylvania, in the chair) resumed the consideration of the revenue bill; but, for the first item of which Mr. *Saltonstall* had proposed the bill reported by himself as an amendment, which amendment Mr. *Habersham* had proposed to amend by inserting the bill reported by himself from the minority of the committee of manufactures.

Mr. *Cowen* addressed the committee. He said that during the period in the history of this country which, by common consent, had been characterised as the period of protection—i. e. from 1816 to 1836, inclusive—there had been produced from the public lands and from duties on imports a revenue more than was required for the current expenses of the government, by an average of more than eleven million per annum. During the time subsequent to that period—i. e. from the year 1837 to the year 1841, inclusive—there had been an average annual *deficit* in the revenue, including the proceeds of the lands and the revenue derived from duties on imports, of more than seven millions of dollars. By this decrease in the revenue, a large surplus revenue, which had been produced by the opposite policy, had been exhausted; and, after the exhaustion of that revenue, the necessity of contracting a national debt was created—a necessity absolute and unavoidable, and a debt which was now accumulating.

Two alternatives therefore presented; either more revenue must be raised by imports; or else we must resort to direct taxation. Mr. C. contended that the compromise act itself contemplated a modification of duties either by increase or decrease according to the contingencies which should arise. The exhaustion of our revenues was arisen from a departure from that principle in the compromise act itself. Its framers had contemplated a policy decidedly the opposite of that which we have for several years been pursuing; but unfortunately, it had long since departed injudiciously from the principles laid down in the compromise act, and that increasing the duties will be the true and proper mode of adhering to its principles.

Mr. C. believed that the public lands had been vested in the United States, *for the use* of the states granting them, and that they should be remanded from the political market, whether they went into the coffers of the general or of the state governments, they went in either event for the *benefit of the people*.

A question of modern growth now exists. Has the constitution of 1787 enrolled and thrown away that power of self-preservation and self-defence, which was seen by the fathers of Independence? Has protection was first called in question. He would not assert that it had not been called in question before 1833, but it was very little called in question before 1828. In the time of the contest and canvass of 1828 General Jackson was supported as the friend to protection, and his opponent opposed on the ground that he was not friendly to it. In 1815 and 16, the balance of trade against this country was 125 millions (a sum greater than the whole national debt which was then 122 millions including 39 millions which existed at the commencement of the war). What was the cause of this excess of imports over exports? It was afterwards set forth in a speech of Mr. Brougham. He spoke of it as a matter of government policy to the manufacturing interest of Great Britain. It was their policy to strangle the infant institutions of the United States, and then it was that Mr. Madison anxiously impressed upon congress the vast importance of guarding them; and congress now throw these counsels aside! He hoped not.

He came down now to the year 1833, and referred gentlemen to McCulloch's Commercial Dictionary, and other contemporaneous authorities, to show the anxious solicitude which, in the years 1831, 1832, 1833, and up to 1834, had seized upon the minds of British statesmen as to the success of American manufactures in competition with those of Great Britain in foreign markets. He adverted to the fact that when in 1833 the compromise act was passed, then McCulloch could but say, send up the shout of triumph, the death-blow had been given to American manufactures, but that *nothing was now to be feared any longer* from that quarter. Mr. C. referred to these things for the purpose of showing the importance and the necessity of every effort and energy, and of all the power of this government being put to work, to sustain this interest, if it were worth sustaining.

Mr. C. also referred to the excess of imports over exports in the years 1834 and 1836, inclusive, and to the ruinous balance of trade resulting therefrom against us—a balance which he traced to the course of policy on the part of British capitalists. He then dwelt on the necessity of having control of the home market—on the importance of bringing the producer and the consumer as near together as possible—on the prosperity and wealth which had hitherto resulted to the manufacturing as well as to the agricultural classes during the period of protection, and he then proceeded forcibly to demonstrate the shallowness of the argument which had been advanced against protection on the score of *monopoly*. Whilst yet illustrating this latter branch of his subject, the chairman's hammer fell, and Mr. C. took his seat.

Mr. *Kennedy* said that he had no patience with this doctrine of protection, and could as calmly listen to a man talking about the moon operations in stealing his days' earnings from him. He considered the interests of the west as directly the reverse of protection. He had never looked into the books to learn the opinions of Washington, Jefferson, and Madison, but he held an opinion for himself, and that is, that protection is unconstitutional. Mr. K. then enumerated many arguments against its constitutionality, expediency, and justice, and concluded that it made labor instead of capital pay the expenses of government. He expatiated on the beauties of free trade, and concluded by remarking, that when the opposite party would reduce expenses to twenty-two millions, and give up the land fund, he would go with them for a tariff for revenue.

Mr. *Fornance* then addressed the committee. He defined his position; was in favor of a judicious tariff, but against any tariff if he were obliged to take protection of any particular class of individuals with it. He would vote for counterveiling laws against those countries that refused to take our flour or tobacco.

Mr. *Sterwod* was in favor of reducing expenditures, and opposed to any thing like protection. Having spoken an hour and concluded.

No one arose to continue the debate.

The question was then taken on Mr. *Habersham's* amendment, to insert the bill reported by him from the minority of the manufactures' committee, and decided in the negative; noes 85, yeas 37.

The question recurring on the amendment of Mr. *Saltonstall*, Mr. *Pickens* took the floor, and on his motion, the further consideration of the bill was postponed until to-morrow.

The Indian appropriation bill was taken up, discussed, and reported to the house with amendments, which the house then concurred in, and ordered the bill to be engrossed for a third reading to-morrow.

The house adjourned.

WEDNESDAY, JUNE 22. The resolution in relation to the Virginia military bounty lands, was taken up.

Mr. *Goggin*, of Va. addressed the house in vindication of his claim, and in defence of the character of the claims, and the morning hour expiring.

On motion of Mr. *Fillmore*, the house went into committee of the whole, and resumed the consideration of the revenue tariff bill.

Mr. *Pickens*, of S. C. addressed the committee in favor of free trade, and against protection and revenue tariff bill.

Mr. *Snyder*, of Pa. addressed the committee. He was opposed to distribution of the land proceeds, and to any protection for the iron interest, which already by his statistics realized great profits, and was opposed to taxing coffee, sugar, and salt.

Mr. *Hubbard*, of Va. next addressed the committee in opposition to the bill.

Mr. *Cushing* next addressed the committee. He urged that no revenue bill could be formed, which would not give protection to some special interest or other, and advocated the bill as one of revenue. He also combatted the theory of free trade.

Mr. *Wise* next addressed the committee. He concluded his speech by saying that if he was finally compelled to vote for one or the other of these bills, and should vote for that of the committee on manufactures (as 'being more a bill for revenue and less for protection than the other) he was not therefore to be set down as preferring protection to revenue.

On motion of Mr. *Kennedy*, of Md. the committee rose, and the house adjourned.

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CHRONICLE.

APPOINTMENTS. Tully R. Wise, of Virginia, has been appointed first auditor of the treasury, *vice* Jesse Miller. [*Nat. Int.*

James H. Stirman, register of the land office for the district of lands subject to sale at Fayetteville, Arkansas, *vice* Mountford Stokes, who did not qualify.

BANKS. The banks of Kentucky resumed specie payments in full on the 15th inst. The banks of Indiana also went into full resumption on the same day. Notice was given by the directors of the Shawneetown bank of Illinois, that resumption on the part of that bank would not take place in consequence of the suspension of the New Orleans banks. It is yet doubtful whether the banks of Tennessee will resume.

The Louisville Kentucky Journal states that full provision has been made for the payment of the interest on the bonds of that state, due in July.

The commissioners of the sinking fund, met at Frankfort, on 11th, and forwarded the July instalment of interest on all the Kentucky bonds

The U. States bank for sale. Sherriff Morris, of Philadelphia, advertises that the splendid building of the U. S. bank, and the lot upon which it stands, will be sold at auction on the 23d of July.

GOVERNOR BOGGS. Gov. Boggs' health, as we learn from his physicians, is steadily improving.—The contusions on his head are healing as fast as desirable, and he is now considered as being nearly out of danger. [*Western Missourian.*

CANAL TOLLS. The tolls collected on the New York canals to the 7th June, in each of the last four years, are as follows, viz:

1839 - - - - -	$463,618
1840 - - - - -	406,363
1841 - - - - -	515,212
1842 - - - - -	444,050

The decrease from last year is $71,162.

COTTON IN INDIA. We learn from the Nashville Whig that the Natchez Courier contains extracts from a letter of Mr. Thomas J. Finoie, who, about two years ago, in company with three other Mississippians, embarked for India, for the purpose of engaging in the cultivation of cotton. He is settled, it appears, on the banks of the Jumna, a branch of the Ganges, and has the control of a tract of land containing 5,600 acres, with a village of 2,000 inhabitants. He says he is just as sure of making cotton there as on the banks of the Mississippi. Labor is so cheap that cotton may be produced at half the cost of its production in the United States. The wages of a laboring man is $1 62 per month, he furnishing his own subsistence. With the advantages of a favorable soil and climate, and low wages, what is to prevent India from becoming a formidable rival to American cotton in the European market? Mr. Finoie is so well convinced of what em be done that he intends to plant five hundred acres in cotton on his own responsibility.

CROPS. The south and south western papers bespeak a remarkable forwardness of the cotton crop. The wheat is said to have been touched by the rust in various quarters of Maryland and Virginia.

NATIVE COPPER. Whilst we are compelled to import the immense quantities of copper, used in our extensive country, it is believed that there are the richest beds of copper ore on Lake Superior ever discovered in the world. Enterprise and a little skill is only necessary to bring it into market. A few enterprising Yankees have, during the past year, made a commencement of digging the copper, and with great success.

There are hundreds of individuals in this city, out of employ, whose information and knowledge of smelting ores, might be most successfully employed on the banks of Lake Superior, and two or three men with some capital were to organize companies, on shares, and proceed to Lake Superior, they would soon realize advantages which no business at present in New York could equal. We hope this article may be read by some of our enterprising mechanics, and that they will enquire into the truth of what we have stated. [*New York American.*

EMIGRANTS. On June 16th, 1,399 steerage and 250 cabin passengers landed at New York, from two ports alone. Letters from Germany state that thousands are preparing to leave for America, whole villages in some instances with their pastors and schoolmasters; the rage pervades Germany and Holland; 50 Norwegians are on their way ho see the country and report. New York is crowded with men out of employ, and paupers and ragged beggars swarm the battery

Whole villages including the rich as well as the poor, are emigrating, says a letter from Mentz, from Germany to North America. Three of those in Upper Hesse have, within these few months, been entirely abandooed, and several in Rhenish Prussia are preparing to follow the example. A short time ago the whole population of one of these villages passed through Mentz on the way to America, accompanied by its pastor and its schoolmaster.

[*Galignani.*

We welcome all who come, but more especially those who come "with their pastor and their schoolmaster." Religion and education can alone make good citizens. [*New York American.*

THE LATE EARTHQUAKE. It is remarked that the disappearance of the water of several of the little Florida lakes occurred on the very day of the earthquake.

THE HAMBURG FIRE. John Jacob Astor gave $400 to aid the Hamburg sufferers, and William B. Astor, $1000.

FLOUR sold at Cincinnati on the 18th inst. at $3 90 per barrel, for easst.

MONS. GUIZOT. We learn that the beautiful full length portrait of Mons. Guizot, executed upon subscription of American citizens resident in Paris by the American artist Mr. Healy, has been handed over to the hon. Joel R. Poinsett, late secretary of war, and now president of the National Institute, and has taken its position in the hall of the institute, in close proximity with the full length of Washington, where hundreds daily visit it. [*Madisonian.*

INDIAN COUNCIL. The Arkansas Intelligencer, at Van Buren of 27th May, gives an account of the grand Indian council, held at the Deep Fork of the North Fork, of Canadian river, composed of upper and lower creeks, Choctaws, Chickasaws, Seminoles, Caddoes, Delawares, Shawanoes, Senecas, Pawnees, Osages, Kickapoos, Witchetaws, Kichees, Pankeshaws, Towockennys, and Iserhuktoyes or whitemen. The Cherokees were not represented, although a few were present. The council was formed of the delegates of the wild western tribes, as well as of their more civilized brethren residing near. The gathering commenced on about the 11th of May, four days previous to the appointed time. On Wednesday the council met. Gen. Chilley McIntosh, welcomed his white brethren, Gen. Taylor, Capt. Armstrong, superintendant, Col. Logan, Indian agent, &c. Chief Rolly McIntosh then announced they were ready to hear what they had to say. Thus invited, Captain Armstrong, Gen. Taylor, and Col. Logan rose and addressed them in order, through their interpreter, Benj. Marshall. The immediate reference of the council is simply a regulation of mutual intercourse with the different tribes, and in its survey grasps the subject of stolen property.

INDIVIDUALS. Ex-President Van Buren arrived at Dayton, Ohio, on June 8th.

Among the visiters to the city of Washington is the ex-minister to Mexico, Mr. Ellis. The English banker, Mr. Ricardo, is also there.

MECHANICS EMPLOYED AND DISMISSED FROM THE NAVY YARDS. The number of mechanics dismissed from the five great navy yards from May 1st to June 10, are as follows:

From Portsmouth, N. H., - - - - -	89
" Boston, - - - - - - -	216
" New York, - - - - - - -	353
" Philadelphia, - - - - - -	444
" Norfolk, - - - - - - -	426
	1,528

The reason given by the secretary in a document just laid before congress, is "a want of work, caused by the launching of the several vessels being stopped, and the discontinuance of the work on the medium steamers."

THE MEAMONS have nominated a full ticket for county officers, of their own *religious denomination*, in the county of Hancock, Illinois.

THE NATIONAL INSTITUTE held a meeting at Washington on the 20th inst. at which were present Mr. Poinsett its president and many distinguished citizens. Lieut. Wilkes gave a brief narration of his late voyage, vindicated the American discoveries which have been since claimed by Capt. Ross, and illustrated them and others with some two hundred charts prepared during the voyage. It will be perceived by reference to congressional proceedings that provision is being made for their publication.

THE NORTH EASTERN BOUNDARY. The Portland American of Saturday last, states that a party of engineers, under the direction of F. T. Lally, esq. of that city, left in the Bangor the same morning for the boundary line. Professor Renwick, of New York, one of the commissioners of our government will follow the corps, and superintend their operations in the field. The commissioners are expected to complete the survey the present season.

OHIO WHIGS. The whigs of Columbus, Ohio have nominated John Davis of Massachusetts as candidate for the next vice president.

OIL. The Journal of Commerce remarks that "amid all the changes which trade is passing through, none is more remarkable than that in oil. Heretofore the whale fishery has supplied light for a vast portion of the country. In all the large towns and villages sperm oil has been sold freely. That trade has suddenly ceased. This spring there has been almost no demand from the interior for sperm oil, and very little from the city. Camphine and lard oil have supplied the demand at a cheaper rate. Crude sperm oil has fallen one-third in price, and yet remains neglected. The boys have fairly run the whales out of market, and are likely to hold their ground, unless some new process of cheapening can be contrived on the other side. The woods of the west are more full of the quadruped than any ocean is of the finny whale, and the quadruped is much more easily taken. The way now is to turn the 'whole hog' into oil."

THE SANTA FE PRISONERS. The correspondence between the government and that of Mexico, transmitted to the senate by the president, on a request from that body, has been published. In the correspondence is the letter of instructions from Mr. Webster to Mr. Thompson, our minister at Mexico.

SHEEP FROZEN TO DEATH IN JUNE! We alluded, the other day, to a statement, which we could hardly credit, made to us of the death, by frost, of a number of sheep in Genesee and Livingston counties. The number stated as having thus perished, was between 4 and 500. We did not give the number, because we could not fully credit the report. We have since been assured, from various sources, of its truth; and the Buffalo Commercial, in alluding to it, mentions the fact, that one farmer in the vicinity of that city, lost 20 out of a flock of 200, within a few days, from cold. We doubt whether the past furnishes a parallel to this. Five hundred sheep frozen to death in June! We might defy Greenland or Siberia to beat this! But America is a great country!

[*Rochester Democrat.*

TEMPERANCE. A general council of the Cherokees, have passed a law, that all spirituous liquors found at any time, in their nation, shall be poured out on the ground.

A SULTAN'S PRESENT. A splendid Arabian blood horse was brought here in the barque Eliza, arrived on Thursday from Zanzibar, as a present from the Sultan of Muscat, to David Pingree, esq. of this city. Two Arabs were likewise sent over by the Sultan to take charge of the steed, and they attract a great deal of notice whenever they appear in the street, on account of the singular and picturesque style of their native costume. [*Salem Reg.*

G. W. WHISTLER. Among the passengers which

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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THE VETO MESSAGE from President TYLER, which will be found in the next column, is a measure the ultimate effects of which it would be exceedingly difficult to predict. Its immediate operation is, to allow the lowest rate of duties which was contemplated by the compromise act of 1833, to go into immediate operation, provided the president is right in considering himself as possessed of adequate powers without further legislation of congress, to carry out the home valuation of articles hereafter imported.—If he has not that power, there would seem to be no adequate authority for assessing any *legal* duties upon imports after the 30th of June past.

In either case, however, the influx of foreign goods will no doubt be immense, and the prostration of American industry, already sufficiently depressed, will be greatly augmented—and our little remaining financial means drained from us.

Meantime the distribution of the proceeds of the public lands, which the vetoed bill would have suspended, *will go into effect*, according to the provisions of existing enactments.

The condition of the public treasury under these circumstances will become still more embarrassed and contribute to increase the general financial difficulties under which the people of this country have so long laboured.

Add to this a most unpleasant posture of affairs growing out of the attitude which the executive is accused of having in this measure attempted to assume, of controlling the legislative branch of the government in a department which it was supposed the constitution had committed more particularly to them as the more immediate *representatives of the people*. A collision of departments is to be deprecated. Yet each must be confined to its own sphere, or our system will be found defective. Temporary difficulties should never authorize interpolation.

This subject is a grave one, and it is to be hoped, that congress will meet it with calmness, and act with due deliberation.

The debate upon the veto message was resumed in the house of representatives on Friday, (after an ineffectual attempt by Mr. ROOSEVELT, to introduce a bill, to obviate as he thought, the difficulties in the existing revenue laws—which the house refused to consider, ayes 81, nays 112;) Mr. BAKER, of Massachusetts, Mr. STUART, of Virginia, and Mr. TILLINGHAST, of Rhode Island, against the veto; Mr. PROFITT, of Indiana, in its favor; Mr. LANE, of Indiana, in opposition, and Mr. WELLER in its favor.

THE TARIFF *now in operation*, if the president is right in supposing as his veto message intimates, that he has sufficient authority to enforce it, reduces the duties below what they were on the 30th June, in many cases forty to fifty per cent. Pig iron for instance, which prior to the compromise act cost, foreign valuation, say $15 per ton, paid then $10 duty, and will at the 20 per cent. pay $3 per ton—being 40 per cent. less than was paid up to the 30th June. Merchant bar iron costs $30 per ton,—paid before the 30th June, $13 20,—duty now $6—difference 53 per cent—and so on.

Vol. XII—No. 18.

VETO OF THE PROVISIONAL REVENUE BILL.

On Wednesday last, President Tyler returned to the house of representatives in which it had originated, the provisional tariff bill, with the following

VETO MESSAGE.

Washington, June 29, 1842.

To the house of representatives:

I return the bill which originated in the house of representatives, entitled "An act to extend for a limited period the present laws for laying and collecting duties on imports," with the following objections:

It suspends, in other words, abrogates for the time, the provision of the act of 1833, commonly called the "compromise act." The only ground on which this departure from the solemn adjustment of a great and agitating question seems to have been regarded as expedient is, the alledged necessity of establishing, by legislative enactments, rules and regulations for assessing the duties to be levied on imports, after the 30th June, according to the home valuation; and yet the bill expressly provides that "if before the 1st of August there be no further legislation upon the subject, the laws for laying and collecting duties shall be the same as though this act had not been passed." In other words, that the act of 1833, imperfect as it is considered, shall in that case continue to be, and to be executed under such rules and regulations as previous statutes had prescribed, or had enabled the executive to prescribe for that purpose, leaving the supposed chasm in the revenue laws just as it was before.

I am certainly far from being disposed to deny that additional legislation upon the subject is very desirable; on the contrary, the necessities as well as difficulties of establishing uniformity in the appraisements to be made in conformity with the true intention of this act was brought to the notice of congress in my message to congress at the opening of its present session. But, however sensible I may be of the embarrassments to which it exposes us in the absence of all aid from the superior wisdom of the legislature, will be liable, in the enforcement of the existing laws. I have not, with the sincerest wish to acquiesce in its provisions, been able to persuade myself that the exigency of the occasion is so great as to justify me in signing the bill in question, with my present views of its character and effects. The existing laws, as I am advised, are sufficient to authorise and enable the collecting officers, under the directions of the secretary of the treasury, to levy the duties imposed by the act of 1833.

That act was passed under peculiar circumstances, to which it is not necessary that I should do more than barely allude. Whatever may be, in theory, its character, I have always regarded it as importing the highest moral obligation. It has now existed for nine years, unchanged in any essential particular, with as general acquiescence, it is believed, of the whole country, as that country has ever manifested, for any of her wisely established institutions. It has ensured to it the repose which always flows from timely, wise, and moderate counsels—a repose the more striking because of the long and angry agitations which preceded it. This salutary law proclaims, in express terms, the principle which, while it led to the abandonment of a scheme of indirect taxation founded on a false basis, and pushed to dangerous excess, justifies any enlargement of duties that may be called for by the real exigencies of the public service. It provides "that duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government." It is therefore in the power of congress to lay duties as high as its discretion may dictate, for the necessary uses of the government, without infringing upon the objects of the act of 1833. I do not doubt that the exigencies of the government do require an increase of the tariff of duties above 20 per cent., and I as little doubt that congress may, above as well as below that rate, so discriminate as to give incidental protection to manufacturing industry—thus to make the burdens which it is compelled to impose upon the people, for the purposes of government, productive of a double benefit. This most of the reasonable opponents of protective duties seem willing to concede; and, if I may judge from the manifestations of public opinion in all quarters, this is all that the manufacturing interests really require. I am happy in the persuasion that this double object can be most easily and effectually accomplished at the present juncture, without any departure from the spirit and principle of the statute in question. The manufacturing classes have now an opportunity, which may never occur again, of permanently identifying their interests with those of the whole country, and making them, in the highest sense of the term, a national concern. The moment is propitious to the interests of the whole country, in the introduction of harmony among all its parts and all its several interests. The same rate of imposts, and no more, as will most surely re-establish the public credit, will secure to the manufacturer all the protection he ought to desire, with every prospect of permanence and stability which the hearty acquiescence of the whole country, on a reasonable system, can hold out to him.

But of this universal acquiescence, and the harmony and concord and the many other benefits that will certainly result from it, I regard the suspension of the law for distributing the proceeds of the sales of the public lands as an indispensable condition. It was conceived in, in my judgment, called for by, a large number, if not a great majority of the people of the United States; by the state of the public credit and finances; by the critical posture of our various foreign relations; and, above all, by that consecrated of all duties, public faith. The act of September last, which provides for the distribution, contains the following, with the condition that it shall cease—first, in case of war; second, as soon and so long as the rate of duties shall, for any reason whatever, be raised above 20 per cent. Nothing can be more explicit, express, or imperative, than this language. It is in vain to allege that a deficit in the treasury was known to exist, and that means were taken to supply this deficit by loan when the act was passed. It is true that a loan was authorised at the same session during which the distribution law was passed; but the most sanguine of the friends of the two measures entertained no doubt but that the loan would be eagerly sought after and taken up by capitalists, and speedily reimbursed by a country destined, as they hoped, soon to enjoy an overflowing prosperity. The very terms of the loan, making it redeemable in *three years*, demonstrates this beyond all cavil.

Who at the time foresaw or imagined the possibility of the present real state of things, when a nation that has paid off her whole debt since the last peace, while all the other great powers have been increasing theirs, and whose resources, already so great, are yet but in the infancy of their development, should be compelled to haggle in the money market for a paltry sum, not equal to one year's revenue upon her economical system? If the distribution law is to be indefinitely suspended, according not only to its own terms, but by universal consent, in the case of war, wherein are the actual exigencies of the country, or the moral obligation to provide for them, less under present circumstances than they could be, were we actually involved in war? It appears to me to be the indispensable duty of all departments of the administration of public affairs to see that a state of things so humiliating and so perilous should not last a moment longer than is absolutely unavoidable. Much less exceedingly should we be parting with any portion of our available means, at least until the demands of the treasury are fully supplied. But, besides the urgency of such considerations, the fact is undeniable that the distribution act could not have become a law without the guaranty in the proviso of the act itself.

This connection, thus meant to be inseparable, is severed by the bill presented for me. The bill violates the principle of the acts of 1833, and September, 1841, by suspending the first, and rendering, for a time, the latter inoperative. Duties above 20 per cent. are proposed to be levied, and yet the proviso in the distribution act is disregarded. The proceeds of the sales are to be distributed on the 1st of August; so that, while the duties proposed to be exacted exceed 20 per cent. no suspension of the distribution to the states is permitted to take place. To abandon the principle for a month is to open the way for its total abandonment. If such is not meant, why postpone at all? Why not let the distribution take

the state of Illinois, *viz:* Jesse K. Dubois, resigned. [illegible] [illegible] [illegible] those of private shippers. [illegible] [illegible] [illegible] pearly all it says.

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place on the 1st of July, if the law so directs (which, however, is regarded as questionable.) But why not have limited the provision to that effect? Is it for the accommodation of the treasury? I see no reason to believe that the treasury will be in better condition to meet the payment on the 1st of August than on the 1st of July.

The bill assumes that a distribution of the proceeds of the public lands is, by existing laws, to be made on the first day of July, 1842, notwithstanding there has been an imposition of duties on imports exceeding 20 per cent. up to that day, and directs it to be made on the 1st of August next. It seems to me very clear that this construction is unconstitutional and dangerous; as it would divert from the treasury a fund sacredly pledged for the general purposes of the government, in the event of a rate of duty exceeding twenty per cent. being required for an economical administration of the government.

The bill under consideration is designed only as a temporary measure; and thus a temporary measure, passed merely for the convenience of congress, is made to affect the vital principle of an important act. If the provision of the act of September, 1841, can be suspended for the whole period of a temporary law, why not for the whole period of a permanent law? In fact a doubt may be well entertained, according to strict legal rules, whether the condition having been thus expressly suspended by this bill, and rendered inapplicable to a case where it would otherwise have clearly applied, will not be considered as ever after satisfied and extinguished, but out expressing any decided opinion on this point, I see enough in it to justify me in adhering to the law as it stands, in preference to subjecting a condition so vitally affecting the peace of the country, and so solemnly enacted at a momentous crisis, and so steadfastly adhered to ever since, and so replete, if adhered to, with good to every interest of the country, to doubtful or captious interpretation.

In discharging the high duties thus imposed on me by the constitution, I repeat to the house my entire willingness to cooperate in all measures consistent, constitutional and proper, which in its wisdom it may judge necessary and proper to re-establish the credit of the government. I believe that the proceeds of the sales of the public lands, if placed in the treasury, or, more properly speaking, the provisions of the act of September, 1841, being permitted to remain in full force, a tariff of duties may easily be adjusted, which, while it will yield a revenue sufficient to maintain the government in vigor, by restoring its credit, will afford ample protection, and insure a new life and all our manufacturing establishments. The condition of the country calls for such legislation, and it will afford me the most sincere pleasure to co-operate in it. JOHN TYLER.

Mr. WM. C. JENNES obtained the floor, but was interrupted by Mr. CRANWO who demanded that according to a provision of the constitution, the message should be entered upon the journal, which the speaker accordingly ordered.

Mr. J. proceeded to announce his determination to bring forward a project, to which he had before alluded, of the general government's assuming the state debts and pledging the proceeds of the public lands for payment. He moved that the consideration of the message be postponed till to-morrow and be printed.

Mr. HOLMES, of South Carolina, rose under strong apparent agitation. After bursting into warm congratulations on the message, he went on to observe that there were some junctures in the history of a nation where, amidst the conflict of contending parties and the struggle of opposing interests, the energy of one man might sometimes redeem and save his country. He had been silently watching the progress of events, and witnessing with pain the downward progress of our public affairs: and never in his life had he felt a moment of such spontaneous heartfelt thanksgiving to Heaven as he did at this moment. This veto had come in like an interposing being from above to check the madness of the house's career, when it had undertaken to violate the great and sacred compact between the sovereign states of the north and the sinking and almost expiring industry of the south. During nine long years the benefits of that compact had resulted exclusively to the advantage of one of the contending parties only: and now, just when the cup was passing to the refreshment of the parched and expectant lips of the other party, it was to be rudely dashed away, and the consummation of the act was to be ruined, which had rescued the country from impending civil war.

It was at such a moment that the period of history would exhibit the president as having the energy and boldness to throw himself between an act of rash and ruthless legislation and the institutions of his country. This act alone was sufficient to deliver down his name to the admiration of succeeding ages. Let his subsequent conduct be what it might, this deed was in itself, enough to show that there was spirit, there was energy, that there was intellect in the chief magistrate which entitled him to the respect of all men. It was one of the most daring measures the world had ever witnessed, and as noble as it was daring. It said to a great and formidable party, in all the strength of an overwhelming majority in congress, construct your revenue bill for revenue alone, or you shall abide the consequences of your folly. In a crisis like this, with an exhausted treasury, trade prostrate, and the affairs necessary to all the responsibilities around him which could accumulate on the head of a great people, the president had boldly thrown himself into a position where he must stand or fall on the consequences of one bold deed. Should the madness of party carry such a bill again, it would be vetoed again. This placed John Tyler in the head and forefront of the battle for the institutions of his country, and there the people would sustain him. They well knew that the contest in which he was contending was a contest between reckless legislation and our sacred free institutions; and they would act as they had always acted towards those who defended them. Mr. H. trusted the consideration of the message would not be postponed; he trusted the bill would be taken out of the hands of men who were willing to peril every thing for the sake of a division of the spoils.

Mr. GARNER next obtained the floor, and called upon the minority in congress, who had legislated in their ground against the extraordinary assumption of executive authority developed in the veto message, and in support of the manufacturing interest as all as the industry of the south, to rally upon the party which had long fought for those principles would now maintain them.

Mr. SAUNDERS followed, deploring that the debate had been prematurely entered upon, but contending strenuously against this unprecedented exercise of veto power, upon which he commented at considerable length.

This veto went on the naked principle of expediency alone. It proceeded on the president's personal views of expediency, in direct opposition to those of the representatives of the people and of the states. And at what a time had it been put forth! What would be the situation of the country? This was the 29th of June; every body knew that, after to-morrow, the duties would be increased to twenty per cent. to be reckoned on a home valuation. The president declared that no difficulty would result; the collectors could proceed to receive under executive instructions, and he would promulgate a set of regulations that should meet the case and remove all difficulty; and this, when the compromise act itself declared that the regulations for the home valuation were to be prescribed BY LAW. The president, by his mere executive authority, was to prescribe the regulations to govern every custom-house from Eastport to New Orleans.

Mr. S. did not know what adviser the president might have had; but Mr. S. had looked into the subject, and was ready to give it as the opinion of a private individual that the duties could not be collected, and should the attempt be made under the executive prescription, it would give rise to thousands of lawsuits. Unless congress should establish a system of regulations, he repeated it, no duties could be collected. Well might the gentleman from South Carolina, (Mr. HOLMES,) say that the president had acted with boldness; it was bold indeed. The gentleman said that the president had thrown himself between the legislation of congress and the institutions of his country! And had it come to this, that the people were to look to the president of the U. States against their own representatives!

The president talked about his secretary having to haggle in the money market for one petty loan; but unless he had some known and abundant supply of money, Mr. S. did not see how the government was to proceed a step. He had during the last five or six months given diligence to these subjects; and he again stated it as his opinion that, unless congress should publish a system of regulations for the collection and home valuation, after the 30th July, not a farthing of duties could be collected. We should have free trade with a vengeance. All the products of the world would come into our ports free of duty; he hoped if they were seized by the officers of government there would be law enough left to have them replevied by their owners.

Mr. FILLMORE followed. On what principle was this veto based? The president could not consent that the distribution of the proceeds of the public lands should cease for a single day. Now, although that was the profession, yet it appeared to have been but a pretence. Mr. F. wished to speak with all respect of the chief magistrate, but of his message he must speak with plainness. What was the law which that message vetoed? It authorized the collection of duties for a single month as they were levied on the first of January last, to allow time for the consideration of a permanent revenue for the country; it postponed the distribution of the proceeds of the public lands till the month should expire, and congress could provide the necessary supplies for the exhausted treasury. But what was the effect of the veto now on the table? Did it prevent the distribution? By no means; it reduced the duties, in effect, to 20 per cent. and authorised the distribution of the land fund immediately thereafter; and that distribution would, in fact, take place the day after to-morrow. That would be the practical operation of this paper. When congress had postponed the distribution for a month, did it not manifest the preference in the chief magistrate to say that he was forced to veto the bill from congress, to prevent the distribution, which his veto, and that alone, was now to take place? Congress had been willing to prevent the distribution, but the president, by one and the same blow, cut down the revenue at a moment when his severe cure could scarce obtain a loan on any terms, and in addition to this distributed the income from the public domain! In two days the distribution must take place.

Mr. F. said he was not at all surprised at the joy with which the veto had been hailed on the other side of the house, or at the joyful countenances which were arrayed there; probably this act was but the consummation of a treaty which had been long understood as in process of negotiation. If this was the ratification of such treaty, Mr. F. gave gentlemen much joy on the happy event. He should shed no tears that the administration had passed into its appropriate place. This, however, was a matter he should not discuss now; he should desire the message might be laid on the table till to-morrow and be printed.

Mr. F. said he was free to confess that we were now in a crisis which would shake this Union to its centre. Time would determine who would yield and who was yielded. Whether the president would or would not allow the representatives of the people to provide a revenue in the way they might think best for the country, provided they were guilty of no violation of the constitution. The president had now told them, in substance, that he had taken the power into his own hands; and although the highest financial officer of the government declared it as his opinion, that it was doubtful whether the duties could be collected which congress had provided by law, the president told the house that any further law was unnecessary; that he had power enough in his own hands, and he should use it; that he had authorised the revenue officers to do all that was necessary. This then would be in fact the question before the country—shall congress absolutely legislate for the people of this country or the executive?

Mr. CRANWO, advocated the veto power and this exercise of it at considerable length and insisted upon the proceeds of the land going into the treasury. It was the duty of the house to retract. He appeared to admit that the revenue could not be collected without further legislation, but insisted that it was the immediate duty of the legislature, to pass such laws as the occasion required. The responsibility was with them. The question was between the house and the people not between the house and the president. He was whether the government should be brought to a stand by the refusal of the house of representatives to perform its duty.

Mr. BANGS obtained the floor—the motion to print was adopted, and it being late, the house adjourned.

FOREIGN ARTICLES.

SOUTH AMERICA.

The Montevideo papers of the 25th of April state that about three hundred and fifty citizens from Buenos Ayres had arrived in that city. The accounts of the assassinations perpetrated there under authority of Governor Rosas are horrible in the extreme.—Hundreds of citizens and many women of elevated rank had perished by the knife and the dagger. So general had the murders been, that, except for an order of Rosas forbidding the wearing of mourning, the greater portion of the people would have appeared in weeds for the death of some relative. After the executions, without trial or any form of condemnation, the bodies of the victims were hurried to the cemeteries, accompanied by a rabble shouting, fiddling and singing. One of the official assassins came to the British minister and roughly asked him who he was. On learning the minister's position, the fellow retired, after significantly making a sign of

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cutting his throat. The minister then proceeded to the house of Rosas, and, with difficulty, obtained an interview. He indignantly informed the governor of what had passed, and boldly charged his excellency with a knowledge of the transaction with a sanction of all that had passed. This interview resulted in a circular to the police, in which that body was informed by Rosas that popular indignation had acted and that he, the governor, would hold them responsible for any more street assassinations." It is supposed, however, that the suspension of the butcheries is only to induce proscribed persons to show themselves. The band which takes an active part in these atrocities is called the Sociedad del Sosiego Publico.

CENTRAL AMERICA.

Rear-admiral sir Charles Adam returned from the Havana in the "Illustrious" on Wednesday last, for the purpose of acting, in conjunction with H. M. Superintendent, in bringing the long pending claims against Central America to a conclusion.

We trust that the steps now taking to obtain redress for outrages committed on British subjects, will effectually put a stop to the exactions and violence which have not been unfrequently practised by the authorities of the neighbouring states. It appears that they are now beginning to torture and spoliate one another, as the horrible details of the advertisement by the late custom house officer at Izabal shows.

We learn that the United States sloop-of-war, which was sent by the commodore to inquire into the circumstances of the robbery committed by Quixano on the brig "Galen," had some time since arrived at San John's river. The commander having ascertained the facts of the case, landed a party of sailors and marines, took possession of, and put on board his ship, the best goods in the custom house, and demanded a sum of money, which had been previously paid, he said he would take a shorter cuse and call for it again in a fortnight, when if not paid down he would have recourse to other steps. [*Honduras Gaz. of May* 21.

We are indebted to Mr. Blanco, the consignee, for "Gaceta Official," of Guatemala, published on the 17th of May, from which we learn that Senor Lopez has resigned the presidency of the state, and that Senor Rivera Paz has been elected to succeed him. Gen. Carrera was nominated but declined. The new president took the oath of office on the 14th.

A decree from Nicaragua is published in this Gaceta, announcing the surrender of General Villasenor, commander-in-chief of the national forces in Costa Rica, with all his troops to General Morazan, by a capitulation entered into on the 12th of April, without striking a blow or making any attempt at resistance. The two armies fraternized, and Morazan was preparing to advance upon Guatemala. This movement probably was the cause of the resignation of president Lopez. Vigorous efforts were in progress at Guatemala to encounter the invader.

We learn from Captain Howe, that there were at Belize, besides the Illustrious, a sloop-of-war, a schooner and a steamship, all under the command of sir Charles Adam. [*New York Commercial.*

FOREIGN ITEMS.

Mr. Wheaton, minister of the United States at Berlin, has been elected a corresponding member of the Academy of Moral and Political Sciences in the institute of France.

The emperor of Austria has ordered that a monument to Titian shall be erected at Venice, at a cost to the state of 230,000 florins, (the florin is 2fr. 60c.) in the church in which the statue of Canova is placed.

A letter from Malta, May 15th, says: "Sir H. F. Bouverie has been kind enough to become *president* of an *auxiliary association* of the London anti-slavery society in Malta, for the suppression of the slave trade in the Levant. The friends of this humane cause now only wait for the necessary regulations, &c. from the secretary of the London society. It is painful to think that the trade in slaves still continues with frequency between the port of Tripoli and Constantinople. What are the five powers about at the Porte? Is the slave trade no crime in the Mediterranean?

The *Moniteur* announces that the minister of war has instituted a commission, at the head of which is M. Amedee Jaubert, peer of France and member of the institute, charged to prepare a grammar and a dictionary of the Berber or Kabyle language, one of most prevailing dialects in Algeria.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

James M. McLean, register of the land office for the district of lands subject to sales at Palestine, in the state of Illinois, *vice* Jesse K. Dubois, resigned.

THE ARMY.

GENERAL ORDERS, NO. 37.

Head quarters of the army, adj't gen'l's office.

Washington, June 25, 1842.

After a brief interval, it has become the painful duty of the general-in-chief to announce to the army the death of another of its most valued and distinguished members.

Brevet Brigadier General ARMISTEAD departed this life at Jefferson Barracks, near St. Louis, the 14th instant at the end of a long career of usefulness and honor.

The deceased entered the army in 1808, in contemplation of the war with Great Britain that followed, and in which he served with zeal and credit. By the mere force of merit he became a general officer in 1820, in which capacity he was often employed on special missions requiring enterprise, skill, gallantry, and judgment, and always with perfect success. In the *Black-Hawk war* his fine qualities as a commander were strikingly displayed, as well in the final battle as in all the previous arrangements and operations.

The eminence here briefly sketched, had for its foundation every virtue of the good citizen, high patriotism, integrity, honor, manliness, and devotion to the political institutions of our country.

The loss of so much public and private worth cannot fail to be long mourned by the whole army.

As appropriate military honors to the memory of the deceased, each marine post within his late geographical department will fire minute-guns, and also display at half staff the national flag from meridian to sundown on the day next after the receipt of this order.

The usual badge of mourning has no doubt already been adopted by the troops late under the command of the deceased.

R. JONES, *adj. gen.*

By command of Maj. Gen. Scott:

Doctor ALFRED W. ELWES, late of the U. S. medical department, died at Pilatka, (E. F.) on the 12th instant, of congestive fever, after an illness of four days.

We learn that no new Indian signs had been seen, and there was no news of Indians.

STEAMES BETWEEN NEW YORK AND HAVRE.

The following is a copy of the message from the president of the United States, transmitted to the house of representatives on the 24th ult. enclosing a communication from the minister of France to the secretary of state upon the subject of a line of steam vessels between the ports of Havana and N. York:

Washington, June 24, 1842.

To the house of representatives of the United States:

I transmit herewith, to the house of representatives, the translation of a letter addressed by the minister of France at Washington, to the secretary of state of the United States, and a copy of the answer given thereto by my direction, and invite to the subject of the minister's letter all the consideration due to its importance, and to a proposition originating in a desire to promote mutual convenience, and emanating from a government with which it is both our interest and our desire to maintain the most amicable relations. JOHN TYLER.

[TRANSLATION.]

Washington, June 20, 1842.

SIR: The government of his majesty the king of the French, with the view of facilitating communications between France and the United States, and of rendering them as rapid as possible, has projected the establishment of a line of steamers between Havre and New York. His intention is to provide for the organization of this line by means of steamers belonging to the royal navy, either by temporarily detaching on that service some vessels belonging to the fleet, or by having new ones built. He has, moreover, conceived that this line might be put in operation much sooner, and be organized in a manner more durable and more comfortable with the interests as well as with the dignity of both countries, if the government of the United States would take part in the arrangement. Two or three steamers of 450 horse power employed by each government in communications between France and the U. States might be sufficient for a weekly line; the question of letter carriage might be arranged in common, according to a liberal system: the rates of passage might be fixed so as to facilitate travelling; the carriage of goods might be left to the mercantile marine, or regulated by common consent, within limits proper to reconcile the interests of commerce with those of private shippers.

I have the honor to make to you this communication of the views of the government of his majesty the king of the French on this subject, and to request you to make them known to his excellency the president of the United States, who will perhaps think proper to submit them to congress.

I embrace this opportunity, sir, to assure you of my high consideration. AD. DE BACOURT.

Hon. *Daniel Webster, secretary of state.*

Department of state, Washington, June 22, 1842.

SIR: The letter you addressed to me on the 20th instant, inviting the concurrence of the government of the United States with that of France in a plan for the establishment of a weekly line of steam vessels between the ports of Havre and New York, has been received, and has been laid before the president, in pursuance of your request.

The government of the United States has not been insensible to those important changes in national intercourse which have already been produced by the use of steam upon the ocean, nor to others which seem to be in progress. It fervently cherishes the hope that these highly improved modes of communication may have the effect of consolidating the peace and promoting the prosperity of commercial states. It has, however, hitherto limited its construction of steamboats to such as are destined for military purposes; but I am directed by the president to say that your communication shall be respectfully submitted to congress for its consideration, and for such proceeding as it may see fit to adopt thereon.

I have the honor to be, with great consideration, your obedient servant, DAN. WEBSTER.

Mr. Ad. De Bacourt, &c.

NATIONAL INSTITUTE. SIR: A full length portrait of Mon. Guizot, prime minister of France and biographer of Washington, executed by Mr. Healey, an American artist, upon subscription of certain citizens resident in Paris, has been consigned to my care, with a request that I would give it a place in some one of the public buildings of this capital.—After full consideration of the best disposition to be made of it, as well in honor of the distinguished statesman and the man of letters whose person and features it is said most accurately to delineate, as fully to meet the wishes of the citizens who have made me its repository, I have concluded to tender it, through you, to the National Institute.

May I ask, sir, that you will take measures to give the portrait such place in the Institute as may exhibit it to the best advantage, and thereby gratify the wishes of many of our fellow citizens whose desire it is to see it.

I venture to express the opinion that, as a work of art, apart from the high consideration in which the original is justly held, it may favorably be compared with any similar work to be found in the United States.

I tender to you, sir, assurances of my high consideration and respect, JOHN TYLER.

Hon. JOEL R. POINSETT, *president National Institute.*

Washington, June 21, 1842.

Washington, June 22, 1842.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant, tendering, through me, to the National Institute, Mr. Healey's picture of Mon. Guizot, prime minister of France and the biographer of Washington.

The Institute, fully appreciating the merit of this painting, acknowledges its high obligations to you for this valuable addition to its collection, and I beg to assure you, sir, that it will take pleasure in exhibiting, to the best advantage, the portrait of a man esteemed by the American people equally for his eminent talents as a statesman, and his distinguished ability and impartiality as an historian.

I have the honor to be, with the highest consideration and respect, sir, your most obedient servant,

J. R. POINSETT,

President National Institute.

JOHN TYLER, *president of the United States.*

RUMORS RESPECTING THE CABINET.—

For ten days past the country has been filled with rumors of divisions in the cabinet, and of preparations making by the president to change his constitutional advisers in the executive departments.

These rumors have been put forth with such a parade of circumstance, and with such specific designations of changes, as to give them some degree of plausibility—more especially as they were by no means confined to that lower order of the press, the very character of which throws a shade of doubt over nearly all it says.

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The public ought, however, to bear in mind that rumors of this character are not new. They have been indulged from time to time by the extremes of both the great political parties dividing the country, now unhappily united in opposition to the president for many months past.

Why it is done, it is not difficult to conjecture. It has often been considered the most effective whip for opposition to attack in this way, in the hope that the prediction, oft-repeated, may in the end have the effect so much desired by those who give it utterance.

It will not be so in the present instance: and we now distinctly inform our whig friends—those who are connected with the press, and those who are not —in this city and elsewhere—those whose wishes have been father to the thought, and those who yet love their country more than they do this or that party—that the rumors of a cabinet dissolution, now in such brisk circulation, ARE UTTERLY FALSE.

We make the declaration explicitly. No cause for disagreement upon any essential point exists in the cabinet, and the president has not entertained the remotest idea of the changes that have been bruited, or of disturbing in any manner the existing relations between himself and his constitutional advisers. This declaration is not put forth lightly.

[*N. Y. Commercial, June* 24.

OREGON. IMPORTANT EXPEDITION. Lieutenant Fremont, of the corps of topographical engineers, left here, under orders from the war department, about ten days ago, with a party of twenty men on a tour to the Rocky mountains. The object of the expedition is an examination of the country between the mouth of the Kansas and the head waters of the great river Platte, including the navigable parts of both these rivers, and of what is called the Southern Pass in the Rocky mountains, and the intermediate country, with a view to the establishment of a line of military posts from the frontiers of Missouri to the mouth of the Columbia river. This expedition is connected with the proposition now before congress to occupy the territory about Columbia river, as proposed by Dr. Linn's bill.

The great river Platte is the most direct line of communication between this country and the mouth of the Columbia, and that route is known to be perfectleable and easy. It therefore becomes important to ascertain the general character of that river and the adjacent country, and the facilities it will be likely to afford in connecting the contemplated settlements in Oregon. The Southern Pass, or depression in the Rocky mountains, is near the source of the extreme western branch of the river Platte, and affords an easy passage for wagons and other wheel carriages, which have frequently passed over the mountains upon that route, without difficulty or delay; and it is important that the latitude of this point should be ascertained, as it is thought that it will not vary much from the line established between the United States and Mexico, by the treaty with Spain of 1819. If this Pass should fall south of that line, (the 42d degree of north latitude,) it may become necessary to examine the country north of it; the line of the Yellowstone, and south branch of the Columbia, would, it is thought, afford the next best route.

Lieut. Fremont, though young, has had much experience in surveys of this kind, having made the topographical survey of the Des Moines river, and having assisted the scientific Mr. Nicollet in his great survey of the country on the Upper Mississippi. He is well supplied with instruments for making astronomical observations; for the lake, he made and longitude of important points; and a daguerreotype apparatus, for taking views of important points and scenes along the route; and, if not obstructed in his operations, by large bands of wild, wandering Indians, which sometimes trouble small parties passing through that region—may be expected to impart much valuable information to the government and to the country.

Since the attention of the country has been directed to the settlement of the Oregon territory by our sibb senator (Dr. Linn,) and by the reports of those who have visited that region in person, the improtanes of providing ample security for the settlers there, and of opening a safe and easy communication from the western boundary of Missouri to the Columbia river, has been universally admitted.

[*St. Louis Republican.*

BELGIAN INDEMNITY. A letter received in Charleston from Antwerp, under date of 1st June, says: Although you are so far correct in your information, that the Belgian government have resolved to interfere for the compensation of the sufferers by the losses in the entrepot, you considerably overrate the *extent* of their liberality. They have appointed a commissioner to receive and examine claims—they have lodged a credit with the treasury, but the mode of payment is in 3 per cent. Belgian stock, (which is worth, perhaps, about 64 per cent.) and we believe they do not contemplate paying *any interest*. The compensation will, therefore, on the whole, be but a small matter, and we believe that months may elapse before payments are made."

STATES OF THE UNION.

NEW HAMPSHIRE.

NULLIFICATION. We take the following from the New Hampshire Patriot of Wednesday 22nd:

The knaghty monster is in. It will be seen by reference to our account of the legislative proceedings, the house of representatives, on Tuesday afternoon last, adopted several resolutions in relation to the late law of congress, ordering the states to district their territory for the choice of members of congress. They passed a resolution *declaring to district New Hampshire*, as ordered by the *hard cider* congress, by a vote of 160 yeas to 58 nays. The senate will undoubtedly concur with the house in this course of opposition to the insulting arrogance of federalism. New Hampshire stands proudly foremost in resisting this flagrant attack of congress on the rights of the states.

The following are the resolutions passed by the house of representatives, respecting the law of congress directing the states to elect their representatives by districts. They passed by a vote of 160 to 58. The legislature adjourned on Friday last.

Resolved, That the constitution of the United States gives the legislature of each state the right to prescribe the times, places and manner of holding elections for senators and representatives in the congress of the United States.

Resolved, That so long as the states continue to exercise this power so as to secure a representation in congress, the national legislature do not possess the right to interfere with and control such regulations.

Resolved, That the legislature of each state shall fail to adopt such regulations, and then only, congress may do it.

Resolved, That the constitution of the United States does not confer upon congress the right to control the legislation of the states, and prescribe to the legislatures what course they shall pursue.

Resolved, That unless such a case shall occur which shall warrant any action on the part of the general government relative to the elections, the time, places and manner of holding the elections, must be prescribed by congress directly, and not through the state government.

Resolved, That the recent act of congress, directing the states to be districted for the choice of representatives to congress, is a direct violation of the provisions of the federal compact, and we cannot regard the same as binding on the states.

Resolved, That we cannot sanction so unauthorized an interference in our domestic concerns on the part of congress, and shall therefore decline to district this state for the choice of representatives to congress.

RHODE ISLAND.

The legislature of this state adjourned on 24th inst. from Newport, to reassemble at Providence at its next session. Before adjourning, an act was passed, authorising the governor to place the whole or any part of the state under martial law. They also passed an act, of which we have a copy, calling a convention of the people of the state, for the purpose of forming a new constitution, or form of government.

The election of delegates to the convention is to take place on the last Tuesday of August, and the convention is to assemble at Newport on the 2d Monday of September. The constitution that shall be agreed upon is to be submitted to the people.

The following sections designate who shall vote for delegates, and for or against the constitution; and surely the suffrage is free enough.

Sec. 3. The delegates to said convention shall be elected upon a basis of population as follows: every town of not more than 3,000 inhabitants, may elect two delegates, over 3,000 and not over 6,000 three delegates; over 6,000 and not over 10,000 four delegates; over 10,000 and not over 15,000 five delegates; over 15,000 six delegates, according to the census of 1840.

Sec. 6. In the choice of delegates to said convention, the following descriptions of persons shall be admitted to vote. All those who are qualified to vote for general officers by existing laws, and all native male citizens of the United States, (except Narragansett Indians, convicts, paupers, persons under guardianship and non compos mentis), who are of the age 21 years and upwards, and who shall have had their permanent residence or home within this state for the period of 3 years next preceding their voting, and in the town or city wherein they offer to vote for the period of one year, next preceding such voting, and who *shall* have had their names recorded with the town or *city clerk* of the town or city in which they shall *offer* to vote, in proper books to be kept by said town or city clerks for that purpose at least ten days before the day of voting: upon the adoption or rejection of said constitution or articles, in addition to those who are qualified to vote for general officers by the existing laws, all those who shall be admitted to vote who will be qualified to vote for general officers under the provisions of said constitution or articles, if in force:—but this provision shall not be construed to give to any person the right to vote at any town or ward meeting, had under and by virtue of this act, upon any other question or questions than the questions herein specifically named.

The general muster at Providence yesterday was, that a final effort would be made by the Dorr party, by force of arms, to carry out their revolutionary schemes.

In anticipation thereof, all the uniformed companies of Providence were under arms, and yesterday afternoon the steamboat Providence reached there from Newport, with the uniformed companies from Newport, Warren and Bristol, about 300 strong.—There would be under arms in Providence about 3,000 militia, staunch for law and order. We do hope an end may be made of this vile feud, and that if Dorr, or any of his men, have the audacity to fire a gun for revolution, they will be summarily disposed of.

From the Providence Journal we have a slip, not so late, however, as our own advices.

The Journal says, that the insurgent force is collected at Chepachet, and probably number, in all, about four hundred men, with a number of field-pieces, and more muskets than men. They have plenty of ammunition, and probably other necessary supplies. Woonsocket, we learn, is almost evacuated by them. Thomas W. Dorr was at Norwich Wednesday night.

The Marine Artillery and Sea Fencibles were ordered out for 24 hours service.

[*N. Y. Amer. June* 25.

From the Providence Evening Journal, of June 25.

The events of the day. It is impossible to convey to the distant reader the precise state of affairs to-day, for what minute things may take hold of him. All is excitement, still the authorities are moving with energy and decision, and a *system* seems to pervade all their movements. The community place full reliance in the skill and energy of those to whom are entrusted the management of the arduous and responsible duties now devolving upon them.

The cries of people against whom our citizens have recently been so liberally *peppered*, are numerous, and we verily believe not fifty Rhode Islanders can at present be found to take arms against the state.

Mr. Dorr is determined on revenge, and he has induced persons from the adjoining states to enlist in his now unholy cause by holding out inducements for plunder. The cry of the "people's rights," and "democracy," has been sounded throughout the country to deceive the mass and create sympathy. We trust our friends abroad will now see things in their true light.

The past night passed off quietly in the city; a strong guard were on duty, and *sidettes* were stationed on the outskirts.

Signal guns were fired during the evening Holmes' Brewery, in the adjoining states of the "Dorrites;" about 150 assembled, and a portion left for Chepachet.

The *colored* population in this city met last evening, for the purpose of organizing a battalion of City Guards. They mustered about 100, and adjourned to this day to complete their arrangements.

Business is partially suspended, and the alarming state of things absorbs all thought and action.

The enemy to the number of 700 are entrenching themselves on Aleoa's Hill, (Chepachet): They have about 10 cannon and plenty of arms and ammunition. Mr. Dorr is expected to reach the encampment this day, his plan of operations, whether *offensive or defensive*, has not been developed. Neither are we advised of the course our authorities intend to pursue, and what plans, if any, are maturing in order to *dislodge* him. We have all confidence in their ability and determination to sustain the honor and dignity of the state.

Major general McNeill commands the force of the state.

Twelve o'clock.

Mr. Dorr arrived at the encampment, at Chepachet, this morning, at 2 o'clock. A most *determined* spirit manifests itself throughout the city, to have this affair settled *promptly and efficiently*. Several families are leaving the city; it is our opinion the city is the *safest* place for security. The number of military by evening will probably muster in this city, about twenty-five hundred, with muskets, pistols and

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various other warlike instruments. They are composed of merchants, farmers, mechanics, laborers, &c.

The following communication signed by Dutee J. Pearce and others in Newport, who have taken an active part in favor of the suffrage cause, will be found in the Newport Mercury of to-day.

"We were at the time opposed to the hostile movements recently made in this state, and some of us labored hard to prevent them. We are now opposed to every movement of the kind, and are willing to do all that now will be required of us to suppress them.

The late act of the legislature, providing for calling a convention of the people of the state, meets in most of its provisions our cordial approbation, and taken as a whole, will receive our support—we hope our political friends will give it theirs.

We who were members of the legislature under the people's constitution, long since relinquished all idea of ever again taking our seats therein. Some of us have since public avowals of our determination upon this subject; and all of us believe, that under existing circumstances, it would be bad policy, if not the height of folly for that body to attempt again to organize."

The Providence Express, a suffrage paper, says: "We hope that the armed force of the suffrage party will be indemned by the voice of expediency, and be moved by the threatened horrors of civil war, to suspend their warlike operations. The general assembly would then show their sincere regard for peace and order, by a repeal of all obnoxious laws enacted in a fever of public excitement, and a guaranty against all punishments incurred."

The same paper of Saturday alludes to the bill for a new convention which had passed the assembly, and says on the authority of a leading friend of the suffrage party, that it recognises the great principles for which the party has contended and he is confident it will meet with general approbation.

BY HIS EXCELLENCY SAMUEL WARD KING,
Governor, captain general, and commander-in-chief of the state of Rhode Island and Providence plantations.

A PROCLAMATION.

Whereas the general assembly of the said state of Rhode Island and Providence plantations did, on the twenty-fifth day of June instant, pass the act following, viz:

An act establishing martial law in this state.

Be it enacted by the general assembly as follows:

Sec. 1. The state of Rhode Island and Providence plantations is hereby placed under martial law: and the same is declared to be in full force until otherwise ordered by the general assembly, or suspended by proclamation of his excellency the governor of the state.

I do, therefore, issue this my proclamation to make known the same to the good people of this state, and all others, that they may govern themselves accordingly. And I do warn all persons against any intercourse or connexion with the TRAITOR THOMAS WILSON DORR, OR HIS DELUDED ADHERENTS, now assembled in arms against the laws and the authorities of this state; and admonish and command the said Thomas Wilson Dorr and his adherents, immediately to throw down their arms and disperse, that peace and order may be restored to our suffering community, and as they will answer the contrary at their peril. Further, I exhort the good people of the state, to aid and support, by example and by arms, the civil and military authorities thereof, in pursuing and bringing to condign punishment, all engaged in said unholy and criminal enterprise against the peace and dignity of the state.

In testimony whereof, I have caused the seal of said state to be affixed to these presents, and have signed the same with my hand.—

L. S. Given at the city of Providence, on the 26th day of June, in the year of our Lord one thousand eight hundred and forty two, and of the independence of the United States of America the sixty-sixth.

SAMUEL WARD KING.

By his excellency's command:

HENRY BOWEN, secretary of state.

The governor has also recommended the closing of the banks, as follows:

Executive department, Providence, June 27, 1842.

The banks in the city of Providence are hereby recommended forthwith to close their banks for business, and the same to continue from day to day, during the present week, unless this recommendation be rescinded.

SAMUEL W. KING.

GENERAL ORDERS.

Head quarters, Gloucester, R. I. June 25, 1842.

I hereby direct the military of this state, who are in favor of the people's constitution, to repair forthwith to head quarters, there to await further orders; and I request all volunteers and volunteer companies so disposed to do the same.

It has become the duty of all our citizens who believe that the people are sovereign, and have a right to make and alter their forms of government, now to sustain, by all necessary means, the constitution adopted and established by the people of this state, and the government elected under the same. The only alternative is an abject submission to a despotism, in its various practical effects, without a parallel in the history of the American states. I call upon the people of Rhode Island to assert their rights, and to vindicate the freedom which they are qualified to enjoy in common with the other citizens of the American republic. I cannot doubt that they will cheerfully and promptly respond to this appeal to their patriotism and to their sense of justice; and that they will show themselves, in this exigency, to be the worthy descendants of those ancestors who aided in achieving our national independence.

THOMAS W. DORR,
Governor and commander-in-chief.

By order of the commander-in-chief,
WILLIAM H. PEYTES, *adj. general.*

The following letter, signed by forty-eight adherents of the suffrage party, was published in the Providence Journal of Monday.

Natick, June 25, 1842.

To his excellency, Samuel W. King,
Governor of the state of Rhode Island.

We, the undersigned, members of the suffrage party, congratulate your excellency upon the passage of the act for calling a convention of the people of this state for the purpose of framing a constitution, believing that its liberal provisions will satisfy the expectations of the great body of the people, and we hereby earnestly recommend a like acquiescence on the part of all our friends.

Twenty-three others, of the same party, at Warwick, have in like manner proclaimed their acquiescence in the call.

The legislature on Monday adjourned and formed themselves into a military company to join the charter army. The resolution for an amnesty was withdrawn.

From the Providence Journal of Monday.

In accordance with the request of the mayor, the citizens have entered into a subscription for a number of men whom they can accommodate with food and lodgings, or with lodgings only.

Strong videttes were posted upon the roads leading to the city, and patrolling parties were well guarded. Several men, on their way to Chepachet, were arrested and brought in, and one who just arrived from there was also arrested. Two wagons, loaded with provisions, intended for the insurgent camp, were taken. A Buttender from New York, who arrived yesterday morning, was promptly arrested.

The force of Dorr is entrenched upon Alcot's Hill, a few miles beyond Chepachet. The hill is about 80 feet high, and the position commands the Providence turnpike, for the whole range of the country; it is separated from a lower hill on the east by a boggy, rocky ravine, and from a still higher hill on the west by a table land, which rises gradually from Alcot's hill to about the same height. We believe there is no water on the hill, but one well has been dug but there is a fine stream within 200 yards.

His force is estimated at 700 men. They have from ten to twenty pieces of artillery; some of good construction, but most miserably big-mouthed, indifferently mounted; generally six pounders, but they may have one or two nines, and perhaps a twelve pounder. They have four large marquees, and they use a tent as a cover for some of their ammu n. Dorr arrived on Saturday morning before day light. He made a furious speech to his men, and avowed his determination upon victory or death. The best accounts from his camp represent him as perfectly desperate and reckless; about one hundred of his men will stand by him to the last. The others do not seem to be so infuriated.

A detachment, led by Wm. P. Blodget, was sent out to Johnston to arrest eight of the insurgents.—Seven of them were secured and brought to the city. One of them levelled his rifle at Colonel Blodget, but it was wrested from his hands before he had an opportunity to discharge it. A number of other arrests were made during the day.

An attempt was made by the insurgents to take possession of a house in Foster. We have not the full particulars; but we learn they fired upon the men in the house without injuring any one. The fire was returned and one of the insurgents wounded, it is thought fatally. The rest instantly fled.

The whole number of troops in the city yesterday was about 3,000. This does not include a portion of the fourth brigade, from Kent county, which is ordered direct to Foster.

The Providence Express of Monday, a hitherto revolutionary paper published the following:

To the suffrage men of Rhode Island. The late law of the general assembly contains, in our opinion, the substance of what we have ever contended for; we heartily recommend its provisions to the candor of our friends, and trust that they will render it their undivided support. The use of force in opposition to the government is not to be tolerated. And we hope that the feelings, wishes and opinions of the undersigned may be well considered by those who would now oppose the present existing government of the state.

We are satisfied that they express the views of a great majority of the suffrage party, who gladly avail themselves of this act of the general assembly to urge the *whole* party to unite in the restoration of peace.

From the Providence Journal, Extra, Tuesday, 11 A. M. News has this moment arrived that the force under the command of Colonel Brown, has taken the insurgent fortification. Dorr had fled, but large numbers of his men had been captured. Every exertion will be made to take the ARCH TRAITOR, whose capture is absolutely indispensable to the safety and peace of the state. We do not know any thing further of the particulars. The man who brought the information, fainted from exhaustion soon after delivering his message.

Our men are burning with the desire to bring in Dorr, and his capture may yet be prevented. Generals Stedman and Greene must be in his rear by this time. The passes are narrow, and with a knowledge of the country, can be easily defended.

Later. A detachment of the City Guards has been sent to Pawtucket, a messenger having arrived with the information that an invading force from the Massachusetts side was organizing. It is reported that Burrington Anthony has been very active in exciting the abandoned part of the population of our sister state to invasion.

The Kentish Guards, sent to Pawtucket last evening, were attacked by a mob of insurgents near the bridge, and two of their number injured by missiles thrown by the mob. The guards fired first over the heads of the insurgents, but finding they were been on missiles, they fired for effect, and killed one and wounded several others, when they dispersed.

We learn from an extra issued by the Pawtucket Chronicle, that the men at Pawtucket was named Alexander Kirby; David Cutting was shot through the knee, and Robert Roy was wounded in the arm. The balls in both cases were brought from the side of some other persons, but we do not learn that any others were injured.

The Carbineers are at Pawtucket. A strong force will soon be there. The Fourth Ward company of the City Guard have been just ordered thither.

PAWTUCKET. A band of about 40 men was organized on the insurgent side some weeks ago, and a few days since they succeeded in getting muskets for the whole. They have been very bold and have paraded the streets up to the proclamation of martial law. Yesterday several of them were arrested, and the others fled across the bridge, where they have pitched a tent on the Massachusetts side of the line. The Pawtucket Artillery are ordered to remain there, and are constantly under arms. The streets of the village are strictly patrolled, and all suspicious persons are examined.

FROM CHEPACHET. *Two o'clock, P. M.* We have just seen Mr. Anthony Whitaker, bearer of despatches from Chepachet, on his way to meet general McNeill. The forces under col. William W. Brown, about 500 strong, left Greenville at about half past four o'clock this morning. Greenville is eight miles from Chepachet. A second party of 150 infantry, of about a dozen men, led by lieutenant Pitman, kept in advance a half a mile to two miles. They took and sent to the rear 30 persons in the course of the march, all fugitives from Dorr's ca np. Upon arriving near the fortification, it was evident that the force had materially decreased, so that the party, without waiting for the advance of the main body, determined upon entering the fortification alone.—No resistance was made. The men fled in confusion, and the scout party took possession without firing a gun. The fortification proved to be a miserable affair. The main body immediately arrived and took possession of the village. It is strictly guarded, and escape from it is impossible. The number of prisoners was about 100, and more were taken constantly. The houses will all be thoroughly searched.

Our men were fired upon in going into Chepachet, and one man wounded. They returned the fire. *At one belonging to colonel Brown's command has been killed.* Five field-pieces have been found in the fort; also a large number of muskets and rifles, and some pikes were found. An excellent ammunition wagon was captured, which came very opportunely for the Marine artillery, their own having been broken down.

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Dorr fled last evening, at 7 o'clock, with fifty men, in the direction of Connecticut. His men were generally ignorant of his flight, and many of them declared that they would shoot him, could they find him. A large body of them went through Burrillville, in the direction of Massachusetts. The fugitives were in considerable parties and well armed. They will therefore be dangerous to the peaceable inhabitants, unless they are taken.

One of the Marine artillery was fired at by a son of a high officer under Dorr's government. The ball went through the skirt of his coat, and lodged in his cartridge box. The man was pursued into a house in which he took refuge. He has undoubtedly been taken. The prisoners were set to work building the intrenchments.

A Mr. Mosse, one of Dorr's high officers has been brought into the city, as prisoner. A number of prisoners have been brought in from Greenville.

The publishers of the Newport Rhode Islander give notice to their subscribers that in consequence of their engagements on duty with the state forces, they will be unable to publish their paper this week.

The vigilant search for arms has resulted in the discovery of nearly all the arms belonging to the state, loaned to the old volunteer company, the charter of which has been taken away. Only about half of these guns were restored by the company.

Deputation from New York. A deputation from his excellency governor Seward, of New York, arrived here this morning. The object of the deputation is to ascertain if any citizens of New York have been engaged in the traitorous insurrection of Thomas W. Dorr; also, to ascertain if any money, arms, or munitions of war have been sent here from New York, and if so, by whom. The gentlemen charged with this mission have proceeded to Chepachet.

VIRGINIA.

A convention is to assemble at Lewisburg, on the 1st of August, to be composed of delegates from the various counties of Western Virginia, for the purpose of "deliberating and deciding on such measures as may in their judgment be called for by the present condition and privations of the people of the west, and to unite in all such proceedings as may be deemed necessary for their restoration to the equal political rights of which they have been deprived." Such is the language of the manifesto.

NEGOTIATIONS WITH MEXICO.

On June 22d the president of the United States communicated to the senate, in compliance with a recent resolution of the senate, the correspondence which has taken place between the American minister in Mexico, and the government of that country, together with the instructions of the government to the minister. The correspondence is of great length. It comprises a letter from Mr. Webster, secretary of state, to Mr. Ellis, our late minister to Mexico, requesting him to interfere for the relief of Mr. Franklin Combs, and other letters requesting the interposition of Mr. Ellis in behalf of other individuals, who were involved in the disasters of the Santa Fe expedition. The view taken by the secretary of state of these cases, is fully explained in a letter of a subsequent date addressed by him to Mr. Waddy Thompson, the new minister to Mexico.

In this letter, which is dated April 5, 1842, Mr. Webster draws a distinction between the cases of those who, like Mr. Kendall, joined the expedition for objects entirely distinct from a hostile invasion of Mexico, and those who to the charge of military expedition, and states the grounds on which persons connected with the expedition under certain circumstances are entitled to be treated as noncombatants. He dwells more particularly upon the case of Mr. Kendall. The following is the concluding portion of the letter, in which the minister is instructed what course to adopt in relation to the prisoners whose cases were specially stated. After alluding to the cruelties which are alleged to have been inflicted on the prisoners, the secretary proceeds as follows:

"The government of the United States has no inclination to interfere in the war between Mexico and Texas for the benefit or protection of individuals, any further than its clear duties require. But if citizens of the United States who have not renounced, nor intended to renounce, their allegiance to their own government, nor have entered into the military service of any other government, have nevertheless been found so connected with armed enemies of Mexico, as that they may be lawfully captured and detained as prisoners of war, it is still the duty of this government to take so far a concern in their welfare as to see that, as prisoners of war, they are treated according to the usage of modern times and civilized states.

Indeed, although the rights or the safety of none of their own citizens were concerned, yet, if in a war waged between two neighboring states, the killing, enslaving, or cruelly treating of prisoners should be indulged, the United States would feel it to be their duty, as well as their right, to remonstrate and to interfere against such a departure from the principle of humanity and civilization. These principles are common principles, essential alike to the welfare of all the nations, to the preservation of which, all nations have, therefore, rights and interests. But their duty to interfere becomes imperative in cases affecting their own citizens.

It is, therefore, the duty and interest of the United States protests against the hardships and cruelties to which the Santa Fe prisoners have been subjected. It protests against this treatment in the name of humanity and the law of nations—in the name of all Christian states—in the name of civilization and the spirit of the age—in the name of all republics—in the name of liberty herself, outraged and dishonored by all cruelty, and all excess—in the name of, and for the honor of this whole hemisphere. It protests emphatically and earnestly against practices belonging only to barbarous people in barbarous times.

By the well established rules of national law, prisoners of war are not to be treated harshly unless personally guilty towards him who has them in his power, for he should remember that they are men and unfortunate.

When an enemy is conquered and submits, a great soul forgets all unnecessary injuries, and feels with compassion for him. This is the humane language of the law of nations; and this is the sentiment of high honor among men. The law of war forbids the wounding, killing, imprisonment, and banishment of the country, or the enslaving or otherwise maltreating of *prisoners of war*, unless they have been guilty of some grave crime; and from the obligation of this law no civilized state can discharge itself.

Every nation on being received at her own request into the circle of civilized governments, must understand that she has acquired certain rights of sovereignty and the dignity of national character, but that she bieds herself also to the strict and faithful observance of all those principles, laws and usages which have obtained universal sanction in civilized states, and which have for their object the mitigation of the miseries of war.

No community can be allowed to enjoy the benefit of national character and national rights without submitting to all the duties which that character imposes. A Christian people, who exercise sovereignty, who make treaties, maintain diplomatic relations with other states, and who should yet refuse to conduct its military operations according to the usages universally observed by such states, would present a character singularly inconsistent and anomalous.

This government will not hastily suppose that the Mexican republic will assume such a character. There is yet another very important element arising out of the facts of this case.

It is asserted and believed that the surrender of some of the persons connected with the expedition was made upon a promise of immunity from immediately violated by the local Mexican authorities. If there is one rule of the law of war more clear and recognized than another, that compacts made between enemies, such as truces and capitulations, shall be faithfully adhered to; and their non-observance is denounced as being manifestly at variance with the true interest and duty, not only of the immediate parties, but of all mankind. Consequently, if the surrender of the expedition, or any part of it, was conditional, the benefit of those conditions must be insisted upon in favor of Mr. Kendall. According to the statement of Messrs. Falconer and Van Ness, Mr. Kendall proceeded two hundred miles in advance of the main body, and was taken with his companions while they were displaying a flag of truce; and the persons who took them gave assurances that they should not be held as prisoners of war.

Here then was a promise of immunity promised, but afterwards notoriously withheld, as we are bound to believe in the present state of our information upon the subject. If, therefore, this government were not entitled to demand Mr. Kendall's release on the grounds of his having been a non-combatant and a neutral, it might require the government of Mexico to take care that the stipulation of its authorised agents to that effect be scrupulously fulfilled, and that on this account, those to whom the promise was made should be immediately released, according to that promise.

In conclusion, I am directed by the president of the United States now to instruct you that, on the receipt of this despatch, you inquire carefully and minutely into the circumstances of all these persons who, having been taken near Santa Fe, and having claimed the interposition of this government, are still held as prisoners in Mexico, and you will then demand of the Mexican government the release of such of them as appear to have been innocent traders, travellers, invalids, men of letters, or for any other reasons justly esteemed non-combatants, being citizens of the United States. To this end it may be proper to direct the consul to proceed to the places where any of them may be confined, and to take their statements under oath, as also the statements of other persons to whom they may respectively refer. If the Mexican government deny facts upon which any of the persons claim their release, and desire time for further investigation of their respective cases, or any of them, proper and suitable time must be allowed; but if any of the persons described in the next preceding paragraph, and for whose release you shall have made a demand, shall still be detained for the purpose of further inquiry or otherwise, you will then explicitly demand of the Mexican government that they be treated henceforward with all the lenity which, in the most favorable cases, belongs to the rights of prisoners of war, that they be not confined in loathsome dungeons, with malefactors and persons diseased, that they be not chained, or subjected to ignominy, or to any particular rigor in their detention; that they be not obliged to labor on the public works, or put to other degrading tasks. You will state to the Mexican government that the government of the United States entertains a conviction that these persons ought to be set at liberty, without delay; that it will feel great dissatisfaction if it shall still learn that Mr. Kendall, whose case has already been made the subject of an express demand, and others of equal claims to liberty, be not set at liberty at the time when you receive this despatch; but if the government of Mexico insists upon detaining any of them for further inquiry, it is due to the government of the United States, to the country, to preserve peace and harmony with Mexico, and to justice and humanity, that, while detained, these persons should enjoy, to the fullest extent, the rights of prisoners of war; and that it expected, moreover, so just and reasonable, —a demand respectfully made by one friendly state to another, will meet with immediate compliance.—Having made this demand, you will wait for an answer, and if within ten days you shall receive assurances that all of the persons above mentioned who may still be detained will be thenceforward treated in the manner which has now been insisted upon, you will hold no further official intercourse with it until you shall receive further directions from your own government. You will thereupon communicate with this department, detaining for that purpose the messenger who carries this. In your communication you will state as fully and as accurately as possible the circumstances of each man's case, as they may appear by all the evidence which at that time may be possessed by the legation. In making your demand for the better treatment of the prisoners, you will take every precaution not to abandon or weaken the claim for their release; nothing more being intended in that respect than that proper time should be allowed to the government of Mexico to make such further inquiries as may be necessary.

Your predecessor has already been directed that, if any of the persons suffer for the want of the common necessaries of life, he should provide for such wants until otherwise supplied, a direction which you will also observe. I am, sir, your obd't ser't,

DANIEL WEBSTER.

TOBACCO.

Letter from the secretary of the treasury, transmitting statements showing the exports and imports of tobacco, with the import into Great Britain, &c. May 28, 1842.

READ AND LAID UPON THE TABLE.

Treasury department, May 27, 1842.

Sir: I herewith transmit a set of tabular statements showing the export and import of tobacco, taken from official returns, together with the import into Great Britain, as furnished by British documents, and a statement of the consumption of tobacco in the U. S., made by sundry individuals; and other statements connected with the growth and consumption or tobacco in Europe, all of which have been prepared in answer to the resolution of the house of representatives, dated 23d February, directing "the secretary of the treasury to transmit all the information he can obtain, showing the progress in the cultivation, manufacture and consumption of tobacco in the U. S." &c.

I am, sir, your obedient servant,

W. FORWARD, *sec. of the trea.*

Hon. J. White, speaker of house of representatives.

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Statements relative to tobacco, under a call of the house of representatives, dated February 23, 1842.

By a resolution of the house, the secretary of the treasury is directed to transmit all the information he can obtain, showing the process in the cultivation, manufacture and consumption of tobacco in the U. States, and in other countries; also showing the comparative quantity and value of exports and imports of tobacco, and of manufactured tobacco, in the U. States and other countries; also showing the rate and amount of duties collected on the same both here and elsewhere; also distinguishing between foreign and domestic, and between cigars and twist tobacco manufactured in the U. States, and the quantity and value of the tobacco grown in each of the tobacco-growing states of this Union."

It will be perceived, from the comprehensive character of the call of the house that the impression existed that the records of the treasury department contained extensive information on the subject of a staple of deep and growing importance to the United States. Perhaps there is no domestic product of the magnitude of the one now under consideration to which so little attention has been paid by the government, either as to its enlarged growth at home, by counteracting foreign restrictions, or to the preparation of such details as would be necessary to exhibit its cultivation, growth, manufacture and consumption in the U. States.

The tobacco-growing states themselves have omitted to fill a chasm in relation to the quantity grown in each state, the date of its introduction, the variety cultivated, and the effects of climate and soil upon its qualities; and were it not for the periodicals of the country, edited by enterprising and talented individuals, we would have but the barren return of the custom-houses to enlighten us in regard to a product which alone, in Europe, yields a revenue superior to our receipts from all the importations into the United States.

Having, then, no source of information of an official nature, except the annual statement of "commerce and navigation," prepared by the register of the treasury, which gives the exports of the manufactured tobacco, and the import of the same, I have been compelled to draw upon others for such details as their particular pursuits justified the belief they could furnish, and, in addition, have addressed letters to the governors of several of the tobacco-growing states, asking their aid in reference to the resolution of the house with a view of supplying such information, which, in the absence of official data, together with the pressure of official duties, I am precluded from giving.

By reference to the annexed tables, the growth of tobacco in this country, as appears by the quantity exported, can only be a matter of inference and conjecture. Some approach to certainty as to the quantity grown might be made, if we could obtain the precise amount inspected, and the amount exported. The difference between these quantities, together with that portion of the product which is not subjected to inspection, might be fairly chargeable to the home consumption. What proportion entered into the home consumption during our colonial condition, and since we became independent, taking into consideration the population at different periods, I am unable to say.

It is well known that tobacco has been the great staple of Virginia and Maryland from their first settlement; and to trace its rise from the date of its earliest cultivation to the present time; its introduction into Europe; and the means which led to its cultivation there; and the extensive demand for it, growing out of the necessities of all addicted to its use since it has become almost a necessary of life, would only be to give a historical outline, in lieu of ascertaining the quantity grown, based upon authentic data, tending to show its great increase as a commercial staple, and the immense interests involved in its cultivation in the U. States.

It appears from "Macpherson's Annals of Commerce," that the average quantity imported from the North American colonies into England for ten years preceding the year 1790, was 28,858,666 pounds. From the same authority and returns made to the treasury, the export of crude and manufactured tobacco, from 1761 to 1840, was 5,247,735 hds.—the annual average 66,637 hogsheads: allowing 6 cents per pound as the average price, would yield, $375,940,580—the annual average, $3,173,973.

For 20 years preceding 1790, the average export was, . . . 50,421 hhds.

From 1790 to 1800, the average export was, . . . 81,793 "

From 1800 to 1820, the average export was, . . . 61,198 "

From 1820 to 1840, the average export was, . . . 89,600 "

What would have been the export for the same period, had it not been for royal monopolies and heavy duties, may be inferred from the estimate made by Mr. Dodge, the tobacco agent, who, upon a given ratio, makes the possible annual consumption of American tobacco in Europe 844,688 hhds.

The consumption of one-half the quantity estimated by Mr. Dodge, say 422,344 hhds., being more than four times our present export of tobacco, would annually introduce twenty millions of dollars, thereby increasing our exports, diminishing our importations, add to the shipping interests by requiring extra tonnage, remunerate the planters for their investments, and give new life to the crippled condition of the tobacco-growing states.

The effect of foreign prohibitions and monopolies on the tobacco interests may be seen in the smallness of the quantity of tobacco exported, as compared with the capacity of the United States to produce it. The census of 1840, shows that tobacco is grown in every state and territory; and allowing one million of square miles to that portion which is organized and settled, we would have 640 000,000 of acres; and taking the low estimate of a hundreth part as capable of yielding tobacco, and only one hogshead to the acre, the quantity would be 6,400,000 hogsheads, or, taking the thousandth part, the produce at the same rate would be 640,000 hogsheads.

In relation to the cultivation, manufacture, and consumption of tobacco in Europe, the able report of Mr. Dodge, late special agent of the U. States to Germany, is intitled to considering the most recent and authentic information on the subject, and as part of this report. The minute detail given by Mr. Dodge as to the quantity grown and duties charged, with the other information bearing upon the subject of his mission, will repay an attentive perusal by all interested in acquiring a knowledge of foreign legislation in this important staple.

In answer to a letter addressed to W. G. Lyford, esq. of Baltimore, an interesting and able document has been received on the growth and variety of tobacco cultivated in some of the states and territories, from which the following extract is taken.

Extract from W. G. Lyford's document.

"The first states in which tobacco was known as a staple, were Virginia and Maryland, and probably North Carolina, in which it was cultivated, when they were colonies. In Kentucky, Ohio, and Tennessee, and if not previously in North Carolina, generally, it has been introduced since the adoption of the federal constitution, and, as regards the three states classed with it, so come from the territorial family into that of the states. The state of Missouri is a new country, and to a very considerable extent, and, within the last three or four years, the increase has progressed almost geometrically—last year it having reached from 20 to 25,000 hhds. Its quality approximates more to that of Virginia, than the yield of any other state, and, in what its peculiar excellence consists, will be noticed when speaking of Virginia.

"About 30 hogsheads were received at St. Louis last year from the Platte country; a section which has not been inhabited over two or three years; and great preparations were making for another crop, as indications were favorable for a greater yield the approaching season. It will doubtless be cultivated as a staple in Missouri in a few years. In Illinois, (particularly in the southern counties,) in the counties of Winnebago and Ogle, and in the vicinity of Bloomingville, are the portions as yet most celebrated for its growth. In which last year was very luxurious, the land producing from 1,500 to 2,500 lbs. to the acre. The leaf was very expansive, and better calculated for cigars than for any other manufacture. In the territory of Wickonsan, attempts have been made to cultivate the article also; and, from the success which followed within the last year or two, it is calculated to stimulate to further exertions. In the territory of Iowa, 1,000 hhds. have been grown, and the experiment promised fair.

"In the states of Arkansas and Louisiana there have been only moderate parcels grown, not exceeding annually, probably, 300,000 lbs., and these are, mostly of a peculiar quality, such as is not met with in many other sections of the union. This tobacco by incorporating it with a foreign article, is manufactured into what is termed 'carrots,' and these, by being grated, are converted into the celebrated 'Natchitoches snuff.'

"In Florida, the growth is light; but, from the adaptation of the soil and the temperature of the climates, a species of the Cuba tobacco is grown, which is admirably suited for the manufacture of cigars.

"There are small exports occasionally to foreign markets, and also shipments coastwise, and the invoices are readily taken by manufacturers. It is not probable that cotton will ever give place to tobacco; but, should the prices of the former continue to decline, as those of the latter have been maintained for the last three or four years, it would not be a subject of surprise if a compromise between the planters should be the result.

"Georgia and Alabama also grow the article, and, within the last year or two, the section known as the 'Cherokee country' has produced freely, and there few who have embarked small capitals in the enterprize, conceive the investments good ones. The parcels which have sold in the Mobile market, [for some 10 or 20 hhds. have been recently there], were considered equal to 'Virginia seconds,' and commanded full prices.

"The tobacco of Indiana classes with the 'Ohio qualities'—the yield is not large—not exceeding, annually, 2 to 3,000 hhds., while Ohio produces 8 to 10 000. Kentucky grows it extensively. There are fifty counties in the state, each of which produces, on an average, 750 hhds. annually. The most productive lands lie on the Ohio, Kentucky, Cumberland, Green, and Banner rivers. From 3 to 5,000 are annually forwarded east, via the Ohio and Pennsylvania canals, and the residue, except for home use, is sent to New Orleans. The article grown in this state, in the border parts of Tennessee, and most of the other western states, is of a quality distinct from that grown on the eastern side of the Alleghany mountains—it is used almost exclusively for smoking, although occasionally, small lots are met with, which are manufactured into chewing tobacco, but it is generally converted into cigars. In Europe, nearly all the tobacco which descends the Ohio and Mississippi rivers, and is brought to that market, is denominated Kentucky.

"Every attempt to compare Kentucky tobacco for chewing have failed, other efforts have not since been made. The objection arises, it is said, to chewing, that the tobacco assumes a spongy property—the quid increases to an unusual size; and besides, however favorable the appearance, soon after the leaf is manufactured into 'dumps,' it loses its blackish, rich color, and becomes, soon after exposure to the action of the atmosphere, of a tarnished frosted' hue. This unfavorable mutation is supposed to be occasioned from the quantity of nitrous fluid it imbibes during the manufacture, and, hence, the latter remarks are intended to apply solely to the product of Kentucky. In the New England states, the article of tobacco is also cultivated to a kind of fanciful extent, principally for the market abroad—Connecticut forming an exception; for in this state is grown what is termed the 'seed leaf,' the product of the Cuba seed, and the yield is probably half a million of pounds annually. This seed is cultivated very nearly the Cuba tobacco, and the leaf will command the highest prices; and, besides that which is manufactured into cigars at home, considerable portions are exported to the north of Europe.

"The quality degenerates, however, in the course of three or four years, and then recourse is again had to a new supply for seed.

"Tobacco for chewing is furnished almost exclusively by Virginia; certainly 'the best' is from that state.

"That portion of North Carolina by which it is bounded, and whose waters have their source in the higher regions, and which mingle with those of the former, produce, to a small extent, an article which is very little, probably, in comparison with the 'Virginia weed.'

"The soil and climate appear peculiarly adapted to the growth of the leaf; it is rich in color, and heavy in consequence of its 'fatness.'

"The foreign exports have always been large, and considerable portions are also exported for smoking and for the manufacture of 'snuff.'

"The loss in its manufacture is very small, for there is a market ever for the offals. The stems will generally bear freight, and are exported to Germany, where they are flattened and cut into small fibres for smoking, and are so used by the peasantry.

"In all the states not hitherto named, among which is Maryland, (which grows annually 30,000 hogsheads or upwards), the article is almost exclusively adapted for smoking, or for the manufacture of snuff; for chewing in the pipes, or by being converted into cigars.

"There is a want of uniformity in the weight of hogsheads; the average of the smaller, as Maryland, Ohio, &c. being about 800 lbs. while those of the larger, in which Virginia is the more prominent, average about 1,400; those of Kentucky, and some other western states, are about 1,300. In speaking of hogsheads generally, the average of the producing states is called 1,000 lbs. per hhd.

"Manufactured tobacco for chewing, which is mostly to be met with in boxes, (instead of kegs, as formerly), is selected and compressed with great

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care—the average of the boxes about 150 lbs. nett: and a bale or carcon of foreign average about 100 lbs. nett."

Consumption of tobacco.[*]

Various estimates have been made in the consumption of tobacco in the United States. The great difficulty in arriving at a fair result as to the quantity consumed arises from the want of proper returns by the tobacco growing states, showing the quantity grown, the number of hogsheads inspected and exported. In the absence of this datum, and from the general use of tobacco in this country, it may easily be imagined how erroneous opinions are formed and extravagant views taken of the quantity consumed, when the extraordinary growth of other staples is made the standards of comparison; and the rapid increase of the population, at the rate of 33 per cent. per annum, supertenes to stimulate the mind in its conjectures on the subject. In no instance has the basis been given on which the estimate of consumption was made, and the reason is, no datum existed, or if in existence, it was not accessible.

The exports and imports of tobacco, taken from the records of the government, afforded the only approximate test of the consumption, and that is solely a matter of inference. Thus it is we have to grope in the dark for statistical conclusions upon the subject affecting the interests of a million of people connected with the cultivation and manufacture of this important staple.

The probable quantity consumed, however, may be approximated by assuming the difference between the growth and the quantity exported as the amount consumed; and, with this view, the average growth of tobacco of five of the states, (taking a series of years, say from 1820 to 1840), compared with the total exports for the same period, will come as near to the amount consumed as any other basis can afford. Averaging the growth, therefore, of

Maryland	at 25,000 hhds. for 20 years.	
Virginia	39,200 "	"
N. Carolina	8,750 "	"
Tennessee	16,550 "	"
Kentucky	30,000 hhds. for 20 years.	
Hhds.	117,100	
	20 years.	
Hhds.	2,342,000	

From this deduct the total export for 20 years 1,792,000

Leaves hhds. 550,000

for the home consumption, being nearly one-fourth of every year's growth.

The export of 1841 was 147,793 hogsheads—being an increase over the export of 1840 of 23 per centum; over 1839, 87 per centum; over 1838, 47 per centum; and, when compared with the quantity grown in the United States and its territories, which, according to the census of 1840, amounted to 185,136 hogsheads, will show the consumption to be one-third, viz:

The quantity grown in 1840,	185,136 hhds.
Export of 1841,	147,793
Amount of consumption,	37,343

Mr. Dodge estimates the consumption at 75,000 hogsheads, which he believes to be far below the quantity.

The consumption in England of tobacco, in 1786, was 6,846,606 lbs.; in 1805, 14,510,551 lbs.; in 1838, 23,149,726 lbs.—being an increase of consumption over the first period of 238 per cent. and over the latter 59 per cent. Owing to the system of smuggling tobacco into the kingdom, caused by the high duty, the official statements do not afford safe data as to the amount imported or consumed; but there is no doubt the importation and consumption would be nine-fourth part greater if the duty was less.

The total importation into Great Britain, from 1786 to 1838, was 1,242,972 hhds. allowing 1,000 pounds for each. The total re-exportation for the same period was 850,252 hhds. and the consumption 391,379 hhds. The duty paid upon 691,797 hhds. imported into England, Ireland and Scotland, from 1790, was £97,088,448, equal to $346,024,558 the original cost of the tobacco charged with this enormous amount, at 6 cents the pound, being but $43,829,384.

The average importation into France of American tobacco, from 1820 to 1840, was 7,341 hhds. From a French memorial on the commerce and navigation between France and the United States communicated by A. De Bacourt, the French minister, to the secretary of the treasury, and reported by the committee of ways and means in July, 1841, I find that the American tobacco forms four-fifths of the whole imports of foreign tobacco into France; that, from 1828 to 1838, there has been a continual increase in the quantity imported, with the exception of the year 1831. The import in 1828 was 952,851 kilogrammes, and in 1840 it reached 6,249,627 kilogrammes, equal to 14,060,411 lbs.

The editor of the "Register"† says, "that the consumption of American tobacco was far from attaining in France, at the time when that branch of commerce was free, the amount to which it has now reached. During the period from 1806 to 1810, under the free 'regime,' the average quantity introduced every year was 2,042,026 kilogrammes, while that average, from 1826 to 1835, went up to 3,242,883 kilogrammes; and that, in the ten years between 1830 and 1840, it reached 6,249,627 kilogrammes—It must be remarked, besides, that the free 'regime' existed during the French empire, when France had a much more extended territory, and a population much larger than at the present time." However this may be, it appears, from a memoir presented to M. De Vergennes in 1785, the value of the consumption was estimated at ten millions of livres, nearly equal to two millions of dollars, while in 1836, the supply furnished for that year had reached only to the value of $907,000.

Manufactured tobacco.

In the absence of the exact data from source in relation to the quantity of tobacco manufactured in the U. States, reference may be had to the table of exports for the quantity and value therein stated, and have the consumption of the same by the people of the U. S. to be inferred from the average growth of a number of years, and the amount exported, as has already been observed.

The manufacture of tobacco has increased fourfold since 1790. The quantity exported from 1821 to 1840 shows an increase over the preceding thirty years of 493 per cent. From 1821 to 1830, the export was 22,867,262 lbs. valued at $1,946,410; from 1830 to 1840 the export was 35,117,369 lbs.—an increase of 53 per cent. and valued at $3,620,171.

From 1833 to 1840, the quantity of tobacco of foreign growth, imported in a manufactured state, amounted to 638,827 boxes of cigars, containing 1,000 each, and valued at $7,006,788; snuff 72,839 lbs. and crude tobacco 121,133 lbs. valued at $63,619. A very small quantity is exported.

From a review of the subject as above detailed, the great inequality between the return made to the planters and the enormous amount levied by European governments upon our staple, is very evident. What would be the effect upon the tobacco interest, if foreign restrictions were removed and free importation allowed, is a matter about which a diversity of opinions may be entertained. The capacity to grow tobacco in the U. States has been shown. An open and free competition, in the absence of onerous duties abroad, might lead to such an extensive culture as to depreciate the article, unless the demand kept pace with the supply.

[Here follow tabular statements from A to U, inclusive, of which we have room to give only a brief abstract]:

A. Statement of tobacco imported and exported annually into and from England and Scotland during the period from 1761 to 1775.

The average yearly imports were 84,957,339 pounds; 70,798 hhds. The average yearly exports 73,050,546 lbs.; 60,875 hhds.—average yearly consumption, 11,906,992 lbs.; 9,922 hhds. Excess of imports over exports, 178,604,890 lbs.; 148,837 hhds.

B. Showing the quantity of tobacco imported from the United Colonies from 1772 to 1782 inclusive.—Total pounds exported, 48,145,972—consumed or remaining on hand in Great Britain, 191,792,506 lbs. do. in other countries in Europe, 292,371,966 lbs.

C. 1. Quantity of tobacco exported from the U. States from 1787 to 1789, inclusive. Total pounds exported, 267,311,000—consumed, or remaining on hand in Great Britain, 133,811,431 lbs.—in other countries of Europe, 133,500,159 lbs.

C. 2. Tobacco, snuff and manufactured tobacco, imported from the United States from 1790 to 1802, inclusive, and its value since 1802. 2,028,401 hogsheads leaf tobacco, average price for eighteen years, $28 45 per hogshead. Total value since 1802, $108,382,696. Snuff and manufactured tobacco, 12,048,396 lbs.

D. Number of pounds weight of tobacco imported into and re-exported from the United Kingdom from 1785 to 1826, inclusive. Imported, 1,491,567,464—re-exported, viz: raw, 818,862,744—manufactured 39,159,694—delivered for home consumption, 469,655,681. It was asserted in parliament in 1833, that the consumption of tobacco in 1833 had increased 31 per cent. since 1814.

E. Statement of the number of pounds of tobacco charged with duty, and amount of duty paid on the same, from 1798 to 1838, (5 years excepted). Total pounds charged with duty, 722,156,057 or 601,797 hhds. Amount of duty paid, $97,088,448, or $346,624,558, at 14 80 to 4s. Average per year, 13,395 hhds. Consumption, 8,153 hhds. Yearly balance, 5,842 hhds.

F. Statement of the tobacco, snuff and manufactured tobacco, exported from the United States annually, from 1821 to 1840, inclusive. In 1821, 66,858 hogsheads—value, $5,648,962—average value per hogshead, $84 49—pounds of snuff, 44,553—manufactured tobacco, 1,332,949—value of two last, $149,083. Total value of tobacco trade, $5,798,045. In 1840, 119,484 hhds. Value, $9,883,—average value per hhd. $81 05. Total in 20 years, 1,792,000 hhds. Value, $131,346,514—average value per hhds. $73 21—pounds of manufactured tobacco, 57,196,254—of snuff, 788,477—value of snuff and manufactured tobacco, $5,566,381. Total value of tobacco trade, $127,029,138. In 1841, 147,793 hhds. Value, $12,573,244.

G. Statements showing to what countries the larger portion of tobacco is exported annually, from 1821 to 1840, inclusive. England, 521,640 hhds.—Value, $50,194,456. France, 146,834 hhds. Value, $16,361,346. Holland, 423,707 hhds. Value, $21,907,465. Germany, 373,918 hhds. Value, $18,734,186. All other countries, 322,901 hhds.

H. Statement of manufactured tobacco imported into the United States, from 1820 to 1840. Cigars, boxes (containing 1,000 each), 638,857. Value, $7,006,788—pounds snuff, 72,839—other than snuff and cigars, 121,133 pounds—value $63,619.

Pounds of tobacco gathered in each state and territory in 1840, as appears by the census of 1840.

States.	*Pounds.*
Maine	30
New Hampshire	115
Massachusetts	64,956
Rhode Island	347
Connecticut	471,655
Vermont	565
New York	744
New Jersey	1,922
Pennsylvania	325,008
Delaware	372
Maryland	24,816,012
Virginia	75,341,106
North Carolina	16,772,359
South Carolina	51,519
Georgia	161,804
Alabama	272,302
Mississippi	83,471
Louisiana	119,824
Tennessee	25,550,432
Kentucky	53,436,909

[*] "It has been stated that the annual consumption now amounts to upwards of one hundred millions of pounds—giving seven pounds to every man, woman, and child. The sum annually paid by the consumers of this quantity of tobacco, in its manufactured state, has been computed, by a writer in the 'Portsmouth Journal,' at $30,000,000." Dr. Mussey, in his "Essay on the influence of tobacco on life and health," says: "Eighty thousand dollars' worth of cigars, according to estimate, were consumed in the city of New York in 1816; at that rate the present annual consumption would amount to more than 200,000 dollars.

"The Reverend O. Fowler, from considerable attention to the statistics of tobacco consumption in the U. S. estimates the annual cost at $10,000,000, time lost by the use of it at $12,000,000; pauper tax which it occasions at $3,000,000.

"This estimate I believe to be considerably below the truth; it has been estimated that the consumption of tobacco in this country is *eight times* as great as in France, and three times as great as in England, in proportion to the population.

"According to the editor of the 'New York Commercial Advertiser,' 100,000 persons in the city (about one-third of the whole population) are supposed to be smokers, and the average cost to each smoker is computed to be 10 cents a day; total daily $10,000, and the annual cost $3,650,000."

(*American Almanac.*

"In 1834, the consumption of tobacco in value was estimated by Mr. Hunt, (editor of 'Hunt's Merchants' Magazine,') at $16,000,000, of which $9,000,000 were supposed to have been for smoking Spanish cigars $6,000,000 for smoking American tobacco and shewing, (equal to the value of the annual export), and $500,000 for snuff. In 1838, the consumption of tobacco had increased to 100,000,000 of pounds, valued at $30,000,000 cost to the consumers." It is regretted that no data are given on which the above estimate is made. Mr. Lyford estimates the consumption at one-fourth of the quantity grown in the United States.

†Hazard's Register.

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Ohio	8,942,275
Indiana	1,620,306
Illinois	564,329
Missouri	9,067,913
Arkansas	149,439
Michigan	1,602
Florida	75,274
Wisconsin	115
Iowa	8,075
District of Columbia	55,550
Total in the United States	222,163,336

Hogsheads 185,134, at 1,200 pounds each.

K. Statistical table showing the aggregate amount of manufactures of tobacco, number of persons employed, and capital invested in the United States.

	Value of manufactured articles.	*No. of persons employed.*	*Capital invested.*
Eastern states	$399,158	696	$201,425
Northern mid'l. do.	1,474,329	1,725	730,979
Southern "	2,827,856	4,136	1,748,945
Western states "	855,747	1,112	402,954

L. Statement showing the quantity of tobacco inspected in the state of Virginia from 1821 to 1841—In 1821, 28,599 hhds—in 1840, 50,931 hhds. Total 805,070 hhds.

M. Account of the number of pounds weight of leaf and manufactured tobacco that paid duty in the United Kingdom of Great Britain and Ireland, for the year ending 5th January, 1840. Leaf tobacco, 22,971,406 pounds—gross amount of duty received £3,431,908—manufactured tobacco and cigars 196,081 pounds—duty £88,176—snuff 276 pounds—duty £63.

N. Statement showing the distribution of the tobacco in pounds re-exported in each year since 1826 to 1831 from Great Britain.

O. Statement showing the number of hogsheads of tobacco actually consumed in Europe, and the estimated amount of revenue derived by each government from the same. Germany 38,000 hhds—revenue $1,200,000—duty paid $3 23—Great Britain 18,000 hhds—revenue $17,275,000—duty paid $72 75. France 10,000 hhds—revenue $5,500,000.—(Monopoly or $1 87 for every 3 pounds not exceeding 30 pounds weight)—all other countries 20,396 hhds—revenue $11,096,820. Total number of hogsheads consumed in Europe 86,396.

P. Statement showing the quantity of tobacco grown in Europe and elsewhere, &c. Germany, 33,333 hhds—Austria and dominions, 29,166—France, 21,666—Russia, 17,500—Cuba, 10,746,000, &c. &c. Total, 125,905.

Q. Tariff of import duties on tobacco in the United States and in foreign countries.

Tobacco.	*Manufactured.*	*Unmanufactured.*
United States,	10 cents per pound.	15 per cent.
Great Britain,	$2 16 "	72 cts. per lb.
France,	prohibited.	—
Cigars.		*Snuff.*
United States,	$2 50 per 1,000	12 cts. per lb.
Great Britain,	$2 16 per pound	$1 44 per pound.
France,	&c. &c.	&c. &c.

R. Report on the legislation, &c. of foreign countries on tobacco, by Joshua Dodge, esq. of 36 states in Europe, there is in 24 of them perfect freedom of competition in every species of industry exercised in the article of tobacco. Six (viz: Sardinia, Spain, Roman states, France, Austria and Parma) have adopted the system of monopoly, or of a state regale. Five have adopted the system of farming the tobacco, (viz. Portugal, Naples, Tuscany, Poland, and the Canton of Valais, in Switzerland.)

S. Chronology and statistics of tobacco.

T. An analysis of the constituent parts of tobacco.

U. Letters in relation to countervailing duties, &c.

House of representatives, May 11, 1842.

DEAR SIR: Since the adoption, by the house of representatives, of the resolution offered by me, calling on your department for information relative to the growth, consumption, rate of duties, and exportation of tobacco, I have received letters from some of the most intelligent and extensive dealers in Virginia. As distinguished gentlemen from one or two of the tobacco-growing states have recently invited public attention to this subject, I have taken the liberty of enclosing the letters from the Virginia dealers to you, and should be pleased, should it meet your approbation, to have them inserted in the document now being prepared by you on our tobacco trade. The letters are from gentlemen in different quarters of the state, of deservedly high standing, and of known capacity and experience in business; and this circumstance in conjunction with the remarkable coincidence of opinion and agreement in their views in regard to our tobacco trade, imparts additional weight to their suggestions. Respectfully, your obedient

EDMUND W. HUBARD.

Hon. *Walter Forward.*

Richmond, March 23, 1842.

SIR: I have on your letter of the 17th, asking my opinion as to the policy of protecting our tobacco trade by retaliatory duties. I enclose an article, written by myself and published in the Whig of 18th December, 1840, which was suggested to my mind in consequence of Gov. Gilmer's message to the Virginia legislature, and the tobacco convention held about the same time in Maryland. By this you will see that I do not think it would benefit Virginia to get the European markets, say England, France, Italy and Spain, to reduce the duties very low on tobacco; at any rate, I would not regulate them by retaliatory duties. At the same time, I am in favor of a high tariff, and I contemplate it as far as it is a favorable and decided protection to all articles of home manufacture; and this, I consider we have a right to do. I am, dear sir, your most obedient servant,

JAMES GRAY.

Hon. *E. W. Hubard.*

Farmville, March 24, 1842.

DEAR SIR: Your letter of the 21st was received this morning, and I hasten to give you a very condensed sketch of my views on our foreign tobacco trade.

It appears from your letter that you apprehend an attempt from certain parties to disturb the existing relation between this country and Great Britain, on the tobacco trade. As there was, at one time, a monopoly of this trade with that power; and it seems to me to be the result of very short-sighted statesmanship to subject to the present excise regulations of England, on a subject which can affect only her own subjects. The English pay the duty on such tobacco as they consume, to their own government, as a part of its revenue, just as they pay for their tea, their windows; and our tobacco planters have just as much color to demur to the one tax as to the other. The larger amount of revenue a government can derive from a given subject, the better (we think) and certainly such a result cannot affect the grower and furnisher of the subject unless it abridges the consumption. But suppose it can be established that the consumption is lessened by the excise. Be it so; and wa will also suppose that Great Britain, in conformity with the wishes of some of our people, reduces the duty of tobacco one-half. What think you the result would? Why, I apprehend something like this: she would grant the privilege of *growth* to her subjects at home and also to her colonies—the one praise as far (and the better itself) and as much tobacco as might furnish the deficiency in the existing rate of duty. I apprehend that, by this process, we should make an Irishman's profit—gain a loss in the transaction. We, in France, the Government holds the trade, and, in order to make as much revenue as possible from our tobacco, they have restricted the growth of this article to *four provinces* in the kingdom. A little injudicious tampering will drive her to do what every well informed man knows she can do—to grow the whole of her own tobacco. At one period she grew 18,000 hhds. in France proper, and she distributed it from her colonies such deficiency as might occur. The same may be said of all the German states. *There* they have always grown tobacco to a considerable extent, and when the price of tobacco in this country, from whatever cause it may arise, becomes excessive, the people take but little, and that little is generally at the expense of the shipper.

In looking at this whole subject I am decidedly of opinion that it should be left untouched. I am perfectly in the dark when I attempt to apprehend any good that may result from changing, in, on the other hand, I think I can see *evils* that may ruin this branch of our trade. I have given you a very imperfect outline of my opinions on this branch of our trade, and I fear you will derive nothing valuable from them. Let them pass for what they are worth,

Yours, T. LYLE.

Hon. E. W. Hubard.

Many additional letters of gentlemen of various parts of Virginia, of similar import were addressed to Mr. Hubard.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

JUNE 23. Mr. *Conrad*, of Louisiana, presented 35 memorials from citizens of Louisiana praying an augmentation of duty on foreign sugars.

Mr. C. expressed his gratification that the feeling in favor of a tariff was becoming universal, and that it was beginning to be viewed as a national and not a party question, and also as a question between our own and foreign countries. The sugar culture is one of the most important interests of this country and the present mistaken policy of the government would, if persevered in, consign it to a speedy and inevitable destruction.

Mr. *Evans* introduced a bill to define and establish the fiscal year of the treasury of the United States. The first section provides that after 1st July, 1843, every fiscal year shall commence on the 1st of July and terminate on the succeeding 30th of June; the succeeding sections provide that all future estimates shall be made accordingly. The bill was ordered to be engrossed for a third reading.

The bill providing for the claims arising from Dancing Rabbit Creek treaty was then taken up and after a few remarks from Messrs. *Phelps* and *Henderson*, was postponed until to-morrow.

On motion of Mr. *Evans*, the revenue bill was then taken up; when

Mr. E. rose and explained at length the object of the bill and the amendment proposed, which was simply to leave all that relates to the distribution and the revenue as it now is until the 1st August, 1842. Mr. E. went into a history of the wants of the treasury, and maintained that less than a sum of twenty two millions would not meet the expenditures of the year. The receipts must fall very far short of that sum, and could not be more, unless there was some extra legislation, than fourteen to sixteen millions. He proposed to strike the following proviso from the house bill:

"*Provided*, That nothing herein contained shall suspend the distribution of the proceeds of the public lands, any thing herein contained, and any thing contained in the proviso to the sixth section of the act approved fourth September, eighteen hundred and forty-one, entitled 'an act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights,' to the contrary notwithstanding."

And insert in lieu thereof the following:

"That the distribution of the proceeds of the public lands authorised and directed by the act of congress of the 4th September, 1841, entitled 'an act to appropriate the proceeds of the public lands and to grant pre-emption rights,' shall be, and the same is hereby, suspended and postponed until the first day of August, 1842; and the said act of the 4th September, 1841, shall be no otherwise affected or modified than suspended and postponed to the said first of August next the distribution of said proceeds directed by that act to be made on the 1st July, 1842, any thing in this act, or the said act of the 4th September, 1841, to the contrary notwithstanding."

Mr. *Evans*, in explaining the bill, gave briefly the necessities which existed for its passage. It was exceedingly doubtful whether there was any law by which any duties could be collected after the 30th of June, unless this bill was passed, except perhaps, in the case of a few articles, the duties upon which had been imposed by a law of the last session.

He was of opinion, as well as other senators about him, that there would be no such law. He turned to the compromise act and argued that it left no such law after the 30th June. *Until the last day of June*, the duties, then established and reduced by the act, are continued; but there is nothing continued *after that* time. But there is another provision showing that express legislation was contemplated and required, and that no duties could be collected after the 30th of June, without a special law.

The senate would see the necessity of passing some bill, as a temporary measure. It was doubtful whether the secretary of the treasury, if the rate of duties were settled, could execute the law providing for home valuation.

It was said that it was a violation of the compromise, because it continues a rate of duty beyond 20 per cent. after the 30th of June. But does any senator really suppose that no rate of duty beyond 20 per cent. can be collected, without violating the compromise. The compromise has been violated, for the act of last session will continue in force, and that allows duty beyond 20 per cent.

It will be impossible to carry on the government with a revenue of sixteen or seventeen millions. But, sir, it is no violation of the compromise. No one supposed that 20 per cent. was to be adhered to, if it should be proved entirely *inadequate*, to carry on the government.

Again, it was objected to this bill that it violated the clause of the *distribution* act which suspends that act, in case the duties exceed 20 per cent.

To obviate this objection to the bill, he *would propose to postpone till the 1st of August the operation of the distribution act*—that is to postpone it to the same time that the revenue laws are postponed to.

The distribution would not take effect on the 1st of July. But, if by the 1st of August a revenue bill passed, raising duties over 20 per cent. without repealing the distribution law, the distribution law

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would expire. If no act passed on the subject, then the distribution act would be in force on the 1st of August.

Mr. *Woodbury* conceded that the act of 1833, secured the collection of a duty of 20 per cent.

The power of collection was still preserved by the act of July, 1832, which the compromise only modified in amount, and did not repeal the right to collect. He read the passages from both acts, to show that the power of collection was not impaired by the compromise act. Both acts, and the great object of the compromise act, did not look to such a strict construction. If the fifth section was to be so strictly construed, there never would be any authority for collecting over 20 per cent.

Mr. *Huntington* argued to show the indispensable necessity of passing this law, on the ground that no duties could be collected under the compromise act after the 30th June. He dissented from the conclusions drawn by the senator from New Hampshire, and contended that the courts of the United States would be called upon to decide the question. He denied the possibility of carrying out the law of 1832 by the law of 1833, as they were opposed to each other in mode of valuation, besides being irreconcileable as to the amount of duty. But the compromise act had not left the matter open to construction; for it provided for the repeal of all acts inconsistent with the provisions of the act itself.

He understood that there was a vessel laden with foreign goods, at this very moment, beating up and off the Hook, waiting for the 1st of July to enter New York, in view of landing her cargo free of duty; and she will do it with impunity, if this bill is not passed.

The debate on this proposition was continued by Messrs. *Walker*, *White*, and others; when

Mr. *Berrien* moved to amend the bill by adding the following, as a substitute for that offered by Mr. *Evans*:

"That the provisions of the second section of the act entitled 'an act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights,' passed September 4, 1841, and the provision in the sixth section of the said act, shall be, and the same are hereby, suspended until the 10th of August next, after which day the said provisions of the said second and third sections, and the provision in the said sixth section, shall remain and be in force."

This led to a debate, in which Messrs. *Archer*, *Crittenden*, *Berrien*, and others participated; when the question was taken on the amendment, and decided in the negative, as follows:

YEAS—Messrs. Allen, Archer, Bagby, Benton, Berrien, Buchanan, Cuthbert, Fulton, Henderson, King, Linn, McRoberts, Preston, Rives, Smith, of Connecticut, Tappan, Walker, Wilcox, Woodbury, Wright—20.

NAYS—Messrs. Barrow, Bates, Bayard, Choate, Clayton, Conrad, Crafts, Crittenden, Evans, Graham, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Indiana, Tallmadge, White, Woodbridge—23.

Mr. *Buchanan* then moved to strike out the latter clause in the amendment of Mr. *Evans*, which failed.

The question then recurred on the amendment of Mr. *Evans*, when the debate was further continued by Messrs. *Rives*, *Huntington*, *Woodbury*, *Simmons*, *Crittenden*, *Choate*, and others; when a motion was made to adjourn, which prevailed.

And the senate adjourned.

June 24. The *president* of the senate laid before the body a report from the secretary of the navy, made in compliance with a resolution of the 15th April last, in relation to testing by experiment the invention of Thomas S. Easton, to prevent the bursting of steam boilers.

Memorials were presented for the abolition of the franking privilege; from citizens of Buffalo against reduction of army or navy; and for redress by individuals interested in the Illinois land mines.

On motion of Mr. *Bates*,

Resolved, That the secretary of war be directed to inform the senate when the late superintendents of the public armories at Springfield and Harpers's Ferry were removed, and whether successors have been appointed; and, if appointed, when, by whom, and in virtue of what authority, and the purport of their commission.

The bill to adjust the claims arising from the treaty of Dancing Rabbit creek, was discussed at much length, and, after having been amended, the further consideration of the bill was postponed until to-morrow.

On motion of Mr. *Evans*, the senate then proceeded to the consideration of the special order, being the bill to extend for a limited period the act to lay and impose duties.

The question pending was the amendment proposed by Mr. *Evans*.

Mr. *Rives* rose and addressed the senate at great length on the general principles of distribution, and the necessity that existed for a strict observance of the compromise act.

Mr *Crittenden* replied seriatim to the arguments of Mr. *Rives*, saying that the same objections presented themselves to the measure when the senator voted for the act of 1841.

The debate was further continued by Messrs. *Walker*, *Buchanan*, *Huntington*, *Archer*, *Preston*, and others; when the question was taken by yeas and nays, and decided in the affirmative as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clayton, Conrad, Crafts, Crittenden, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Ind. Tallmadge, White, Woodbridge—23.

NAYS—Messrs. Allen, Bagby, Benton, Berrien, Buchanan, Cuthbert, Fulton, King, Linn, McRoberts, Preston, Rives, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Woodbury, Wright, Young—21.

Mr. *Woodbury* then moved to strike out the latter clause in the amendment of Mr. *Evans*, which failed.

The question then recurred on the amendment of Mr. *Evans*, when debate was further continued by Messrs. *Rives*, *Huntington*, *Woodbury*, *Simmons*, *Crittenden*, *Choate*, and others; when a motion was made to adjourn, which prevailed.

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YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clayton, Conrad, Crafts, Crittenden, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Ind. Tallmadge, White, Woodbridge—23.

NAYS—Messrs. Allen, Bagby, Benton, Berrien, Buchanan, Cuthbert, Fulton, King, Linn, McRoberts, Preston, Rives, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Woodbury, Wright, Young—21.

The bill as it passed the senate, is in the following words: (Voted on the 24th June.)

An act to extend for a limited period the present laws for laying and collecting duties on imports.

Be it enacted by the Senate and House of Representatives of the United States of America, in congress assembled, That all laws in actual operation on the first of June, eighteen hundred and forty-two, regulating and fixing the amount and rate of duties to be levied and collected on goods, wares and merchandise imported into the United States, and prescribing the mode of collecting the same, and all provisions relating thereto, shall continue to be in force and be duly exacted on that day until the first day of August, eighteen hundred and forty-two, at which time, if there be no further legislation on the subject, the laws for laying and collecting duties shall be the same as though this act had not been passed; any thing in the act entitled, "an act to modify an act of the fourteenth day of July one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," approved March second eighteen hundred and thirty-three, to the contrary in anywise notwithstanding: and the proceeds of the sales of the lands, and to grant pre-emption rights," shall be and the same is hereby, suspended and postponed until the 1st day of August, 1842; and the said act of the 4th of September, 1841, shall be so otherwise or further affected or modified, than merely to postpone to the said 1st day of August next the distribution of said proceeds directed by that act to be made on the 1st day of July, 1842; anything contained in this act, or the said act of the 4th of September, 1841, to the contrary, notwithstanding. The senate then adjourned.

June 25. The senate proceeded to the consideration of the bill for the re-organization of the army and for other purposes—which the committee on military affairs propose as a different and a less expensive plan of reduction from that suggested by the house bill.

Mr. *Preston* explained, briefly, the objects of the bill, and intimated that the report which accompanied it would give all the information desired.

Mr. *Rives* moved to strike out the second section, which enacts that the offices of the superintendents of the armories at Springfield and at Harpers' Ferry, shall be abolished, and that the duties shall be performed by such officers of the ordnance corps as shall be designated by the president; and, at his request, a memorial was read showing the ill treatment to which the officers were subjected under military rule at Springfield.

Mr. *Preston* contended that abuses in those armories were the result more of the regulations than the fault of there being military superintendents. If injustice should be done to any of the workmen, a statement could be laid before the ordnance department; if satisfaction should not be then rendered, an appeal might be made to the secretary of war, or to the president of the United States.

Mr. *Young* remarked that the superintendent at Harpers' Ferry had been dismissed, and an officer of ordnance was now appointed to the place. If, therefore, the section should be stricken out, as moved by the senator from Massachusetts, the matter would be left precisely where it now was. To do this, he would submit an amendment to the motion of the senator, viz: to strike out the section, and insert in lieu thereof that the duties of the offices of the superintendents at the armories at Springfield and Harpers' Ferry shall not be performed by officers of the ordnance corps or other officers of the army, but shall be confided to civil superintendents, of competent knowledge as hereinafter.

Mr. *Bates* accepted of the amendment.

Mr. *Benton* opposed it, and expressed himself in favor of the section as contained in the bill.

Mr. *Rives* spoke in favor of striking out the section, and argued that none but mechanics were competent to superintend these establishments.

Mr. *Preston* remarked that they proposed to take a committee men from the ordnance department, men of affairs who were well qualified, from experience, to discharge the duties required.

Mr. *Archer* said that if it were true that a military administration was for the public good, still it would be forever found that it would be irreconcileable to the temper of those who were employed in the armories. The feelings of these operatives were certainly entitled to respect, he would vote for the amendment.

Mr. *Huntington* was opposed to it, as he thought it important that men should be selected from the ordnance department; and this would save the expense of employing a civil officer.

Mr. *Simmons* did not regard the duties to be performed at the armories as military operations, but as mechanical; and to appoint military men to superintend mechanics was most singular; therefore he was in favor of the amendment.

Mr. *Smith*, of Conn. argued that if government turned manufacturer, it must employ practical men to superintend the armories.

Mr. *Rives* here referred from persons who resided at Harpers' Ferry that the military discipline in the armory at that place had caused great dissatisfaction, and he believed that it would produce rebellion among the workmen, from time to time, so long as it should be continued; therefore he hoped that the amendment would prevail.

The question was then taken, and the amendment of Mr. *Young* was agreed to by yeas and nays as follows:

YEAS—Messrs. Allen, Bates, Buchanan, Clayton, Choate, Crafts, Fulton, King, Mangum, Miller, Phelps, Porter, Rives, Simmons, Smith, of Conn. Smith, of Indiana, Sprague, Tallmadge, Tappan, Woodbridge, Wright, White, Young—23.

NAYS—Messrs. Barrow, Benton, Berrien, Conrad, Crittenden, Evans, Graham, Huntington, Kerr, McRoberts, Morehead, Preston, Walker, Wilcox—14.

Mr. *Buchanan* moved to strike out the third section, as follows:

"That the office of commissary general of purchases, shall be and the same is hereby abolished, and the duties thereof shall hereafter be performed by the officers of the quartermaster's department, &c.

After a debate, in which Messrs. *Buchanan*, *Preston*, *Archer*, *Conrad* and *Walker* participated, the question was taken and decided in the negative—yeas 12, nays 17. The senate then adjourned.

June 27. A message was received from the house (see house proceedings) announcing the death of the hon. *Wm. S. Hastings*, whereupon

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Mr. *Bates* arose and addressed an eulogy on the character and services of the deceased and concluded by offering the usual resolutions of condolence and respect to his memory which were unanimously adopted.

Mr. *Miller*, of New Jersey, then rose and addressed the senate as follows:

Mr. President: I rise but to add another shade to the gloom which now pervades this chamber, by communicating to the senate the sad intelligence, which I received this morning, of the death of my colleague, the hon. Samuel L. Southard.

He died yesterday morning at twenty minutes past ten, at Fredericksburg, in Virginia.

It is, Mr. President, about one short month since our friend left that honored seat, now occupied by yourself. He parted from us somewhat broken in health and constitution, but he carried with him our ardent hopes and our sincere prayers that a short relaxation from the cares and labors of official station would soon restore him to us, in renewed life and health.

But, alas! a wise but a mysterious Providence has ordered it otherwise. Death has disappointed our hopes, and our respected friend and colleague has passed forever from this scene of his usefulness—cut off from all the active associations of private and public life; and we are now called to mourn over the death of him whom it was our pleasure to honor while living.

After announcing this afflictive event, the feelings of my heart urge me to sit down and be still beneath the influences of the solemn associations which crowd around the mournful dispensation of Providence, leaving it to another and a more fit occasion to speak of the life and character of the deceased. To speak now of the many honors which he bestowed, of the rich virtues that he cultivated, and of the exalted talents which, for thirty years, he devoted to the service of his country, would be only to sharpen the grief and to deepen the anxiety of his mourners.

Mr. Southard was born on the 9th of June, 1787, at Baskingridge, county of Somerset, in the state of New Jersey. Born and brought up under her free institutions, educated in her schools, and a product of her college, he was in principle and in feeling every inch a Jerseyman. Duly appreciating his worth, his native state called him early into her service.

A few years after he was admitted to the bar, and at the age of about twenty-six, he was placed upon the bench of our supreme court. After discharging the duties of that responsible office with distinguished ability for several years, he was, in the year 1821, first elected senator in congress. He then continued a member of this body until the 4th of November, 1823, when he resigned; and on the 9th day of December, of the same year, Mr. Monroe honored him with his confidence by placing him in the cabinet as secretary of the navy, in which high office he continued during the whole term of Mr. Adams' administration.

His services in that department are fully known to the country and duly appreciated by the navy, whose glory and interest he ever delighted to maintain and promote.

Upon the retiring of Mr. Adams' cabinet, on the 3d of March, 1829, Mr. Southard returned to his native state. She received him with open arms and with all the affection due to a worthy son, who had been absent for a time doing good service in the cause of our common country.

After serving his state at home in the capacity of attorney general and governor, he was again, in 1833, chosen senator, and after serving his term of six years, was re-elected for the third and last time on the 15th November, 1838.

And now, after an official service, well and faithfully performed, for over twenty years, in the fullness of manhood, with a ripened intellect, a matured judgment, and in the enjoyment of the confidence of this august body, manifested in their promoting him to the presidency of the senate, it has pleased Almighty God to close his earthly career.

Another mortal blow has been struck at this senate—another seat is vacant—another voice is silenced by death. Affective as this blow is to us and to the nation, it has fallen with tenfold severity upon that little devoted domestic circle which surrounded his bed and soothed, as far as human affection could soothe, the pillow of a dying father and husband.

I would not on this occasion obtrude within that sacred family circle but to sympathize and console; to speak of those private virtues, those affections of the heart, which endeared him to his family and friends.

To a mind of a high and commanding order—to talents which could grasp and comprehend all the affairs of a mighty nation—he united a simplicity of manner, an honesty of purpose, and a kindness of disposition, which never failed to surround him with many a true friend in life, and left him without a single enemy in death.

Impressed while young, through the precepts and examples of pious parents, with the truths of our holy religion, their benign influences were never lost upon him amidst the evening scenes through which he passed in manhood. Firmly convinced of the reality and importance of Christianity, he was, on all fit occasions, the bold and eloquent advocate and defender of order, morality, and religion. We have reason to believe that the religion of his fathers, impressed upon his youthful mind, and cherished in his riper years, did, under the blessing of God, vouchsafe to him in death its hopes, its consolations, and its salvation.

When Mr. *Miller* closed his remarks—

Mr. *King* immediately rose and said that the melancholy event which had been announced with so much eloquence and so much feeling by the friend and colleague of the deceased, left him but little further to add. It had been his good fortune to have been for many years intimately acquainted with the distinguished individual now no more. He had known him in public and private life, and could bear full testimony to his kindness of heart and amiableness of disposition, as well as to the uniform courtesy and ability with which he discharged the arduous duties confided to him by this distinguished and illustrious body.

He is gone, (said Mr. K.) and it now becomes our last melancholy duty to pay to his memory that tribute of respect so eminently due. I therefore beg leave to submit the following resolutions:

Resolved, unanimously, That a committee be appointed to take order for superintending the funeral of the hon. Samuel L. Southard, which will be placed to-morrow at 12 o'clock; that the senate will attend the same, and that notice thereof be given to the house of representatives.

Resolved unanimously, That the members of the senate from a sincere desire of showing every mark of respect due to the memory of the hon. *S. L. Southard*, the late president *pro tem.* thereof, will go into mourning for him one month, by the usual mode of wearing crape on the left arm.

Resolved, unanimously, That as an additional mark of respect for the memory of the hon. *Samuel L. Southard*, the senate do adjourn.

And the senate then adjourned.

June 28. Funeral of the late ex-president of the senate Mr. *S. L. Southard*. The members of the house of representatives preceded by its speaker and officers, proceeded from their chambers to join in the last tribute to their departed associate and friend; where, in the presence of a part of his family, of the members of both houses, of the president of the U. States and all the heads of departments, of the resident diplomatic corps, the commander and other officers of the army, and a number of citizens and strangers, a funeral discourse, accompanied with prayer, was pronounced by the rev. Mr. Tyson.

At the conclusion of this ceremony a procession was formed from the senate chamber to the outer door of the capitol, where the hearse, bearing the remains of the deceased, awaited their escort, and in prescribed order they proceeded with it to the congress cemetry for interment.

June 29. The presiding officer laid before the senate a communication from the war department in reference to the operations of Scott in Florida and Seminole field. The answer of the secretary is, that the old superintendents were removed, and that since their removal, the duties have been performed by officers of the ordnance department.

Mr. *Miller*, of New Jersey, offered a resolution requesting the presiding officer of the senate to inform the governor of New Jersey of the vacancy in the senatorial delegation from New Jersey, occasioned by the death of Mr. *Southard*. The resolution was adopted.

An additional joint resolution, which had been before the senate occasionally for months, was this morning adopted. It calls upon the claimants whose claims have been once reported against to bring additional evidence as to the justice of their claims before presenting their claims a second time. The resolution was adopted by a vote of 26 to 11.

A resolution of Mr. *Bagby*, of Alabama, submitted some days since was taken up.

Resolved, That the committee on Indian affairs be instructed to inquire what amount of money, in addition to the contract price, was paid to John Ross for the removal of the Cherokee Indians to the west of the Mississippi, and for what additional services said amount, if any, was paid; and that the committee have power to send for persons and papers, and report the result of their inquiries to the senate with the least practicable delay.

Mr. B. said in introducing the resolution, that he had heard, (and had good reason to believe in its truth), that John Ross had received for the service specified, in addition to the price established by the contract, the enormous sum of $580,000.

Mr. *Sevier* and Mr. *Morehead* suggested modifications, which led to the postponement of the subject until to-morrow.

Mr. *Young* of Illinois presented resolutions adopted by the corporations of Georgetown and Alexandria expressing their assent to the transfer of stock held by the United States in the Chesapeake and Ohio canal company to the state of Maryland.

Numerous memorials were presented in behalf of the tariff by Mr. *Buchanan*.

Mr. *Choate* from the naval committee reported without amendment the bill for supplying deficiencies in the naval pension fund.

Mr. *Preston* made a brief defense of this claim being for military services, when it was informally passed over until to-morrow when the senator from Massachusetts will make the proper defence.

The bill from the military committee to reduce the army was taken up on motion of Mr. *Preston*.

The question was taken on the amendment proposing to substitute civil for military superintendents of the armories, and the substitute was rejected by yeas 13, nays 21. The bill was then postponed, and after an executive session

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, June 23. On motion of Mr. *Fillmore* the house resolved itself into committee of the whole, (Mr. *Mason*, of Va. in the chair), and took up the bill making appropriations for the navy as returned amended from the senate.

The first clause of the bill, as it had been passed by the house, is in the following words:

No. 1. For pay of commission, warrant, and petty officers and seamen, two million three hundred and thirty-five thousand dollars.

Provided, That, until otherwise ordered by congress, no part of this, or any future or existing appropriation, shall be applied to the payment of any officers in the navy appointed after this date, beyond the number in each grade on the 1st day of January, 1841; and that the excess now in the service beyond that number shall be reduced as fast as deaths, resignations, and promotions will admit.

Which said clause the senate had amended to read thus:

No. 1. For pay of commission, warrant, and petty officers and seamen, two millions eight hundred thousand dollars.

Provided, That, until otherwise ordered by congress, the officers of the navy shall not be increased beyond the number, in the respective grades, that may exist at the end of the present session of congress; nor of midshipmen, beyond the number now in service. And all vacancies of midshipmen, which may hereafter be supplied from states, territories, and District of Columbia, which at the time shall not have their due proportion of midshipmen, having regard to federal numbers, in the service, provided suitable applications are made for the same.

And the question was, "will the house concur therein?"

Mr. *Burnell*, of Mass. took the floor, and adverted to the increasing commerce of the U. States in all the seas of the world and maintained the necessity of its being adequately protected. After exhausting this theme he remarked that he had the time he would call attention to the insufficiency of our force in the Mediterranean, the iniquitous pursers' system, by which the common sailors had so long been imposed upon, &c. His hour expired and

Mr. *Ingersoll* addressed the committee. He thought that for a peace establishment our navy was now too large. In proportion to the smallness of both army and navy will be their excellence. To enlarge them in time of peace, would deteriorate them. No one yet had said one word against the navy. All were its friends. He thought its expenditures might be reduced $2,000,000 per year. The pay in the navy for captains down to seamen appeared to him out of all reason. The pay of no other navy in the world compared with it. No man could go into any town or village without finding naval officers out of service. No doubt a great many of them desired to be out of service. Expenditures might be reduced also in the navy yards. Though a friend to reduction he had opposed its being done on an appropriation bill, though a venerable member of this body had asserted that it must be done this way or it could not be done at all.

Steam power had, as it were, taken up Europe and put it within a few days of us; it had changed, with-

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in a few years, the whole face of the world. The dock-yards of England used to be six weeks from America; they were now but two weeks. And he would say to gentlemen of the west, that he had understood there was nothing wanting but to enlarge the locks of the Welland canal—a mere affair of brick and mortar—to enable British and French steamers, in three weeks from the time of leaving Portsmouth or London, to be at Chicago, Detroit, and Cleveland. Let these things, he said, be in mind. He thought the navy was large enough with a view to its own merits in time of peace. He believed a small navy—one rather within than without our means, (and so with an army, which he cared but little about the army)—would answer our purpose better than a large one.

He flattered himself that he was as much an economist as any member of the house, and he would not vote, because our finances were embarrassed, to cut down our defences or in any respect impede the onward progress of our country. A gentleman who was here, whom he need not name, had told him in conversation, a few days since, that our government might be restored to financial prosperity in a couple of years. There could be no doubt of it. We were at this time in difficulty, but that difficulty was easily remedied. Then let the great question be settled whether this country was to rely entirely on the means and resources of peace, or to continue to be a marshalled, and, if need be, a war-waging country.

He trusted that whatever was done would be done with the feeling that the navy is of a vast and national importance, and in that view the navy ought to be reduced to an economical peace establishment. By a liberate administration, he thought it might be brought within two-thirds of the present expenditure; whereas if they got to working at it by jerks and cuts—to reducing it in provisions to appropriation bills and applying the previous question, without having reports from a committee and the subject deliberated—he was afraid they would do great injury to the public service and to this great bond of our union.

Mr. *Meriwether* referred to the remarks of Mr. *Ingersoll*, to which, he said, he had listened with much pleasure. The gentleman had argued the question as it should be argued, that Mr. M. was unable to decide on which side of the question his argument had the greatest weight.

The gentleman from Nantucket (Mr. *Burnell*) had told them, with peculiar emphasis, that the condemnation of the people would come back in thunder on this house for the course they had pursued on this subject. Where was this thunder to fall? Was it Nantucket, or at the different navy yards throughout the United States? But a few days since he had seen a paper containing most disrespectful slander on this house for having dared to interfere with the navy; and he had found that the article was indited by an honorable chaplain in the navy. This "thunder" was to be forged in those printing shops deriving their pay and subsistence from taxes paid out of the pockets of the people into the treasury of the United States.

Mr. M. referred, with some indignation, to a report of the debate in the senate on this bill, which had distinctly avowed (said Mr. M.) that the house had made an unlawful assumption of power in declaring the number of officers that should be attached to the navy of the United States. Without appealing to the prejudices or passions of this house, he asked them to stand by the constitution and defend themselves from unlawful and willful assumption of power on the part of the senate of the U. States.

Mr. M. contended that they should limit the number of the officers in the navy, and quoted as authority to show that this retrenchment was contemplated, a house was proper, from a letter of one of the senior officers in the navy, of whose respectability he spoke in high terms. He referred to the statement given by the secretary of the navy in his report of the number of officers who for the last ten years had not been at sea, or in service on shore, several of whom during that period had received from $10,000 to $25,000 compensation without performing any service. Mr. M. held that the number of officers should be reduced. Let them stop these abuses and proceed to this great work of reform, and when they made a respectful proposition to the senate for this purpose, let them not receive in return scorn and bitter reproach, and be told that they were invading the rights of the senate of the U. States.

Mr. *Sprigg* followed against the amendment of the senate and in favor of the bill as passed by the house. He thought that the house had here a solemn duty to perform—to persist in correcting abuses and that by the appropriation bill. He believed that nothing was more strongly calculated to bring the navy into disrepute than constantly to keep three or four hundred officers on annual pay when they were doing no service. And he believed that any man who did not come forward to reduce these improper expenditures would be recreant and faithless to those principles on which the whigs had been brought into power.—Mr. B. dwelt at some length on the abuses which had thus crept into the service, and on the paramount necessity of reforming them.

Mr. *Adams* next addressed the committee. Confining himself to the item now in the committee for the pay, Mr. A. said he had not been convinced that the nation could, with honor or justice, retrench the amount appropriated by the senate's amendment, which, as he understood, was conformable to the estimates from the department. And he should therefore vote to concur. This was all he had to say on that matter.

Mr. A. here referred to a speech of Mr. *Proffit's*, in which he had observed that Massachusetts had a disproportionate number of the officers of the navy; when Mr. A. had questioned the fact, then the gentleman put the proposition more generally and said a disproportionate number of officers of government. As to that, Mr. A. had not inquired; but in regard to the navy he had. On inquiry, he found that, looking to the total number of officers in commission, Massachusetts had her full proportion, and even, perhaps, beyond it. Here he referred to a table he had before him, showing that Massachusetts had, out of 63 captains, who had served their country from twenty to twenty-five years, and thus attained to that grade, there were from Massachusetts 3, from Virginia 13, from Maryland 2, and the rest had spoused to his friend near him from Maryland (Mr. *Kennedy*) to say whether that was a just relative proportion, even on the principle of federal numbers.

In the rank of commanders, out of 97, Massachusetts had 10; Virginia, 8; Maryland, 14. Here Massachusetts had her full proportion. But how was it with the navy? Virginia is a Maryland state, was a maritime state and was entitled to a fair proportion.

Next came lieutenants, and here out of 328, Massachusetts had 15; Virginia, 70; Maryland, 31; and District of Columbia, 16! Here this District of ten miles square, with her 30,000 inhabitants (desirous of being re-ceded to their own states of Maryland and Virginia) got 16 lieutenants in the navy. While Massachusetts, with her population of 737,699 and her 9,000 or 10,000 mariners, got 15. Out of the total of 328, two states, Virginia and Maryland, got 101, while Massachusetts got but 15!

Then of the 70 surgeons, Massachusetts got 3; Virginia, 15; Maryland 6; District of Columbia 1.

Of past midshipmen, out of 103 Massachusetts got 5; Virginia 11; Maryland 9.

And of midshipmen, of whom there were in all 307, Massachusetts got 20; Virginia 47; Maryland 23; District of Columbia 21.

Such was the relative proportion in that original appointment, which was the basis of all subsequent proportion. From this grade of midshipmen were to come, in the and, our post captains and all our distinguished commanders. What was the chance of Massachusetts, in comparison, for the appointment of those officers who should carry the flag of the U. States round the world in glory? He was stating facts; he was complaining of the wrong injustice which had been done to Massachusetts, as compared with some other states of the union. And the comparative view he had exhibited reminded him of an occurrence which took place some many years ago, when one of the pension bills was under debate. A gentleman from New Hampshire had remarked that, in the war of the revolution, while by far the greater proportion of the men who did the fighting came from the north, and mainly from New England, much the greater number of officers came from the south, when Mr. Randolph, of Virginia, gravely said, "o very just proportion." [A laugh]. Possibly some gentlemen thought that the relative number of officers from Massachusetts and Virginia was "o very just proportion."

Mr. A. regretted that he could not show, in like manner from what states the seamen of our navy came but of that there was no record. Many of them were from abroad. But as to the proportion which came from Massachusetts, a pretty clear indication might be obtained from the official return of registered seamen in the merchant service, and he accordingly read some items from that return, dated in September, 1841, as follows: Total number of registered seamen, 9,163; from Maine 1,026; from New Hampshire 93; from Massachusetts 4,031; from Maryland 383; District of Columbia 103; Virginia 213.

Here Mr. *Sprigg* broke forth again and exclaimed "hurra for old Virginia!"

Mr. *Adams*. Yes, hurra for old Virginia, with all my heart and soul. None rejoices in her glory more than I do. I am willing to give her the elder son's portion, but not 70 to 15, not 14 to 3.

Mr. A. said he should not have felt himself called on to exhibit this statement of facts but for the remark of the gentleman from Indiana, (Mr. *Proffit*), that Massachusetts had received an undue proportion of appointments in the navy.

Mr. *Proffit*. Out of 55 naval commanders, the south has but 8.

Mr. *Everett*. That is an old list from which you quote.

Mr. *Proffit*. Here are the names.

Mr. *Everett*. Yes; it is an old list.

Mr. *Adams*, after recapitulating a little, said he was not prepared to vote for the adoption of what was contained in the amendment as to the distribution of naval appointments.

He said he had one more document to quote, which brought the matter close home. It was a list of appointments in the navy, made since 4th April, 1841, under the administration of the present president of the United States.

Of assistant surgeons, out of 11, Virginia had 4, Maryland 2, Massachusetts 1.

Of pursers, Virginia had 3, Maryland none, Massachusetts none.

Of chaplains, (Virginia had not greatly burdened the country with chaplains) [a laugh] Virginia had none, Maryland 1, Massachusetts 1.

And then came the midshipmen. Of these 168 had been appointed; of whom Virginia received 34, Maryland 17, District of Columbia 20, and Massachusetts only 9.

Mr. *W. B. Campbell* said that Tennessee had been credited with two, but these were in fact also from Virginia.

Mr. *Adams* had another objection to the rule proposed. If the appointments were to be given to the states according to federal numbers, it would often happen that there would not be applicants for the stations from the non-maritime states in the interior. This was to be expected. There did not exist in those states the same propensity to go to sea, which was the characteristic of the New England population. He believed there was not a single registered seamen in the whole list from either of those states. Theirs were not the hardships of the sea: they had no perils of the ocean to encounter, and went plentifully old they meet and conquer them; but their march was not on the mountain wave, nor was their "home upon the deep." To follow the sea was not the passion of the young men of the west; it was in the east. And what would follow? The president would take the vacancies this occurring and fill them according to the prevalent phrase, and what that pleasure was the house had just seen.

Mr. A. had carefully abstained from complaining at what was given to Maryland or to Virginia. Nothing delighted him more than it was the disposition of which he complained: that most of the appointments should be given where the navy was of less importance to the mass of the people, and fewest to that portion of the union where it was of the greatest consequence. Mr. A. held it his duty to cherish the interests of the navy all in his power, not only because he viewed it as the strength and glory of the country, but as an object of peculiar interest to his own constituents, who, he must contend, were entitled to their full share in appointments to its command.

Mr. *McClellan* arose and defended the proviso inserted in the bill from the house.

Mr. *Mark A. Cooper* next obtained the floor, and spoke with great animation, chiefly in reply to Mr. *Meriwether*, who had recently accused of inconsistency in so strenuously resisting the interference of the senate in the apportionment bill, and now advising to yield to that body on a question of appropriation—a subject which as exclusively pertained to that house as did the apportionment of representatives. Instead of moving the house to adhere, as he had then done, he now was for accepting at once of the whole proposition of the senate to increase the naval appropriations; and he had honestly avowed his motive in this, which was, that the interest of his own constituents was connected with the enlargement of the navy. Moved by this consideration, the gentleman shifted his ground, recanted all he had so vehemently said against senatorial encroachments, and advised concession. Mr. C. of an anecdote respecting some man who had taken the temperance pledge, who very stoutly resisted all solicitations to break it, but had soon after been himself the first to propose to his companions to drink.

Mr. C. held that the safety of a republic lay in simplicity and a rigid economy; he went for a small army and a small navy. Let the despotic governments of Europe reverse the policy, and depend for their continuance on large armies and great fleets; our true wisdom lay in the course he had indicated.

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But, were it otherwise, this was no propitious season for augmenting our navy, when our finances were at their present low condition. He hoped the amendments would be promptly rejected, and that the house would exhibit firmness in resisting all attempts of the senate to overrule it.

Mr. *Fillmore* next arose and spoke chiefly in reply to Mr. *Merriweather*.

The committee then rose and reported progress.

The bill making appropriations for the army as returned amended from the senate was then on motion of Mr. *Fillmore* referred to the committee on ways and means.

And the house adjourned.

FRIDAY, June 24. Mr. *Thompson*, of Indiana, on leave given, offered the following resolution, which was adopted:

Resolved, That the secretary of the treasury be requested to communicate to this house the report of the geological survey of the territories of Wisconsan and Iowa, made by David Dale Owen, esq.

The bill in relation to Virginia military bounty lands was taken up, and Mr. *Goode*, of Va., replied to the arguments urged against the claims.

Mr. *Cooper*, of Pa., moved the previous question, but withdrew it to enable Mr. *Hall* to offer the following amendment to the amendment.

"And that said committee further inquire into the expediency of making provision to recover back any payments that may have been made on unfounded claims."

And then, the morning hour having almost expired, the subject was laid over until to-morrow morning.

The private calendar was then taken up, and various bills, read a third time and passed, until one appropriating $30 000 for relief of General James Watson, for slaves sold in Florida, the avails of which the government had received, was arrested at. Mr. *Adams* had objections to it, which he could not give, because the bill was not debatable, the rule prescribing that bills only to which there was no objection could be considered on the first and fourth Fridays and Saturdays of each month.

All the following bills on the calendar were then successively objected to by Mr. *M. A. Cooper*, of Ga. and the committee finally rose and reported.

The house then resolved itself into committee of the whole, and resumed the consideration of the naval appropriation bill.

Mr. *Charles Brown* regarded the idea of getting up a navy equal to one-half of that of England as a chimera.

Mr. *Gordon*, addressed the committee at some length. With professions of no hostility to the navy, he proceeded to inquire why such an increase of appropriations was required, and why the secretary of the navy had been compelled to call on congress for these large appropriations. He referred to the large number of officers at present in the navy. There were now 460 midshipmen.

Mr. *Adams* inquired of the gentlemen where he got his statement of this number?

Mr. *Gordon*. From the Navy Register for the present year. There were 463 midshipmen, whose pay on sea service was $400 per annum, on other duty $350, and on leave $300. When passed midshipmen, their pay was increased to $750, or while waiting orders to $600. One hundred and forty-six were soon to be passed; which item alone would increase the expense of the navy $51,100.

Mr. *Bakeman* inquired how long a midshipman was obliged to serve, and what examination he had to pass through, before he became a passed midshipman?

Mr. *Gordon* said that midshipmen had to be in service five years before they became passed midshipmen; and they must remain in that situation for years before they could be promoted to lieutenants. There was no sort of use in keeping them back to a detriment to themselves and to the service; because, after they had passed examination, they were subject to no re-examination, and they studied no more.

There were now in the naval service 328 lieutenants; of which number 64 were on leave, waiting orders; and how many of them were on shore the tables did not tell. The passed midshipmen promoted to lieutenants received $1,800 pay, and in 1841, 99 passed midshipmen were thus promoted, incurring the expense in one single year of $103,950. This was only a single item; this system was throwing on the country such vast expenses, and requiring from the secretary of the navy such increased estimates.

What had led to this sudden and enormous increase of the navy? It arose from the fact that the president had been unfortunate in the materials of his cabinet. He had appointed as his naval secretary a visionary theorist, who knew practically nothing about the matter—a man of books, and law, and politics. And he had gravely recommended to this nation the increase of its navy, till it should reach half the size of that of England! Now the British navy contained 565 vessels of war—a mighty maritime force, which was spread over every sea, plundering the weak, overawing the timid, and carrying violence and oppression to the extremities of the world; and, while in home down and trodden on those who were unable to make effectual resistance, like the Hindoos and the Chinese, preached everywhere the doctrines of free trade! The imaginative secretary had been struck with the magnificent navy of England, and for swelling up our navy of 63 vessels, until it contained some 280 or 300 ships of war. Hence this flood of new appointments—hence 99 lieutenants in one year, and the raising of all midshipmen who had served five years.

After dwelling with much indignation on such extravagant departures from former usage, Mr. G. said this new impulse must be checked, or the interests of the navy would be paralyzed and the navy ruined. If an attempt was made to carry out the magnificent project of the Tyler secretary, whether for the sake of the glory of having so grand a naval establishment, or for purposes of plunder and conquest, gentlemen might rely on it the people never would submit to such a system. He (Mr. G.) would cheerfully shoulder any necessary burden to render the navy competent to protect our commerce, but beyond that they never would consent to go.

The question was, what the navy at present was requisite for this legitimate purpose, the $300,000 in the house bill, or the $600,000 in the senate's amendment? On this Mr. G. confessed himself to be in the dark. All he could see was, that the secretary's plan would involve a vast expenditure. In making the remarks he had, however, on the plans of this officer, he did not wish to be understood as the personal enemy of Mr. Upshur. He thought it was a misfortune that the president had not selected a practical man, and not a mere theorist. He thought the situation of president Tyler was rather a rather than esnance. As to the other members of his cabinet, they were not connected with the navy, and had nothing to do in regard to them: but when the conduct of any high public functionary was under consideration, he should ever speak of him and his measures as he might think they deserved.

This new-fangled doctrine in regard to a magnificent navy had a very dangerous tendency. Feature; it fixed on the establishment the children of the rich; in which remark he referred to the system of apprenticeship. He denied that the enlistment of boys into the navy was related in any such fashion as that of apprentice; it authorised no indentures; the boys enlisted were not bound out to the government; they were enlisted precisely as other seamen were. The argument of the gentleman from Virginia, (Mr. *Wise*), was in this respect utterly fallacious. Mr. G averred that, by the terms of the law, no apprenticeship was created and no indentures entered into.

Mr. *Wise* denied that such was the meaning of the act.

Mr. *Gordon* said he had the law and would produce it.

Mr. *Wise*. What is the title of the act?

Mr. *Gordon*. What is the title? Does the gentleman really take me for so very green a man as not to know that the title is no part of the law?

Mr. *Wise* was understood to say that he had before referred to this law and read it.

Mr. *Gordon*. Well, I will read the first section. (Here he quoted the law.) He insisted that, though it required the consent of the parent or guardian before a boy could enlist, this was wholly a different thing from the same requirement in the case of an ordinary apprentice. The lad entered into the public service of the country, and not into that of a private individual. It was a public enlistment, not a private contract. Were not all boys, in these United States, and under this free government, politically equal? By enlisting in their country upon the high seas, did they forfeit their rights common to them with all other sons of American citizens? The gentleman's doctrine was, that they forfeited their natural rights to promotion. Not so Mr. G. strenuously denied. If there was any difference as to rights between them and other boys, it ought rather to be in their favor, certainly not against them. The gentleman from Virginia might attempt to stify the subject by sophistry, but he never could show that these lads were not just as much entitled to all the honors of promotion as any other.

Mr. G. said that, in endeavoring to reform the abuses in the navy, he only proved himself its friend; while the secretary, on the contrary, by his extravagant schemes for its enlargement, would prove himself practically its bitterest enemy. There was in truth, not so efficient an enemy to it in all the country. Mr. G. went for putting a veto on his schemes by refusing the enormous sum asked for.

During the days of expansion of the currency, when the bank balloon was inflated to its very highest point, when money was plenty and every thing dear, the navy could get along with $6.000,000; but now that the balloon had collapsed, when money was scarce and prices low, and no buyers, the new secretary demanded $10,000 000, and that in the ready rhino, the hard constitutional currency!

He asked if the committee were prepared to go for this new system? Were we could vote for it, unless it might be the corporal's guard? Mr. G. was no enemy to President Tyler; he hoped he might do well—might use the veto, [a laugh] and recommend himself to the democratic party by dismissing not only the remnant of his old cabinet, but pretty much all his new.—[Roars of laughter.]

Mr. G. was not going to enter upon the general subject of the navy—he was not competent to a subject of that kind—he was a man from the interior, and had no knowledge of maritime affairs; yet he did not doubt the world would give him credit for making a much better secretary of the navy than the present incumbent, though he knew nothing at all of the subject. [A laugh.] Mr. G. had long considered himself as an inefficient man, but it seemed he could show efficiency enough sometimes. Here Mr. G. referred to the case of Captain Levy, who had, some years ago, tried the experiment of substituting stoves for the punishment (or a saucy boy, instead of tying him up and flogging the skin off his back till the decks ran with his blood, (which was the old method) complaint had been made, but the matter had been passed over. But this new secretary had dug up that case, which had already been once inquired into, and, on the finding of a court martial, had been pronounced unblemished. He was for returning to all the rights of the British service.—He predicted that the president never could get on without a change in the head of the navy department. We substitute a practical business cabinet, instead of common men, instead of mere book learning and new-fangled splendid theories.

The committee, after a few remarks from Mr. *Wise* rose and reported progress.

The speaker laid before the house a message from the president of the United States, transmitting a communication from the minister of France, and the secretary of state, upon the subject of a line of steam vessels between the ports of Havre and New York.

On motion of Mr. *Adams*, the message and accompanying documents were referred to the committee on foreign affairs, and ordered to be printed.

The house adjourned.

SATURDAY, June 25. The provisional tariff bill was received from the senate as amended by that body.

The resolution in relation to Virginia military lands was taken up.

Mr. *Hall* addressed the house and contended that not a single argument that he had brought forward had been controverted by the gentlemen who had spoken on the other side. He had further expatiated on the merits of the claims generally.

The morning hour having expired.

The house proceeded to the consideration of a resolution offered yesterday by Mr. *Adams*, which calls for a report from the secretary of the navy at the next, session of the names, ages, nativity, &c. of all the petty officers, seamen, apprentices, &c. of the navy. After being amended on motion of Mr. *Cave Johnson* so as also to require the name, age, tonnage, cost of buildings and repairs, &c. of each vessel of the navy to be also reported, the question was put and it was adopted.

The provisional tariff bill was then taken up and the amendment of the senate was read as follows:

"Sec. 1, line 15, after '*Provided*,' strike out to the end of the section and insert:

"That the distribution of the proceeds of the public lands authorized and directed by the act of congress passed the 4th of September, 1841, entitled 'an act to appropriate the proceeds of the sales of the public lands and to grant preemption rights,' shall be, and the same is hereby suspended and postponed until the first day of August, 1842; and the said act of the 4th of September, 1841, shall be no otherwise in force and effect, and the distribution prescribed in the said first day of August next the distribution of said proceeds directed by that act to be made on the 1st day of July, 1842, any thing in this act, or the said act of the 4th September, 1841, to the contrary notwithstanding."

The question being will the house concur in the amendment of the senate, Mr. *Waller* moved that the bill and amendment be laid on the table. By yeas 84, nays 113, Mr. *Waller's* motion was rejected.

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And the question, "will this house concur in the amendment of the senate?" was then taken, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, L. W. Andrews, Sherlock J. Andrews, Appleton, Arnold, Baker, Barnard, Barton, Birdseye, Blair, Boardman, Borden, Botts, Briggs, Brockway, Bronson, Milton Brown, Burnell, Wm. Butler, William B. Campbell, Thomas J. Campbell, Caruthers, Casey, Childs, Chittenden, John C. Clark, Staley N. Clarke, James Cooper, Cowen, Cranston, Garrett Davis, Doherty, John Edwards, Everett, Fessenden, Fillmore, A. L. Foster, Gamble, Gentry, Giddings, Goggin, Patrick G. Goode, Graham, Granger, Green, Halsted, Hardin, Harper, Hunt, Joseph R. Ingersoll, James Irvin, Wm. W. Irwin, James, John P. Kennedy, Lane, Linn, McKennan, S. Mason, Matthews, Maxwell, Maynard, Mitchell, Moore, Morrow, Osborne, Owsley, Parmenter, Pendleton, Pope, Ramsey, Benj. Randall, Randolph, Ridgway, W. Russell, J. M. Russell, Saltonstall, Sheppard, Simonton, Slade, T. Smith, Stanly, Stokely, Stratton, A. H. Stuart, John T. Stuart, Summers, Taliaferro, Richard W. Thompson, Tillinghast, Toland, Tomlinson, Triplett, Trumbull, Underwood, Van Rensselaer, Wallace, Warren, Washington, E. D. White, C. H. Williams, Yorke, Augustus Young, J. Young—104.

NAYS—Messrs. Adams, Arrington, Beeson, Bidlack, Black, Bowne, Brewster, Aaron H. Brown, Charles Brown, Burke, William O. Butler, Green W. Caldwell, Patrick C. Caldwell, John Campbell, Cary, Chapman, Clifford, Clinton, Coles, Mark A. Cooper, Cravens, Cushing, Dawson, Richard M. Davis, Dean, Doig, Eastman, John C. Edwards, Egbert, Ferris, John G. Floyd, Charles A. Floyd, Fornance, Thomas F. Foster, Wm. O. Goode, Gwin, Habersham, Harris, John Hastings, Hays, Hopkins, Houck, Houston, Howard, Hubard, Hunter, Charles J. Ingersoll, Jack, Wm. Cost Johnson, Cave Johnson, John W. Jones, Kelm, Andrew Kennedy, Lewis, Littlefield, Abraham McClellan, Robert McClellan, McKay, McKeon, Mallory, Marchand, Alfred Marshall, John Thompson Mason, Mathews, Medill, Mewinether, Miller, Newhard, Oliver, Parrott, Pearce, Pickens, Plumer, Profit, Reding, Rencher, Reynolds, Rhett, Riggs, Rogers, Roosevelt, Sanford, Saunders, Shaw, William Smith, Snyder, Steenrod, Sweney, Turney, Van Buren, Ward, Weller, Joseph L. White, James W. Williams, Wise, Woodward—96.

Absent—forty-two. Mr. *Holmes* refused to vote.

So the house concurred in the amendment of the senate; and the bill awaits the signature of the president to become a law. Vetoed on 29th.

The bill to provide for the satisfaction of claims due to certain American citizens for spoliations committed on their commerce prior to July 31, 1800, was taken up and read.

Mr. *Adams* explained the floor and advocated the passage of the bill. He believed no strong case against the United States had been so thoroughly discussed as these, and the result thereof had been the passage more than once of a bill through the other branch of the legislature in their favor. He begged the gentleman (Mr. *Cushing*) who had reported this bill and was particularly acquainted with the subject would supply the deficiencies of his own remarks. Mr. A. then read a report made in 1835 to this house from the committee on foreign affairs by Colonel Howard, representative from Baltimore (which at his request was here read).

The principle (continued Mr. A.) on which the claimants rested their demands, he took to be the great constitutional principle that property taken by the public from individuals for the benefit and advantages gained by the public for it, was in justice to be compensated to the suffering individual owners of that property.

The facts appeared to be these. In 1800 a negotiation took place between the United States and France, respecting all the claims mutually held against either by individuals or by the nations themselves. Among the rest of the subjects under consideration in that negotiation were the claims, considered on all parts as advantageous to France and burdensome to the United States. In the same war, as it was called, which had produced these negotiations, from 1798 to 1800, the congress of the United States had annulled these two treaties by an act which was on the statutes of the United States, and in consequence of that act it was said to be wrong, done to this country on the part of France. When the negotiations came to be carried on for the settlement and adjustment of all these differences between the two countries, the French government insisted on including in the negotiations to be carried on the restoration and revival of those two treaties; one of which was a treaty of alliance, and the other a consular convention—a treaty relating to the powers of consuls. Both these treaties had been concluded at an early period of our revolutionary war, by the former of which France made common cause with us in the war with Great Britain for the security of our national independence, and in which there was a particular stipulation which bound the U. States, in the event of a war between France and England, to guaranty to France the possession of her colonies in the West Indies. This was in full force until annulled by the act of the congress of the U. States. Every member would be aware of the great benefit and advantage to the United States of being delivered from the obligations of that guaranty. This was done by the annulment of these treaties, and particularly that containing this stipulation, by an act of congress, but when the negotiations between France and the United States came to be carried on, France claimed the restoration of these treaties, which had been nullified by special act of congress without her concurrence, and at the same time those claims of citizens of the United States were existing, for wrongs done by France for a series of years, from the commencement of the French revolution. In the course of the negotiations it became easy to an adjustment with regard to certain claims on both sides, but on the point of these claims, and of the restoration of the treaties between the U. States and France, the commissioners on the part of the United States had no power to conclude the treaty for the restoration of these treaties. In consequence of this, it was agreed, as a state of peace was not a state of war between the two parties, the commissioners concluded to adjust what they could of these differences, and to refer to the two nations these corresponding demands, which they could not take upon themselves obligations of these treaties, and on the other the consideration of the indemnity for these spoliations. The articles of the treaty were accordingly drawn up, agreeable to the spirit of the negotiation, and the treaty of 1800, in which the parties declare that they had not been able to agree on these two points, and agreed therefore to negotiate on them at a future time. That treaty was in due time ratified by the president, making their ratification if it conditional on the expunging that article. It was said by some, that Napoleon, who was then *de facto* sovereign of France, accepted it, with an additional proviso; that is, he agreed to accept of the 2d article, providing for further negotiations, the other stipulations of the treaty would be in the same situation as the be treaties; that is, that they would all be expunged, and there should be no further negotiation on the subject of the treaty of alliance and the consular convention, independently on the other. When the treaty came back, and was received by Jefferson, or at the close of the preceding administration, a doubt arose in the mind of the then president and his cabinet, whether that was to be considered as a ratification of the treaty with these double conditions. It was sent to the senate, that the president might be to determine whether it back, with a message to the president declaring that they considered the treaty fully ratified, and from that time it had been the supreme law of the land in this country, and had been so acknowledged on the part of France.

Thus the United States, by this course of proceeding, were liberated forever from the obligation of guaranteeing to France the possession of her colonies in the West Indies.

Mr. A. next alluded to the existing precarious relations between France and Great Britain to show the advantage the United States would by being released from the obligations of this treaty, which France had insisted on being restored on the condition of her making indemnity for those claims. He hoped they would consider with candor and justice the obligation on the part of the United States of giving and granting indemnity for those claims, and he did not know what objection, on the point of principle, right, or justice, could be made.

It was said that these claims had been long before the nation. He considered that as an aggravation on the claimants instead of being a ground on which they could demand to be relieved from their obligations. The claimants had not been negligent in pursuing their claims. It was what was called a constitutional claim, and was repeatedly pressed, and out of sixteen reports made to both houses of congress, after a full examination of these claims, twelve had been in favor of this indemnity.

An objection was made in the minds of gentlemen from not absolutely a consideration of justice, but from the present condition of the territory—from the effect of burdening the treasury with the amount of these claims. We were under financial difficulties, but it was in the power of the people of this nation, if they had unanimity and harmony here on this spot, to brush away like cobwebs all our financial difficulties and provide for every dollar that could be demanded from our treasury. We had the power to do this. What were the burdens of the people of the United States at this time in comparison with one single year of war! One single year of war would add five times to all the burdens with which we are now suffering. And yet they had been acting here in congress at this whole session under the admonition that war might come on us from day to day. He had known, in the course of this session, the house excited, not exhibiting it in debate, but under the apprehension of having a war message sent them from day to day. They had been so for seven or eight months; it was still the case to some degree, though not to so great an extent now; and if war did exist, and if the demand on the part of France had been complied with, on the first firing of a cannon of Europe we would have been demanded to carry into effect the guaranty, and we should have been involved in a naval war. We were now liberated and released from all obligations of that kind in the event of a war arising between Great Britain and France. And we were relieved by the sacrifice of the property of these claimants, who now called on us to indemnify them. He should wait to hear any objections that might be made of expediency, justice—of moral power or principle, to this bill.

One more observation, particularly in reference to the state of the treasury. This bill demanded no considerable contribution from the treasury at this time. It provided only for the appointment of commissioners to sit for two years, during which time they were to receive and investigate these claims, and decide on the amount justly due to each claimant, before any contribution was called from the treasury, otherwise than the necessary expenses incidental to the commission.

Although little had yet been done to justify the expectations of the nation, and although the present congress did nothing to relieve the state of the treasury, he could not but believe that congress within two or three years would brush away these cobwebs, if the country call on them, and the people to help them. He trusted it would be done, and that proper measures would be taken, so that the current of revenue would hereafter be sufficient to meet the wants of the country, and that our credit would be advanced to as high a degree as ever. Then the small sum proposed by this bill to these meritorious claimants would be to the treasury no more than a feather.

Mr. A., in conclusion, moved that the committee rise and report the bill to the house.

Mr. *Arnold* inquired of the chair if the motion of the honorable member from Massachusetts was for the committee to rise and report the bill to the house?

[The chair replied that that was the motion.]

Well, said Mr. A., I shall support that motion; not for the purpose of passing the bill in the house, but for the purpose of saving time by stopping the debate in the committee of the whole, by taking the bill into the house, where we can control the debate, and where we can, for the present, dispose of the bill.

Mr. *Arnold* then expatiated on the difficulties of the times, the embarrassments of the treasury, and the want of harmony in the branches of the government, and the opposing factions of the house. Were they, however, all acting in union and harmony (continued Mr. A.) that cobweb and monarchical feature in the constitution—the veto of the executive—meets us at the other end of the avenue, and prostrates all our labors in the dust. A bare majority, such as we have now in this house, can do nothing against the two-thirds veto power. Sir, this power has become a perfect plaything, a thing of almost constant and every-day use. It has become so common that a wag suggests that the president keeps a veto machine, and gins out vetoes by the score, and keeps a large file, cut and dried, to be filled up and signed to order. This is what has rendered this house a nullity, and this nation to ruin. The president, clothed with his veto, and backed by his locofoco allies on this floor, feels his power and defies us. Yes, sir, we hold the purse-strings of the nation—we are the representatives of sovereign people themselves, are scoffed at by the executive. He says to us, "Ye mousing politicians! Ye dirty parasites! I give you orders! Here is my measure! Take it without crossing a t or dotting an i, or I have a veto ready! My will shall be the law of the land, or the land may starve!"

I am, said Mr. A., tired of this state, very much inclined to think, with the honorable gentleman from Massachusetts, that this congress, surrounded as it is with those untoward difficulties, will be able to furnish no relief to a prostrate and bleeding country.

Upon the trial we had this day upon the temporary tariff bill we found ourselves with a bare majority. A change of five, I believe, would have cast the majority on the other side, and this vital measure would have been lost. We have now reached the 25th of June. We ought to adjourn by the middle

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of July, or the 1st of August at furthest. Two of the greatest measures of the session are undisposed of—one of them not touched, and we have scarcely got under way upon the other—mean the revenue bill; but that bill is already threatened with the veto, as is the temporary bill of this day. Here we are, living from hand to mouth upon borrowed capital, and, in all probability, as fast as we pass measures of relief, they will be blown up by the veto; and, after all our trials and difficulties, we shall be compelled to adjourn, and leave the country worse than we found it—totally destitute of the means of getting along. Sir, from the threats of the president, and from the signs of the times, I should not be at all surprised if this should be the denouement of the present session, and that the government will come to a *stand still*. These are my fears, and I fear they are well founded. Now, Mr. Chairman, I ask the honorable member, under these most gloomy and discouraging circumstances, how he can find it expedient or prudent to pass this claim, no matter how honest he may esteem it. Sir, I know the honorable member belongs to no party. He is completely his own man. And I have no doubt he believes this claim to be just and honest, and believing so he goes forward upon a straight line, regardless of any party ties that may stand in the way. Believing so strongly as I do in the gentleman's honesty and wisdom, I most generally find myself leaning towards any measure which he may propose. But, on this occasion, I think the gentleman is altogether out of time and out of season with this measure, and I feel towards it the most unconquerable repugnance. And I appeal to gentlemen to permit themselves to be carried up to this slough—perhaps that word is too strong—I will take it back. I do not know that this claim is a slough; but I repeat, in my estimation, it is prima facie unjust. I will the claimant of gentlemen in one fact. We see on this occasion gentlemen upon this floor, who uniformly vote against the raising of all revenue—who declare in every effort to raise, with the administration with the means to get along. These gentlemen, some of them, whose every effort is to embarrass us, I see are now going with the honorable gentleman from Massachusetts, to plunge us into this additional difficulty, and to saddle the country with this additional debt. But the honorable gentleman tells us that these claimants are disposed to be very right; that they are willing, and will be satisfied, with five millions for two or three years to come, and then having the principle decided, they will ask, I suppose, for the balance; some ten millions more. Oh yes! I suppose gentlemen will be very willing to take five millions now in government stock or treasury notes, or something that would be going on interest. Gentlemen have been patient so long, I hope they will agree now, in view of all the circumstances, to exercise that most excellent virtue a little longer. Mr. A. said it was to him a little strange that this case had been standing for more than forty years; that it had been pressed, time after time; had been investigated again and again, and that there had been some dozen reports on the subject. (Here some gentlemen said sixteen reports—very few favorable and four unfavorable.) Very well, said Mr. A., that strengthens what I was about to say. Why is, after all these reports, during a period of more than forty years, and something too, while we had an overflowing treasury, and were seeking to deplete it, that this claim has not been allowed? I confess these things staggered me beyond belief. In conclusion, that we are surrounded with difficulties enough now, and I implore the committee to pass this cup by.

After a few remarks from Mr. *Tillinghast*, (amidst great confusion) Mr. *Hunter*, of Virginia, submitting to the chair that a motion that the committee *rise and report progress* took precedence of a motion to *rise and report the bill*, submitted the former motion, which prevailing, the committee rose and reported *progress*.

The *speaker* laid before the house the following message from the president of the United States:

To the house of representatives:

I have this day approved and signed an act which originated in the house of representatives, entitled "an act for an apportionment of representatives among the several states according to the office of the secretary of state, accompanied by an exposition of my reasons for giving to it my sanction.

Washington, June 29, 1842. JOHN TYLER.

Mr. *Adams* characterised the message as a novelty in the history of the country; and spoke at great length on the dangerous tendencies of such a precedent. He concluded by moving that the message be referred to a select committee, with power to send for persons and papers.

The discussion was continued by Messrs. *Underwood*, *Wise*, and others, when, pending the question, the house adjourned.

MONDAY, JUNE 27. Mr. *Adams* rose and addressed the chair as follows: Mr. Speaker, in the course of twelve years of public service in this hall, it has been my fortune too often to witness, with sympathizing sorrow, some member from one or another of the states of this Union other than that of my own nativity, rise from his seat, and with agitated feelings, and in the accents of a trembling heart, announce to this assembly the departure for a world of harmony and peace of a respected and beloved colleague. It is always an impressive, a solemn, and affecting scene; and I have never beheld it but with an ejaculation of prayer to the Father of Spirits that at least this cup might pass away from me, and that I might be spared, until the discharge of my duty, to perform so painful, so severe a task. It has not so pleased the great disposer of events. At the request of my colleagues on this floor, I am now required to announce to this house the death of *William Soden Hastings*, late a member of this body from the ninth congressional district of Massachusetts, and to move the resolutions of respect for his memory on the part of this house on similar occasions.

In the month of September, 1837, at the first and special session of the 25th congress, Mr. *Hastings* first entered this hall as the representative of a portion of the people of Massachusetts. That he continued to enjoy the confidence of his constituents has been manifested by two successive re-elections to the same station. He had not only been preceded by reiterated elections to both branches of the legislature of the commonwealth. It was a confidence in his talents and integrity, spreading and expanding, he presumed, from the experience of his worthiness of the trust. He came here in the prime and vigor of life, to all external appearance destined to a long and useful career of public service, taking an active and efficient part in the deliberations of this body; and amidst all the conflicts, personal and political, which we all so deeply lament, making friends and parties in proportion as he became known to his associates in this hall, and, so far as I have known or heard, not one personal enemy to the day of his death.

In the descendants of the pilgrim nations of men, Mr. *Hastings* was one step downwards from my own. More than thirty years ago, his father, then my personal and political friend, was a member of this body, and, I believe, representing the same district of our native commonwealth in the other branch of the national legislature. In the ordinary course of human affairs, it would have been more to be expected that he should have been the surviving parent for the melancholy office of afflicted friendship and respect which I am now performing for him. He first came here with a bodily frame robust and athletic, but for the last two years his health had been gradually declining. During a large portion of the present session of congress, though faithfully here at his post, he has been disabled from his attendance at the daily meetings of this house; and, about one month since, as the ravages of the destroyer were encroaching upon the sources of life within him, he left this city and repaired to the Sulphur Springs in Virginia, in the feint hope of recovering by the effect of those salubrious waters; but under the operation of irremediable disease, on the 17th of this month, he sank without a struggle into the repose of the grave—

"By strangers honor'd and by strangers mourn'd."

Mr. *Hastings* was never married. Both his parents have long since paid the debt of nature. The dearest and tenderest ties of human existence were not lacerated by his decease, but he left a surviving brother, himself a man of the highest respectability now, or recently, a member of the senate of the commonwealth; and he left multitudes of friends, in whose memories his will live while life remains with them, and I humbly hope and trust he will live forever in the blessedness of a better world.

Mr. *Adams* then submitted the following resolutions:

Resolved, That this house has heard with deep sensibility of the death of the hon. *William Soden Hastings*, a member of this house from the state of Massachusetts, which took place at the Red Sulphur Springs, in the state of Virginia, on the 17th inst.

Resolved, That the members of this house will testify their respect for the memory of the deceased by wearing crape on the left arm for thirty days.

Resolved, That the speaker inform the governor of the state of Massachusetts that a vacancy in the representation of that state in this house has occurred by reason of the death of *Wm. S. Hastings*.

The resolutions were unanimously adopted, and then the house adjourned.

TUESDAY, JUNE 28. The house met and adjourned for the purpose of attending the funeral obsequies of the late Senator *Samuel L. Southard*.

WEDNESDAY, JUNE 29. Mr. *Proffit* of Indiana, offered a resolution, calling upon the secretary of the treasury for information as to the fact whether any of the fiscal officers of the government have unexpended balances of money in their hands. The resolution was adopted.

Mr. *Dodge*, of Iowa, reported a bill for the protection of oysters on the shores of Lake Michigan, which was referred to the committee of the whole.

Mr. *Adams* called for the unfinished business of Saturday, being the message of the president in relation to the apportionment bill.

Mr. *Anderson* of Ky. was entitled to the floor, but yielded to Mr. *Adams*, who wished to make some reply to Mr. *Wise's* remarks.

Mr. *Adams* modified his resolution so as to refer the message of the president to a committee of 9 instead of 5 members. He then commenced at some length upon the message of General Jackson, referred to by Mr. *Wise* on Saturday. He pointed out the difference between the action of the present executive and Gen. Jackson; the one had returned the bill to the house with his objections to a certain clause, or rather his construction of the law; and the other had kept his reasons from the house, and construed the law, for aught the house knew, in a manner different from its meaning. I demand that message, said Mr. *Adams*, as a member of this house, and I demand its production before which it shall be published with the law. The action of the president, Mr. A. contended, was a violation of the constitution. He had but three ways pointed out to him for action.—He was to sign it, or he approved the bill, to sign it, and he had no right to give reasons accompanying the law, as a part of the law, with his signature. In the first place he had no right to do this. He had no power to send any thing more than his signature to the department of state, or to send the bill to the state department without his signature after keeping it ten days. Whatever was done with this was an interpolation of the law. It was surreptitiously putting his reasons forward for signing the law. He had no right to do this.

The president might have a conscience upon this matter. But what had a conscience to do with the letter of a law? He had a right to sign or not to sign. But his conscience could go no further. He did not think highly of conscience, and would give as far as any man to aid the president in preserving his. No man could go further. But there was no power more liable to abuse than that of conscience. One of the greatest men of the world, Isabella of Spain, had sacrificed Protestants and Jews in the discharge of what she regarded a conscientious duty. Louis the XV. had done the same thing. But the president should remember, continued Mr. A. that every member of this house had a conscience. He presumed that many members of this house had voted conscientiously. He knew not what the reasons of the president might be which had been filed in the department of state, but it was due to the house that they be received. Mr. A. closed with a motion to refer the message to a select committee of 9 members, with power to send for persons and papers.

Mr. *Anderson*, of Kentucky, moved the previous question, and there was a second. And the main question being about to be put,

Mr. *Adams* moved that it had been suggested to him that the latter part of his resolution, that giving power to send for persons and papers, had an appearance of harshness about it. This he certainly had not desired. He would, therefore, modify his resolution again by striking out the latter part.

Mr. *Wise* and others made objection; so, therefore, it was not modified.

Mr. *McKay* asked for a division of the resolution. It was accordingly divided, and the question was then taken on referring the message to a committee of nine, and it was adopted. The question on granting power to send for persons and papers being about to be taken,

Mr. *Adams* arose and said, that he would have preferred being allowed to withdraw it, but as that had been objected to, he would himself vote against it.

The question was then taken, and it was rejected.

The Indian appropriation bill was then taken up, and the question being on its passage,

Mr. *McKay* opposed the bill and various details thereof.

Mr. *Gwin* moved to recommit it to the committee of the whole, with certain instructions: the discussion of the bill proceeded, until there was announced a message from the president, which was soon understood to be a *veto* of the provisional tariff bill—for which sea first page.

The Indian appropriation bill was then resumed, and the previous question having been called, it was passed. The veto was then considered.

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CHRONICLE.

THE CROTON AQUEDUCT. The introduction of the water of Croton river into the large reservoir at Yorkville, New York, on the 27th inst. was marked by suitable demonstrations of public joicing. A salute of 38 guns (answering to the number of miles between the city and Croton river,) was fired on the occasion the moment when the gate was lifted, and, amid the roar of artillery, and in the presence of ten thousands of spectators, the water of the Croton came rushing into the great artificial lake of 33 acres prepared for its reception. It was a scene of the most intense interest, and one of which the emotions are not soon to pass away. One of the most striking incidents of the day was the play of the fountain in the Harlem river, which throws up its spray to the height of 115 feet, to fall again with singular beauty of effect into the river below.

H. Allen, esq. one of the engineers, has poetically enough named this fountain, "The Shield of the Mist," and easily may such impersonation be imagined of the tall, graceful, column, draped, as it were with an ever-shifting veil of silvery spray that half conceals and half discloses the water-nymph within.

[*American.*

BUNKER HILL MONUMENT. The morning of the late anniversary of the ever glorious battle of Bunker Hill, June 17, was announced by 26 guns fired from the top of the unfinished monument now arrived nearly to its height (over 200 feet). At noon the salute was repeated. In the evening another gun was raised to the spot 300 feet above tide and fired 50 times by another company. At sunset at which these guns were fired—at the third course of stone above the highest step—is about 208 feet from the surface of the Hill, or about 300 feet above the water. The report was clear and very sonorous, and the reverberation against the distant hills very distinct and remarkable. The sound seemed to roll away and return to the ear like the rumbling of distant thunder."

BUSINESS. Not stir in the days of the embargo was less business doing than at present. The general want of confidence has reduced the banks to the necessity of issuing no more circulation than they have specie in vault. The consequence is that they can realize no profit. But even what they are disposed to issue they find it difficult to procure real safe business paper for—and much of it remains idle in their vaults. Hence the New York Commercial of Saturday says:

"Money is still abundant upon the first class of securities, but this results rather from idle money in the hands of the capitalists, which they are willing to employ in business, than from a real surplus among the mercantile community. In fact we doubt if at any period for years there has been less money in circulation among the merchants than at the present moment. With the reduction of the currency and the falling off of business, their liabilities both to banks and individuals have been decreased, and consequently their available means in cases of emergency have equally been reduced. The limited business which has been done throughout the country has prevented the payments to the city being made with ordinary promptitude. So far as we can learn a large portion of the debts due from the fall purchases are still unpaid, and the notes, even if renewed, are under present circumstances wholly unavailable to the city dealer. With these facts before us, it is not surprising that failures are daily occurring in our own and other cities.

The Philadelphia North American states that upwards of two thousand stores and dwellings are now vacant and "to let" in that city proper. Averaging them at $400 the loss to owners amounts to $800,000 per annum. Rents are falling heavily of course, and those who have invested in real property find it as unproductive as other investments.

CROPS. The quantity of rain which fell every day from the 12th to the 25th of June, which what was maturing in Eastern Virginia, North Carolina and the lower counties of Maryland, and upon the Eastern Shore especially, has sadly reversed the splendid prospects which appeared so flattering the farmers with up to the former date. Rust incident to wheat in this stage, has in many places swept whole crops especially of the thickest set and heaviest growth. The general products from what accounts we have from these sections must fall far below an average. An acquaintance from Kent Island for instance, who expected to attain at least five hundred bushels from forty sown, abandons his field as not worth cutting a swathe from.

The upper part of Maryland and so far as we have heard from Pennsylvania, has suffered comparatively very little, and their harvest still promises abundance.

From the west accounts still continue favorable.

DEATHS during the last week in Philadelphia 133, of which 67 were under two years of age and 14 died of consumption. In Baltimore 42, of which 24 were under two years of age, 11 were free colored and 3 slaves.

THE STATES DEBTS. It is now ascertained that the following states will pay their interest 1st July, viz: New York, Massachusetts, Maine, Maryland, Virginia, South Carolina, Alabama, Louisiana, Missouri, Kentucky, Tennessee, Ohio. So we have not all repudiated. Pennsylvania will not pay.

[*Bicknell's Reporter of June* 28.

EMIGRANTS. The number of emigrants from the United Kingdom in 1841, was 118,592.

EXCHANGES. Boston, New York, Philadelphia and Baltimore are at par discount. Richmond 2½ a 3; North Carolina 3½ a 3¾; Charleston 1½; Savannah 2½; New Orleans (specie checks) 2½ a 3½; Cincinnati 5 a 6; Louisville 4 a 5; Pittsburg 1½ a 2.

FLOUR. In New York a large supply within the last week has reduced the article 18¾ cents; Genesee $5 87a$6 00; Ohio $5 62a75. The stock is so reduced in the Baltimore market that an additional 12½ cents per barrel is demanded upon our last quotation. The wagon price however continues unchanged, say $5 50; city mills $5 37½; Susquehanna $5 75. One operation of the new British tariff on flour has already begun to develope itself. Wheat is received into Canada free of duty, but on flour there is a duty of 44 cents. Those 44 cents will furnish an excellent profit for millers in Canada. In anticipation of this the Yankees are now commencing to erect mills in Canada to grind American wheat for Canada consumption. All the Canada wheat will of course be sent to England, being exempt from duty which Americans are subject to. By the time the mills are in operation fairly John Bull will be apt to find a method of levying upon their profits.

GEORGIA. The Van Burenites have nominated the following congressional tickets: Howell Cobb, of Clark; M. A. Cooper, of Muscogee; E. J. Black, of Scriven; John Millen, of Chatham; H. A. Haralson, of Troup; W. H. Stiles, of Case; J. B. Lamar, of Bibb; J. H. Lumpkin, of Floyd.

SIGNOR C. GHEGA, THE ARTESIAN ENGINEER. Signor Ghega, who has recently been the constructor of rail roads of Germany and Austria, and who was despatched to this country by the emperor to examine and report upon American improvements in locomotion, has nearly accomplished his tour through the United States. Some of our engines, in which the latest improvements have been introduced, he has procured immeasurably in advance of all others in the world.

Signor Ghega has inspected all the principal lines of rail road, and has been industrious in making plans and calculations upon which he is about to return richly freighted to Europe.

GUANO OR HUANO. The manure which the Peruvians have for centuries resorted to islands in the Pacific ocean for, and have now sixty vessels employed in transporting, and without which they nothing it is said could be produced from their soil, promises to become quite an article of trade. Its importance to Peru induced that government to offer a premium of $100,000 for the first perseverance of the British in pursuit of trade has overcome the obstacle, and the fertilizing quality of Guano is creating quite a sensation amongst the agriculturists of England, and if it be true that is said of this manure, the Peruvians a century hence will find it a mighty scarce commodity.

JAMES GAMMELL, one of the Canadian rebels, transported for life to Van Diemen's Land, has succeeded in escaping from the colony, and recently arrived in this city in an American ship. He says he left seventy-six prisoners of the "patriot" party, most of whom were United States *sympathizers*. Several of the convicts had died during their confinement, and a number of others had been caught in attempting to effect their escape, and been sentenced to the coal mines for life. There were now one thousand confined in those mines. [*N. Y. paper.*

INTERNATIONAL COPY RIGHT. The judiciary committee, to which this subject had been referred in congress, is averse to a change of our laws upon the subject. For ourselves, we never could perceive why the claims of authors should have preference to the claims which common justice would seem to authorise for higher cases for international interference. The man accused of the highest crime against our laws could find a refuge in another—why should he, if the claim to a contingent property is to be recognised? We are of necessity becoming intimate with Europe as is wholesome for us;—let us be wary of international amolaments. There is more of poetry than of practical good sense in this special regard for authors. The rights and interests of publishers, printers, *and readers* are entitled to consideration as well as the rights of authors. Besides there is some doubt how *far intellectual* labor should be entitled to a monopoly.

A MEMORIAL signed by upwards of 2,200 of the most respectable citizens of Richmond, Va., and its vicinity, of both political parties in *favor of an increase of the tariff, and for protection of American interests*—the signatures to which were spontaneous and might have been greatly increased, was forwarded to congress a few days since.

RHODE ISLAND. The latest accounts from Rhode Island represent that a number of prisoners have been made—all the apparatus of the Dorr encampment taken—Dorr himself had escaped—Gov. King had increased the reward offered for him to $5,000—troops were returning home and the people were resuming business—several lives had been lost however.

RAIL ROADS. The Charleston Mercury of June 18, announces the completion of the Columbia rail road so far that the cars go through to the depot at the latter city. On Tuesday the 28th, there was to have been a grand celebration in Columbia, in honor of the event.

A rail road has just gone into operation from Queenstown to Chippeway, connecting lake Erie and Ontario, the first rail road in upper Canada.

STOCKS. New York June 28, New York sevens 103; stocks 83, Ohio sixes 81; Illinois sixes 19½; Indiana fives 22.

"TO LET." A carrier of one of the weekly newspapers in Philadelphia, counted 640 houses "to let" on his route through the principal streets of that city.

PRESIDENTIAL. An enthusiastic meeting of the friends of Henry Clay was held at the Musical Fund Hall, at Philadelphia, on the 20th ult. for the purpose of making arrangements to celebrate the approaching anniversary of national independence.

In pursuance to a call of the whig general committee, a large meeting was held at New York on the evening of the 23d June, at the National Hall. About five thousand citizens were present. Stephen Whitney, presided. The nomination of Henry Clay was received with enthusiastic applause. Mr. N. Hunt read resolutions of the democratic whigs to the people of the United States." It condemns in severe terms of indignation the "moral treason" of "the traitor" at the head of the government, holds forth the nomination of Henry Clay, and calls upon the whigs to rally in behalf of his election. Addison Dougherty read series of resolutions, in reflection upon the imbecile course of the present administration, in contrast with the principles on which it was elected, the absolute and entire separation of the whig party from all connection with or responsibility for its acts, and nominating Henry Clay for the presidency. They were adopted with tremendous cheering. Messrs. David Graham, Daniel Ullman, Willis Hall, Dickinson, of state senate, and Gen'l Scott, addressed the assembly, and were repeatedly and enthusiastically cheered. Some hundreds of ladies were present. Those who were crowded out into Canal street, organized by calling to the chair, Robert Smith, and were addressed by Mr. Thayer and others. The meeting adjourned singing a political song to the tune of "old lang syne."

The address of Henry Clay delivered at Lexington at the great festival of Thursday, June 9th, appears in the Lexington Intelligencer of June 24th.

"PASSING AWAY." The Boston Traveller states that the ancient tribe of Natick Indians in Massachusetts, are now reduced to a single individual. About eight years several families of the tribe lived at the place called Natick.

STERLING BONDS. A few days since £113,000 of the six per cent. bonds of the Philadelphia, Wilmington and Baltimore rail road company that had been hypothecated were sold at auction at the Philadelphia Exchange, at from 75 to 76 per cent. Immediately after £92,500 of the bonds of the Philadelphia and Reading rail road company sold at 60 per cent. In both instances the persons with whom they had been hypothecated became the purchasers.

VANDALISM. A tavern keeper at South Natick, Mass., a few days since cut down the venerable oak beneath which John Elliott, the celebrated "apostle to the Indians," used to gather his "praying red men," one hundred and ninety years ago.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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SIXTY-SIXTH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE.

The return of the national anniversary has been observed in every part of the Union with suitable demonstrations of festivity and rejoicing, and so far as we are able to ascertain, with decidedly more respect for temperate hilarity and rational amusement than used to be observed upon those occasions. The pacific aspect of our foreign relations having lulled military enthusiasm for the time being, consequently, there was much less aggregate display in that department than there would have been, if only a speck of war could have been discerned or fancied to be floating within the political horizon. It requires much ardour to induce *citizens* to become *soldiers*, when they perceive no immediate occasion for service. Yet the more credit is due to those who, even in these quiet times of peace and protects, redeem the volunteer spirit, and furnish a guard-at-arms, equal and ready for any probable emergency. We have never seen the volunteers look better or perform better, than those that paraded on the 4th inst.

Of course, it is not expected of us to attempt any account of the innumerable celebrations that took place. It was a holiday throughout the land. Business was every where suspended. The Declaration of Independence was read in ten thousand assemblies of the people—eloquent orations were listened to by both sexes—flags showed from every spire, and every mast, merrily floating in the breeze—banners with inscriptions to the day were proudly sustained by long ranks of citizens in orderly processions. The champions of the TEMPERANCE CAUSE, the greatest moral revolution of the age, were every where embodied and hailed with more than approbation,—with enthusiasm. Their triumph over the seductions, which a fourth of July anniversary is apt to present, was most signal.

The day was a rational jubilee—even party politics were for a time *nearly* forgotten.

RELATIONS WITH GREAT BRITAIN.

It is gratifying to observe the respectful silence of the American press, relative to the interesting negotiation between the two nations, progressing at Washington. Our constitution has wisely committed the treaty making power in the first instance to the hands of the executive—and there the people are satisfied that it should repose up to the stage of ratification. The Washington correspondents of two of the New York daily papers have written on, however, that a treaty has been concluded at Washington upon all the points in controversy, and that it was to be exchanged upon the 4th inst. The terms of only one point are intimated by those writing, and that relates to the Northeastern Boundary, which, they state, it has been concluded, shall hereafter be the St. John's river, from its mouth to its source; whereby the British would receive some territory, including the highlands that separate Maine from Canada, and the Americans would obtain an equivalent to their boundary being extended from the St. Croix to the St. Johns, on the Bay of Fundy, and including Fredericton the present capital of New Brunswick. The Washington papers remain silent as to any such progress in the negotiation, and although the New York papers repeat their confidence in the accuracy of their information, we very much doubt whether any but the boundary question has yet been adjusted, even if that has. That they will all be ultimately adjusted we have an abiding faith.

LATER. The *National Intelligencer* of yesterday says it fears this New York news is not only premature, but there is a possibility of its not becoming true at present; "rumour represents the settlement of one at least of the questions between Great Britain and the United States to have been found so difficult as to leave a doubt whether it can be considered probable."

PRESIDENT TYLER'S LETTER.

Amongst the numerous assemblies convened for the celebration of the fourth of July, one was a dinner by the friends of president Tyler at McArran's garden, Philadelphia. Mr. Proffitt, member of the house of representatives from Indiana, was present, and addressed the meeting. Letters were read from Mr. Webster, Mr. Upshur, Mr. Wickliffe, Mr. Legare, Mr. Wise, and president Tyler. The latter, as belonging to the history of the times we insert.

Washington, July 2, 1842.

To Messrs. Harris, Graves, Mears, Connell, English and Taylor, committee, &c.

GENTLEMEN: I would most gladly accept your invitation to be present with you on the approaching celebration of the anniversary of American freedom, could I do so consistently with public engagements. These, you must be aware, render it impossible; and I can therefore do no more than return you my thanks for your polite attention.

In the administration of public affairs I seek only to carry out the end and design of that great revolution you propose to celebrate. The happiness of the people, founded on measures calculated to advance their prosperity, should be the high object of all those entrusted by the people with the administration of their affairs. With this view, I recommended to congress, more than two months ago, a plan of finance and of currency, which, while it would contribute to relieve the treasury, would, in my opinion, furnish circulation equal in value to gold and silver. At the same time, I urged the adoption of a tariff of duties which, while it would sustain the public credit, would afford to the manufacturing interests ample aid. I also invited the attention of congress most urgently to the condition of the public defences, and invoked their active agency in giving to the two great arms of the national defence—the army and navy—complete efficiency; and I have repeated to them urgent solicitations, that measures of a decided character should be adopted to restore the public credit, and to elevate the standard of the public faith. If nothing has been done to accomplish any one of these objects, the fault is not with the executive.

For having declined of late to unite in giving away a fruitful source of revenue, from a treasury which has become nearly exhausted, I have been charged with a desire to dictate to congress, when my sole object is to carry out a law of this very congress on the subject of the public lands. The welkin is made to resound with charges of executive dictation, because I have not seen cause to approve the repeal or suspension of an act passed as late as the 4th September last. My reply is, that if it was right to pass that act then, it must be wrong to repeal it now, when the treasury requires the use of every dollar which it can rightfully claim. Executive dictation! I repel the imputation. I would gladly harmonize with congress in the enactment of all necessary measures, if the majority would permit me. Most gladly would I approve any bill having revenue for its object and the protection of manufacturing industry as its incident, which should be presented to me, unencumbered with matters having no necessary affiliation, and which are only calculated to embarrass the executive action. Each branch of the government is independent of every other, and heaven forbid that the day should ever come when either can dictate to the other. The constitution never designed that the executive should be a mere cypher. On the contrary, it denies to congress the right to pass any law without his approval—thereby imparting to it, for wise purposes, an active agency in all legislation.

Excuse the observations which the occasion and the circumstances of the time seemed to invite, and accept assurances, gentlemen, of my regard for each of you individually. JOHN TYLER.

A party of Van Buren men celebrated the anniversary at Lebanon gardens, at which Messrs. G. M. Dallas and Chas. Brown, M. C. were present and made speeches. A deputation from the friends of President Tyler, dining at McArran's, was announced, and introduced, bearing the following toast.

"*Our democratic fellow citizens dining at Pascal's.* We hail them on the anniversary of our national independence as worthy disciples of the father of democracy."

Col. Page was called on to reply to the sentiment. In accordance with the call, he prepared the following toast, which he prefaced by a few remarks, when the same was adopted as the sentiment of the meeting, and forwarded to the friends of the president dining at McArran's:

"*The president of the United States.* A fair and honest support of all such measures as involve no sacrifice of the principles of democracy, and tend to the welfare of the union; but as a party, our course is independent and onward; we seek no alliance, but look to the justice of our cause for success. Truth is mighty and will prevail."

FOREIGN ARTICLES.

GREAT BRITAIN.

The steamer Caledonia, with fifty-seven passengers, left Liverpool on the 19th June, arrived at Halifax and landed twenty-two passengers on the 3d inst., and reached Boston with the residue on the 5th, making the entire passage in fifteen days and sixteen hours.

The Acadia, which left Boston on the 1st, arrived at Liverpool on the 14th June.

There is but little news by this arrival. The distress in many parts of England had sensibly increased, and great numbers of persons were out of employ. Cotton had declined 1 d.—Flour market extremely dull. Money easy for commercial purposes at 4 per cent., and but little in demand.

Francis, the attempting assassin, was tried on the 17th for high treason, and condemned for firing a pistol at Queen Victoria. He was dreadfully affected upon being sentenced in the usual form, to be hanged, drawn and quartered.

The Portuguese treaties have been signed. They are three in number—one of commerce, one of navigation, and one relating to the slave trade.

Riots of a very serious character have occurred at Cork, Limerick, Ennis, and other places, in consequence of the high price of potatoes and other articles of food. At Ennis, the police were forced to fire on the mob; two or three lives were lost, and several persons were wounded.

The cholera has been raging in Calcutta, carrying off many scores of natives and several Europeans.

Up to the 31st of May, the amount of contributions for the sufferers at Hamburg was about £1,943,000.

That hopeful sprig of aristocracy, the marquis of Waterford, was married on the 8th, to Miss Stewart, daughter of Lord Stewart de Rothsay. Miss Adelaide Kemble is about to be married to Mr. Sartorio, a gentleman of Spanish extraction, and of large private fortune. Lord Congleton, formerly Sir Henry Parnell, hung himself on the 18th, at Cadogan place, London.

The ceiling of the theatre at Schleitz, near Frankfort, fell in on the 6th June, during a performance for the benefit of the sufferers at Hamburg, and when the house was crowded. Twenty-nine dead bodies were taken from the ruins

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The *Leipzic Gazette* says, that a plot against the emperor of Russia has been discovered and suppressed, the senate of St. Petersburgh having joined in the conspiracy, which was provoked by the late attempts to emancipate the peasantry.

In Spain, the town of Bosseer, in Esclavonia, was totally destroyed by fire; 179 houses, more than 500 barns, and many of the inhabitants, became the prey of the devouring element.

From all quarters of Ireland there is the most cheering prospect of an abundant harvest. The corn, fruit, and potato crops will be at market fully a month before those of last year's harvest.

M. De Varimes, the French minister at the Portuguese court, has, it appears, been suddenly recalled.

The tariff bill has passed the committee of the whole in the house of commons, after a long discussion and many unsuccessful attempts to amend its details. The ministers carried every question. It is contributed with great care to secure the interest of the British manufactures.

In the lords, on Thursday the 10th, the earl of Aberdeen stated that a clause was to be introduced into the prize act to distribute the proceeds of pirate and slave vessels.

DISTRESS. The earl of Radnor, in moving the return of corn allowed to be imported at a low duty, in 1838, called the attention of their lordships to the present alarming distress of the people. The poor of Sheffield had increased, to quote one instance, from 961 in 1837, to 600 in the present year, besides 1,000 able bodied men receiving out-door relief. The weekly payments to the casual poor had increased from £715 in 1837, to £15,000 at present. The duke of Wellington admitted the distress, but found no remedy for it. Lord Kinnaird expressed his regret that the government would do nothing, and quoted a case of a man who had dismissed 500 out of 1,000 workmen, who said he could not keep the remainder.

MEXICO AND TEXAS. In the house on the 10th Mr. D'Israeli put a question to the minister relative to the blockade of Mexico by Texas and the recognition of the independence of the latter, to which the minister replied that, whether if then in office he might have advised the conclusion of such treaties or not, he should now, as they had been concluded, ratify their ratification.

Mr. O'CONNELL. But they are not yet ratified.

SIR R. PEEL. Not yet, until the 1st of August, and before then it is my intention to advise that they shall be ratified.

THE BOUNDARY QUESTION. *House of commons, June* 15. Mr. D'Israeli wished to put a question to the right hon. baronet, respecting the disputed territory with America. He had seen it reported that there was a virtual relinquishment of the territory in dispute, and that the state of Maine required compensation for the territory which was given up, &c.—The minister replied that negotiations were pending and in such progress that he thought it improper to introduce the subject.

FRANCE.

The Moniteur contains a royal ordinance for the dissolution of the chamber of deputies, the convocation of the electoral colleges for the 9th of July, and the convocation of the chamber of peers and the chamber of deputies for the 3d of August. The late chamber was elected in March, 1839, and would consequently have died a natural death a year hence. The session, commences on the 3d of August.

The Paris papers are mostly occupied with articles on the approaching election, which, it was generally believed, would give a strong majority to ministers.

INDIA.

Overland despatches from India, through France bring accounts from the war in Afghanistan. Col. Palmer, who commanded the forces at Ghuznee, capitulated on the 1st of March—upon terms which though not disgraceful, appear not to have been satisfactory to the British commandant in India, who has ordered a court martial in his case as well as upon the officers who surrendered at Cabul.

To compensate for those disasters, it appears that the Khyber Pass was gallantly carried by the British forces under Gen. Pollock on the 5th April. His object was to push forward to the relief of the gal lant Sale, whose manly defence of Jellabad had excited the admiration and sympathy of all his countrymen. The Afreedee tribe defended the pass, but superior tactics prevailed—the heights were scaled, every obstacle overcome and the pass is now in the hands of the British. Their loss on the occasion, was but. Cut-ning of the 9th and 13th rank and file killed, and 104 wounded. The British 9th regiment of infantry and five regiments of native infantry constituted the detachment.

Meantime on the evening of the 6th taking advantage of the withdrawal of troops for the defence of the Pass, and detecting an attempt to deceive him by a celebration of a pretended victory over the invaders in attempting to storm it, Gen. Sale marched out of Jellalabad, attacked and carried the camp of his besiegers, completely routed Akbar Khan and his remaining forces, burned their camp, and returned with four pieces of the artillery that had taken at Cabul. Queen Victoria immediately conferred a grand cross of the Bath upon Sir Robert Sale on receiving these intelligence.

General Nott, at Candahar, had hitherto maintained this position against and baffled the schemes of the insurgents. The latter had, however, blocked up the pass between Candahar and Scinde. In attempting to force these passes, to convey relief to Candahar, Gen. England had been repulsed with some loss; he had, however, fallen back upon Quettah, where he remained.

CHINA.

Macao dates to the 14th March furnish but little news, except that a dispute has arisen between Siam and China, the former threatening the British. The former threaten to invade Cochin China. Sir Henry Pottinger remained at Hong Kong, awaiting for the monsoon to pass, and reinforcements to arrive, before he makes his demonstration upon Pekin. The Chinese have completed the batteries along the Canton river, but the British seem to disregard them. Hong Kong and Tinghai are declared free ports, and are held by the British until their demands upon China shall be satisfied. The Russians are said to be interesting themselves in the case.

The Siamese monarch has sent a portion of his ancient territory to the old Rajah of Quedda.

NATIONAL AFFAIRS.

EXPOSITION OF THE PRESIDENT'S reasons for signing the apportionment bill.

"In appropriating to Caesar what is due to myself I, say, as well that my motives for signing it may be rightfully understood as that my opinions may not be liable to be misconstrued or quoted hereafter erroneously as a precedent, that I have not proceed ed so much upon *a clear and decided opinion of my own*, respecting the constitutionality or policy of the entire act, as from respect to the declared will of the two houses of congress.

"In yielding any *doubts* to the matured opinion of congress, I have followed the advice of the first secretary of state to the first president of the United States, and the example set by that illustrious citizen upon a memorable occasion.

"When I was a member of either house of congress, I acted under the conviction that to doubt the constitutionality of a law, was sufficient to induce me to give my vote against it; but I have not been able to bring myself to believe that a *doubtful opinion* of the chief magistrate should outweigh the solemnly pronounced will of the representatives of the people and the states.

"One of the prominent features of the bill is that which purports to be mandatory on the states to form districts for the choice of representatives to congress in single districts.—That congress has power by law to alter state regulations, respecting the manner of holding elections for representatives, is clear; but its power to command the states to make new regulations, or alter their existing regulations, is the question upon which I have felt many and strong doubts. I have yielded these doubts, however, at the opinion of the legislature, giving effect to their enactment as far as depends upon my approbation, and leaving questions that may arise, to be settled happily any such should arise, to be settled by full consideration of the several provisions of the constitution and the laws, and the authority of each house to judge of the elections, returns and qualifications of its own members.

"Similar considerations have operated with me, in regard to the representation of fractions above a moiety of the representative number, and where said moiety exceeds thirty thousand; a question on which a diversity of opinion has existed from the foundation of the government. The provision recommends itself from its nearer approximation to equality than would be found in the application of a common and simple division to the entire population of each state; and corrects, in a great degree, those inequalities which are destined at the return of each succeeding census, so greatly to augment.

"In approving the bill, I flatter myself that a disposition will be perceived on my part, to concede to the opinions of congress in a matter which may contribute to the good of the country and the stability of its institutions, upon which my opinion is not clear and decided. But it seemed to me due to the respectability of opinion against the constitutionality of the bill, as well as to the real difficulties of the subject, which no one feels more sensibly than I do, that the reasons which have determined me should be left on record. JOHN TYLER.

Washington, June 25th, 1842."

MRS. BLENNERHASSET, whose personal charms in early life have been rendered enduring by the eloquence of Mr. Wirt, in the famous passage of his defence of her husband, died in New York lately, aged 70 years.

In going down the Ohio some years ago we stopped at her famous island residence, then a waste, in company with a party of friends, one of whom, an early resident of Ohio, was familiar with the family at the time of Col. Burr's first introduction. He reached the island, according to this witness, on a fine spring morning, in a small boat, with a servant, whom he despatched with a note to the house, then, in truth, embosomed in a "shrubbery, which Calypso and her nymphs might have envied." The note ran thus:

"*Col. Burr solicits the favor of being permitted to wander among the grounds of Mrs. Blennerhassett.*"

This of course brought a cordial welcome, and proved the beginning of the end. Not a vestige of the dwelling remains, and nearly every trace of the garden is obliterated. [*Newark Daily Adv.*

MR CLAY'S SPEECH.

From the Lexington Intelligencer.

At the great Clay festival, given at Lexington, Ky. on the 9th of June, Judge Robertson, who presided, offered the following sentiment, which he prefaced with appropriate remarks:

HENRY CLAY—*Farmer of Ashland, patriot and philanthropist—the American statesman, and unrivalled orator of the age*—illustrious abroad, beloved at home: in a long career of eminent public service, often like *Achilles*, he turned the raging storm of passion and delusion, and by offering himself a sacrifice, saved the republic; and now, like *Cincinnatus* and *Washington*, having voluntarily retired to the tranquil walks of private life, the grateful hearts of his countrymen will do him ample justice; but come what may, *Kentucky will stand by him*, and still continue to cherish and defend, as her own, the fame of a son who has emblazoned her escutcheon with immortal renown.

After the evidences of feeling which this sentiment elicited had subsided, Mr. CLAY rose and spoke as follows:

Mr. president, ladies and gentlemen: It was given to our countryman, Franklin, to bring down the lightning from heaven. It is not reasonable me to be heard by this immense multitude, I should have to invoke to my aid, and to throw into my voice, its loudest thunder. As I cannot do that, I hope I shall be excused for such an use of my lungs as is practicable and not inconsistent with the preservation of my health. And I feel that it is our first duty, to express our obligations to a kind and bountiful Providence, for the copious and genial showers with which he has just blessed our land—a refreshment of which it stood much in need. For one, I offer to him my humble and dutiful thanks. The inconvenience to us, on this festive occasion, is very slight, while the sum of good which those timely rains will produce is very great and extensive.

Fellow-citizens, I find myself now in a situation somewhat like one in which I was placed a few years ago when travelling through the state of Illinois, from my friend (Mr. Rariden) near me comes. I stopped at a village, containing some four or five hundred inhabitants, and I had scarcely alighted before I found myself surrounded in the bar-room by every adult male resident of the place. After a while, I observed a group consulting together in one corner of the room, and shortly after, I was deliberately approached by one of them, a tall, lank, lean, but sedate and sober looking person, with a long face and high cheek bones, who, ad dressing me, said he was commissioned by his neighbours, to request that I would say a few words to them. Why my good friend, said I, I should be very happy to do any thing gratifying to yourself and your neighbors, but I am very much fatigued and hungry and thirsty, and I do not think the occasion is exactly suitable for a speech, and I wish you would excuse me to your friends. Well, says he, Mr. Clay, I confess I thought so myself, especially as we have no wine to offer you to drink!

Now, if the worthy citizens of Indiana was right in supposing, that a glass of wine was a necessary preliminary, and a precedent condition, to the delivery of a speech, you have no just right to expect one from me at this time; for during the sumptuous repast from which we have just risen, you offered me nothing to drink but cold water—excellent wa

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ter, it is true, from the classic fountain of our lamented friend Mr. Maxwell, which has so often regaled us on celebrations of our great anniversary. [Great laughter.]

I protest against any inference of my being insensible to the temperance cause. On the contrary, I think it an admirable cause that has done great good, and will continue to do good as long as legal coercion is not employed, and it rests exclusively upon persuasion, and its own intrinsic merits.

I have a great and growing repugnance to speaking to the open air to a large assemblage. But whilst the faculty of speech remains to me, I can never feel that repugnance, never feel other than grateful sensations, in making my acknowledgements under such circumstances as those which have brought us together. Not that I am so presumptuous as to believe that I have been the occasion solely of collecting this vast multitude. Among the indications, I cannot help thinking that the fair and white virgin Durham heifer of my friend, Mr. Berryman, that cost $600, which has been just served up, and the other good things which have been so liberally spread before us, exerted some influence in swelling this unprecedently large meeting. [Great laughter.]

I cannot but feel, Mr. President, in offering my special acknowledgment for the honor done me, in the eloquent address which you have just delivered, and in the sentiment with which you concluded it, that your warm partiality, and the fine and generous feeling which has so long existed between us, and the kindness of my neighbors and friends around me, have prompted an exaggerated description, in too glowing colors, of public services and my poor abilities.

I seize the opportunity to present my heartfelt thanks to the whole people of Kentucky, for all the high honors and distinguished favors which I have received, during so long a period, from them, at their hands; for the liberal patronage which I received from them in my professional pursuit, for the eminent places in which they have put me, or enabled me to reach; for the generous and unbounded confidence which they have bestowed upon me, at all times; for the gallant and unswerving fidelity and attachment with which they stood by me through out all the trials and vicissitudes of my long and arduous life; and above all, for the scornful indignation with which they repelled an infamous calumny directed against my name and fame, at a momentous period of my public career. In recalling to our memory but the circumstances of that period, one cannot be filled with astonishment at the indefatigability with which the calumny was propagated, and the zealous partizan use to which it was applied, not only without evidence, but in the face of a full and complete refutation. Under whatever deception, delusion or ignorance, it was received elsewhere, with you, my friends and neighbours, and with the good people of Kentucky, it received no countenance. But it proved to the vexation of the malevolence of its circulators was the vigor and magnanimity with which I was generously supported. Upheld with the consciousness of the injustice of the charge, I should have been myself with beaming fortitude, if I had been abandoned by you as I was by so large a portion of my countrymen. But to have been sustained and vindicated as I was by the people of my native state, by you who know me best, and whom I had so many reasons to love and esteem, greatly cheered and encouraged me to my onward progress. Eternal thanks and gratitude are due from me.

I thank you friends and fellow-citizens, for your distinguished and enthusiastic reception of me this day; and for the excellent and abundant repast of barbacue that has been provided for our entertainment. And I thank, from the bottom of my heart, my fair country-women for honoring and gracing and adding delicacy to the occasion, by their numerous attendance. If the delicacy and refinement of their sex will not allow them to mix in the rougher scenes of human life, we may be sure that when ever, by their presence, their smiles and approbation are bestowed, it is no ordinary occurrence. That presence is always an absolute guaranty of order, decorum and respect. I take the greatest pleasure in bearing testimony to their value and their virtue. I have ever found in them true and steadfast friends, generously sympathising in distress, and, by their encouraging fortitude in bearing it themselves, encouraging us to imitate their example. And we all know and remember how, at in 1840, they can powerfully aid a great and good cause, without any departure from the propriety or dignity of their sex.

In looking back upon my origin and progress through life, I have great reason to be thankful. My father died in 1781, leaving me an infant of few longer years to retain any recollection of his smiles or endearments. My surviving parent removed in this state in 1792, leaving me, a boy of fifteen years of age, in the office of the high court of chancery, in the city of Richmond, without guardian, without pecuniary means of support, to steer my course as I might or could. A neglected education was improved by my own irregularity, without the benefit of systematic instruction. I studied law principally in the office of a lamented friend, the late Gov. Brooke, then attorney general of Virginia, and also under the auspices of the venerable and lamented Chancellor Wythe, for whom I had acted as an amanuensis. I obtained a license to practise the profession from the judges of the court of appeals of Virginia, and established myself in Lexington in 1797, without patrons, without the favor or countenance of the great or opulent, without the means of paying my weekly board, and in the midst of a bar unanimously distinguished by eminent members. I remember how comfortable I thought I should be if I could make $500 a year, and how my heart leapt with joy and delight I received the first fifteen shillings fee. My hopes were more than realized. I immediately rushed into a successful and lucrative practise.

In 1803 or 4, when I was absent from the county of Fayette, at the Olympian springs, without my knowledge or previous consent, I was brought forward as a candidate and elected to the general assembly of this state. I served in that house for two years, and was then transferred to the senate, and afterwards to the house of representatives of the U. States, where I spent the greater portion of my political life, or enumerate the offices which I have filled. During my public career, I have had bitter, implacable, reckless enemies. But if I have been the object of misrepresentation and unmerited calumny, no man has been beloved or honored by more devoted, faithful and enthusiastic friends. I have no reproaches—none—in make towards my country, who has always treated me with more favor beyond what I had any right to expect. I forgive my enemies, and hope they may live to obtain the forgiveness of their own hearts.

I would neither be living nor wish to live, if I thought I could be guilty of any act of my public life; but I hope I shall be excused for one or two observations, which the occasion appears to me to authorise.

I never but once, and that very reluctantly, in the measure of national policy, or on any great principle of construction of the national constitution. In public, and in private, I have always adopted the principles of interpreting the federal constitution which had been so ably developed and enforced by Mr. Madison, in his unanswerable report to the Virginia legislature, and to which, on deliberate reflection, I have constantly adhered. Upon the question coming up in the Senate of the United States to recharter the first bank of the United States thirty years ago, I opposed it upon the grounds of constitution which I honestly entertained. The experience of the war, which shortly followed, the condition into which the currency of the country was thrown, without a bank, and, I may now add, later and more disastrous experience, convinced me I was wrong. I publicly stated to my constituents in a speech in Lexington, (that which I made in the hall of representatives of the United States not having been reported,) my reasons for that change, and they are preserved in the archives of the country. I appeal to that record: and I am willing to be judged now and hereafter by that validity.

I do not adert to the fact of this solitary instance of change of opinion, as a merit, or even an excuse, but because it is a fact. I will, however, say that I think it very perilous to the utility of any public man to make frequent changes of opinion, or any change but upon great and mature reflection, lest that the public can clearly see and approve them. If we could look through a window into the human breast, and there discover the causes which lead to a change of opinion, they could, in most cases, without hazard. But as it is impossible to penetrate the human heart, and distinguish between the sinister and honest motives which prompt it, any public man that changes his opinion, once deliberately formed and promulgated, under other circumstances than those which I have stated, draws around him distrust, impairs the public confidence, and lessens his capacity to serve his country.

I will take this occasion now to say, that I am, and have been long satisfied, that it would have been better for me and my public fame to have declined accepting the office of secretary of state in 1825. Not that my motives were not as pure and as patriotic as ever carried any man into public office. Not that the calumny which was applied to the fact was not as gross and as unfounded as any that was ever propagated. [Here some body cried out that Mr. Carter Beverly, who had been made the organ of announcing it, had recently borne testimony to its being unfounded.—Mr. Clay said it was true that he had voluntarily borne such testimony. But, with great earnestness and emphasis, Mr. Clay said, I want no testimony—here—here—here—here, repeatedly touching his heart, amidst tremendous cheers, here is the best of all witnesses of my innocence.] Not that valued friends, and generous opponents did not unite in urging my acceptance of the office. Not that the administration of Mr. Adams will not, I sincerely believe, advantageously compare with any of his predecessors, in economy, purity, prudence and wisdom. Not that Mr. Adams was himself wanting in any of those high qualifications and upright and patriotic intentions which were united to the office. Of that extraordinary man, of rare and varied attainments, whatever diversity of opinion may exist as to his recent course in the house of representatives, (and candor obliges me to say that there are some things in it which I deeply regret), it is with no less truth than pleasure, I declare that, during the whole period of his administration, unmoved, assailed and assaulted as it was, no man could have shown a more devoted attachment to the union, and all its great interests; a more ardent desire faithfully to discharge his whole duty, or brought to his aid more ample experience and knowledge than he did. I never transacted business with any man, in my life, with more ease, satisfaction and advantage than I did with that illustrious and indefatigable gentleman, as president of the United States. And I will add, that more harmony never prevailed in any cabinet than in his. Yet, I repeat, in accepting the office, arose out of my understanding the power of detraction and the force of ignorance, and abiding, with too sure a confidence in the conscious integrity and uprightness of my own motives. Not that ignorance, I had a remarkable and laughable example on an occasion which I will relate. I was travelling, in 1828, through, I believe it was Spottsylvania county in Virginia, on my return to Washington, in company with some gentlemen. We halted at night at a tavern, kept by an aged gentleman, who I quickly perceived, from the disorder in his mind, which reigned, had not the happiness to have a wife. After a hearty supper, the aged old gentleman sat down by me, and without hearing my name, but understanding that I was from Kentucky, remarked to me that he was in that state, and that he was very sorry they were divided in politics, two being for Adams and two for Jackson; he wished they were all for Jackson. Why! asked, he, with a laugh, he and his fellow Clay and Adams had cheated Jackson out of the presidency. Have you ever seen any evidence my old friend, said I, of that? No, he replied, none, and he wanted to see none. Why, said I, would you proceed in it, would you believe him? No, replied the old gentleman promptly and emphatically. I said to him in conclusion, will you be good enough to show me to bed, and bid me good night? The next morning, having in the interval learnt my name, he came to me full of apologies, but I at once put him at his ease by assuring him that I did not feel in the slightest degree hurt or offended with him.

Mr President, I have been accused of ambition, often accused of ambition. I believe, however, that my accusers, will be generally found to be political opponents, and the friends of aspirants in whom my I was supposed to stand, and it was thought, therefore necessary to show me aside. I defy my enemies to produce an instance of my life, in which I have sought the attainment of office by dishonorable or unworthy means. Did I display inordinate ambition when, under the administration of Mr. Madison, I declined a foreign mission of the first grade, and an executive department, both of which he successively kindly tendered to me? When, under that of his successor, Mr. Monroe, I was first importuned, (as no man ever was,) to accept that unenviable garden, Jonathan Roberts, now threatened, as the papers tell us, with expulsion from an office which was never filled with more honesty and uprightness, because he declines to be a servile instrument,) to accept a secretaryship, and was afterwards offered a *carte blanche* of all the foreign missions? At the epoch of the election of 1825, I believe no one doubted at Washington that, if I had felt it my duty to vote for Gen. Jackson, he would have invited me to take charge of a department. And such undoubtedly Mr. Crawford would have done, if he had been elected. When the Harrisburg convention assembled, the general expectation was that the nomination would be given to me. It was given but lately to Harrison. Did I exhibit extraordinary ambition when, cheerfully acquiescing, I threw myself into the canvass and made every exertion in my power to insure its success? Was it evidence of unbalanced ambition in me to resign, as I recently did, my seat in the senate—to resign the dictatorship, with which my

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enemies had so kindly invested me, and come home to the quiet walks of private life?

But I am ambitious because some of my countrymen have seen fit to associate my name with the succession for the presidential office. Do those who prefer the charge know what I have done, or not done, in connection with that object? Have they given themselves the trouble, to enquire at all into any agency of mine in respect to it? I believe not. It is a subject which I approach with all the delicacy which belongs to it, and with a due regard to the dignity of the exalted station; but on which I shall, at the same time, speak to you, my friends and neighbors, without reserve, and with the utmost candor.

I have prompted none of those movements among the people, of which we have seen accounts. As far as I am concerned, they are altogether spontaneous, and not only without concert with me, but most generally without any sort of previous knowledge on my part.—That I am thankful and grateful—profoundly grateful—for these manifestations of confidence and attachment, I will not conceal or deny. But I have been and mean to remain, a passive, if not an indifferent spectator. I have reached a time of life, and seen enough of high official stations, to enable me justly to appreciate their value, their cares, their responsibilities, their emoluments. That estimate of their worth, in a personal point of view, would restrain me from seeking to fill any one, the highest of them, in a scramble of doubtful issue, with political opponents, much less with political friends. That I should feel greatly honored by a call from a majority of the people of this country, to the highest office within their gift, I shall not deny; nor, if my hands were preserved, will I hesitate at liberty to decline a summons so authoritative and commanding. But I declare most solemnly, that I have not, up to this moment, determined whether I will consent to the use of my name or not as a candidate for the chief magistracy. That is a grave question, which should be decided by all attainable lights, which, I think, is not necessary to be now decided, and a division of which I reserve to myself, as far as I can reserve it, until the period arrives when it ought to be solved. That period has not, as I think, yet arrived. When it does, an anxious survey of the whole ground should be taken, the state of public opinion properly considered, and one's personal condition, physical and intellectual, duly examined and weighed. In thus announcing a course of conduct for myself, it is hardly necessary to remark that it is no part of my purpose to condemn, or express any opinion whatever upon those popular movements which have been made, or may be contemplated, in respect to the next election of a president of the United States.

If to have served my country, during a long series of years, with fervent zeal and unshaken fidelity, in seasons of peace and war, at home and abroad, in the legislative halls and in no executive department; if to have labored most sedulously to arrest the embarrassment and distress which now overspread this union; and when they came, to have exerted myself anxiously, at the extra session, and at this, to devise healing remedies; if to have sought to introduce economy and reform in the general administration, curtail enormous executive power, and amply provide, at the same time, for the wants of the government and the wants of the people by a tariff which would give it revenue and them protection; if to have earnestly sought to establish the bright but too rare example of a party in power, faithful to its promises and pledges made when out of power—if these services, exertions and endeavors, justify the accusation of ambition, I must plead guilty to the charge.

I have wished the good opinion of the world; but I defy the most malignant of my enemies to show that I have attempted to gain it by any low or grovelling arts, by any mean or unworthy sacrifices, by the violation of any of the obligations of honor, or by a breach of any of the duties which I owed to my country.

I turn, sir, from these personal allusions and reminiscences, to the vastly more important subject of the present actual condition of this country. If they could ever be justifiable or excusable, it would be on such an occasion as this, when I am addressing those to whom I am bound by so many intimate and friendly ties.

In speaking of the present state of the country, it will be necessary for me to touch with freedom and independance upon the past as well as the present, and upon the conduct, spirit and principles of parties. In doing this, I assure my democratic brethren and fellow citizens, of whom I am told there are many here present, (and I tender them my cordial thanks for the honor done me by their attendance here this day, with as much sincerity and gratitude as if they agreed with me in political sentiment,) that nothing is farther from my intention than to say one single word that ought to wound their feelings or give offence to them. But surely, if there ever was a period in the progress of any people when all were called upon, with calmness and candor, to consider thoroughly the present posture of public and private affairs, and deliberately to inquire into the causes and remedies of this unprepitious state of things, it is that period in the United States. And, if ever a people stood bound by the highest duties to themselves and to their posterity, to sacrifice upon the altar of their country, cherished prejudices and party predilections and antipathies, we are now called upon to make that sacrifice if necessary.

What is our actual condition? It is one of unexampled distress and embarrassment, as universal as it is intense, pervading the whole community, and sparing none. Property of all kinds, and every where, fallen and falling in value; agricultural produce of every description at the most reduced prices; money unsound and at the same time scarce, and becoming more scarce by preparations of doubtful and uncertain issue, to increase its soundness; all the departments of business inactive and stagnant; exchanges extraordinarily high, and constantly fluctuating; credit, public and private, at the lowest ebb, and confidence lost; and a feeling of general discouragement and depression. And what darkens the gloom which hangs over the country, no one can discern any termination of this state of things, nor see in the future any glimpses of light or hope.

Is not this a faithful, although appalling, picture of the United States in 1842? I appeal to all present, whigs and democrats, ladies and gentlemen, to say if it be at all too high colored.

Now let us see what was our real condition only the short time of ten years ago. I had occasion, in February, 1832, to address the U. S. Senate, when I was defending the American system against the late Col. Hayne of South Carolina, to describe it; and I refer to this description as evidence of what I believed to be the state of the country at that time. I, unconfounded to the truth of the case, I appeal with confidence to those now present. On that occasion, among other things, I said:

"I have now to perform the more pleasing task of exhibiting an imperfect sketch of the existing state of the unparalleled prosperity of the country. On a general survey, we behold a population increased, the arts flourishing, the face of the country improved, our people fully and profitably employed, and the public countenance exhibiting tranquillity, contentment and happiness. We see the desolating wars which we have the agreeable contemplation of a people out of debt, land rising slowly in value, but in a secure and healthy degree; a ready, though extravagant, market for all the surplus productions of our industry; innumerable flocks and herds browsing and gambolling on ten thousand hills and plains, covered with rich and valuable grasses; our cities expanded, and whole villages springing up, as it were, by enchantment; our exports and our imports increased and increasing; our tonnage, foreign and coastwise, swelling and bearing proportion to the rest of commerce; animated by the perpetual thunder and lightning of countless steamboats; the currency sound and abundant; the public debt of income wearily redeemed; and, to crown it all, the public treasury overflowing, embarrassing congress, not to find subjects of taxation, but to select the objects which shall be liberated from taxation. In a word, the blessings to be secured, to be selected, of the greatest prosperity which this people have enjoyed, since the establishment of their present constitution, it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824."

And that period embraced the whole term of the administration of Mr. John Q. Adams, which has been so unjustly abused!

The contrast in the state of the country at the two periods of 1832 and 1842, is most remarkable and startling. What has prostituted us from that great height of enviable prosperity down to the lowest depths of pecuniary embarrassment? What has occasioned the wonderful change? No foreign foe has invaded and desolated the country. We have had neither famine nor earthquakes. That there exists a cause there can be no doubt; and I think it equally clear that the cause, whatever it may be, must be a general one; for nothing but a general cause could have produced such wide spread ruin, and every where we behold the same or similar effects, every interest affected, every section of the union suffering, all descriptions of produce and property depreciated in value. And whilst I endeavor to find out that cause, and to trace to their true source the disastrous effects which we witness and feel, and lament, I entreat the democratic portion of my audience, especially to listen with patience and candor, and dismissing for a moment party labels and prejudices, to decide with impartiality and in a spirit of genuine patriotism.

It has been said by those, in high authority, that the people are to blame and not the government; and that the distresses of the country have proceeded from speculation and overtrading. The people have been even reproached for expecting too much from government, and not relying sufficiently upon their own exertions. And they have been reminded that the highest duty of the government is to take care of itself, leaving the people to shift for themselves as well as they can. Accordingly we have seen the government retreating from the storm which it will be seen, in the sequel, itself created, and taking shelter under the sub-treasury.

That there has been some speculation and overtrading, may be true; but all have not speculated and overtraded; whilst the distress reaches, if not in the same degree, the cautious and the prudent, as well as the enterprising and adventurous. The error of the argument consists in mistaking the effect for the cause. What produced the overtrading? What was the cause of speculation? How were the people tempted to abandon the industrious and secure pursuits of life, and embark in doubtful and perilous, but seducing enterprizes? That is the important question.

Now, fellow citizens, I take upon myself to show that the people have been far less to blame than the general government, and that whatever of error they committed, was the natural and inevitable consequence of the unwise policy of their rulers. To the action of government is mainly to be ascribed the disorders, embarrassment and distress which all have now so sensibly felt and deplore. And, to be more specific, I think they are to be fairly attributed to the action of the executive branch of the federal government.

Three facts or events, all happening about the same time, if their immediate effects are duly considered, will afford a clear and satisfactory solution of all the pecuniary evils which now unhappily afflict this country.

The first was the veto of the re-charter of the Bank of the United States. The second was the removal of the public deposits from the United States from bank to local banks. And the third was the refusal of the president of the United States, by an arbitrary stretch of power, to sanction the passage of a bankrupt bill. These events all occurred, in quick succession, in 1832-3, and each of them deserves particular consideration.

1. When the Bank of the United States had fully recovered from the effects of its early administration, and at the period when it was proposed to re-charter it, it furnished the best currency that ever existed, possessing not merely unbounded confidence in the United States, but throughout the whole commercial world. No institution was ever more popular, and the utility of a bank of the United States was acknowledged by President Jackson in his veto message, in which he expressly stated, that he could have suggested to congress the plan of an unexceptionable charter, if application had been made to him. And I state as a fact, what many, I am sure, will be ready to remember and sustain, that in the canvass then going on for the presidency, many of his friends in this state gave assurances, that, in the event of his succession, a bank of the United States would be established.

It was held out to the people, that a better currency should be supplied, and a more safe and faithful execution of the duties towards the government would be performed by the local banks than by the Bank of the United States.

What was the immediate effect of the overthrow of that institution? The immediate substitution of local banks, which sprung up every where, with a rapidity to which we cannot look back without amazement. A respectable document which I now hold in my hand, I believe correctly states, that "in 1830 the aggregate banking capital of the union was $145-190,263. Within two years after the removal of the deposites, the banking capital had swollen to $351-250,537, and in 1837 it reached $440,195,710. Whilst the United States bank was in existence, the local banks, not aspiring to the regulation of the currency, were chartered in small numbers, on occasion and business required. After 1833, they were chartered without necessity and multiplied beyond example. In December, 1837, there were no less than 709 state banks. Nearly four hundred banks sprung up upon the ruins of the U. States bank, and $250,000,000 of capital was incorporated, to supply the uses formerly discharged by the $35,000,000 capital of the Bank of the United States. The impulse given to extravagance and speculation by this enormous in-

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crease of banking capital, was quickened by the circulars of the treasury department to these pet state banks that were made the custodiers of the national revenue."

A vast proportion of these new banks, more I believe than four-fifths, were chartered by legislatures in which the democratic party had the undisputed ascendancy. I well remember that, in this state, the process of chartering made a grave and solemn scene of being inimical to the establishment here of state banks; and I was opposed to their establishment, until all prospect vanished of getting a bank of the United States.

The effect upon the country of this sudden increase to such an immense amount, of the banking capital of the country, could not fail to be very great, if not disastrous. It threw out, in the utmost profusion, bank notes, post notes, checks, drafts, bills, &c. The currency thus put forth, the people had been assured was better than that supplied by the Bank of the United States; and, after the removal of the deposites, the local banks were urged and stimulated, by the secretary of the treasury, freely to discount and accommodate upon the basis of those deposites. Flooded as the country was, by these means and in this way with all species of bank money and facilities, is it surprising that—should his rebellious intriguing succeed—he freely adventured in the most desperate enterprises! It would have been better to have avoided them; it would have been better that the people should have been water and power proof against temptation, but who is most to blame, they who yielded to temptation so thrown before them—they who yielded confidence to their rulers—they who could not see when this inordinate issue of money was to cease, or to become vitiated; or government, that tempted, seduced and betrayed them!

And now, fellow citizens, do let us, in calmness and candor, revert for a moment to some of the means which were employed to break down the Bank of the United States, and to inflict upon the country all the sad consequences which I have, I shall not stop to expose the motives of the assault upon that institution, and to show that it was because it refused to make itself basely and servilely instrumental to the promotion of political views and objects.

The bank was denounced as a monster, aiming, as was declared, to crush the people of their liberties, and to subvert the government of the country. The bank to subvert the government! Why how could the bank continue to exist after the overthrow of that government to which it was indebted for its existence, and in virtue of whose authority it could alone successfully operate! Convulsions, revolutions, civil wars, are not the social conditions most favorable to bank prosperity; but they flourish under order, law, regularity, punctuality and successful business prevail.

Rob the people of their liberties! And pray what would it do with them after the treasure was plundered: It could not put them in its vaults, or make interest or profit upon them, the leading, if not sole object of a bank. And how could it destroy the liberties of the people; without at the same time destroying the liberties of all persons interested or concerned in the bank! What is a bank! It is a corporation, the aggregate of whose capital is contributed by individual shareholders, and employed in pecuniary operations, under the management of official agents, called president, directors, cashier, teller and clerks.—Now all these persons are usually citizens of the U. States, just as much interested in the preservation of the liberties of the country, as any other citizens. What earthly motive could prompt them to seek the destruction of the liberty of their fellow citizens, and with it their own.

The fate of the Bank of the United States clearly demonstrated where the real danger to the public liberty exists. It was not in the bank. Its popularity had been great, and the conviction of its utility strong and general, up to the period of the bank veto. Unbounded as was the influence of President Jackson, and undisguised as his hostility was to the bank, he could not prevent the passage through congress of a bill to re-charter it. In such favor and esteem was it held, that the legislature of Pennsylvania, in which has risen a bad uncontrolled sway, almost unanimously recommended the re-charter. But his veto came; and he his whistle for its destruction; it was necessary to sustain his party, which could only be done by sustaining him, and instantly, and every where, down with the bank and huzzah for the veto, became the watch words and the rallying cry of his partisans. That same legislature of Pennsylvania, now, with equal unanimity, approved the destruction of an institution which they had believed to be so indispensable to the public prosperity, and deluded people felt as if they had fortunately escaped a great national calamity!

The veto notwithstanding, the house of representatives, by a large majority, resolved that the public deposites were safe in the custody of the bank of the United States, where they were placed, under the sanction and by the command of the law; and it was well known at Washington, that this resolution was passed in anticipation and to prevent the possibility of their removal. In the face and in contempt of this resolution of the representatives of the people, and in violation of a positive law, the removal was ordered by the president a few months after, the secretary of the treasury removed from his place previously himself, to accomplish the object. And this brings me to consider the effect produced upon the business and interests of the country, by the

2d. Veto to which I alluded. It is well known to be the usage of banks, to act upon the standing average amount of their deposites, as upon a permanent fund. The Bank of the United States had regulated its transactions upon the deposites of the United States and had granted accommodations and extended facilities as far as could be safely done on that basis. The deposites were ordered and dispersed among various local banks, which were urged by an authority not likely to be disregarded, especially when seconding, as it did, their own pecuniary interests, to make liberal accommodations upon them. They did so; and thus these deposites performed a double office, by being the basis of bank facilities, first, in the hands of the Bank of the United States, and afterwards, in the hands of the local banks. A vast addition to the circulation of the country ensued, adding to that already so enormously put forth and putting forth by the multitude of new banks which were springing up, like mushrooms. That speculation and overtrading should have followed, were to have been naturally expected. It is surprising that there were not more. Prices rose enormously, as another consequence; and thousands were tempted, as is always the case in an advancing market, to hold on or to make purchases, under the hope of selling to a third buyer. A truth of this conclusion was made upon the public lands, and the money invested in their purchase, coming back to the deposite banks, was again and again loaned out to the same or other speculators, to make short and other purchases.

Who was to blame for this artificial and inflated state of things? Who for the speculation which was its natural offspring? Who, the guardians of government, which produced it, or the people? The seducer or the seduced? The people, who only used the means so abundantly supplied to them by the public authorities or our rulers, whose unwise policy tempted them into the ruinous speculation.

3. There was a measure, the passage of which would have greatly mitigated this unnatural state of things. But it was to forewarn, the public voice of the bank, some of the consequences that would follow. The multiplication of banks, a superabundant currency, rash and inordinate speculation, and a probable ultimate suspension of specie payments. And the public domain was too brilliant and tempting a prize, not to be among the first objects that the public authorities sought. In March, 1833, a bill passed both houses of congress, to distribute among the states the proceeds of sales of the public lands. It was a measure of strict justice to the states, and one of sound policy to the treasury revenue of the United States; but the view which I now propose to take of it, applies altogether to the influence which it would have exerted upon circulation and speculation. It was the constitutional duty of the president to have returned the bill to congress with his objections, if he were opposed to it, or with his sanction, if he approved it; but the bill fell by his arbitrarily withholding it from congress.

Let us here pause and consider what would have been the operation of that most timely and salutary measure, if it had not been arrested. The bill passed in 1833, and in a short time after, the sales of the public lands were made to an unprecedented extent; in so much, that in one year they amounted to about $25,000,000, and in a few years to an aggregate of about $50,000,000. It was manifest that, if this fund so rapidly accumulating, remained in the custody of the local banks, in conformity with the treasury circular, and with their interests, it would be made the basis of new loans, new accommodations, fresh bank facilities. It was manifest that the same sinistrous scene of money might, as it in fact did, pervade so many tracts of land, by making the circuit from the land offices to the banks, and from the banks to the land offices, besides stimulating speculation in other forms.

Under the operation of the measure of distribution, that great fund would have been semi-annually returned to the states, and would have been applied, under the direction of their respective legislatures, to various domestic and useful purposes. It would have fallen upon the land, like the rains of heaven, in gentle, genial and general showers, passing through a thousand rills, and fertilizing and beautifying the country. Instead of being employed in purposes of speculation, it would have been applied to the common benefit to the whole people. Finally, when the fund had accumulated and was accumulating in an alarming degree, it was distributed among the states by the authority of law, and not so suddenly distributed, in such large masses, and in a manner so totally in violation of all the laws and rules of finance, that the crisis of suspension in 1837 was greatly accelerated. This would have been postponed, if not altogether avoided, if the land bill of 1833 had been approved and executed.

Those three causes, fellow citizens, the veto of the Bank of the United States, with the consequent creation of innumerable local banks, the removal of the deposites of the United States from the Bank of the United States, and their subsequent free use, and the failure of the land bill of 1833, I verily believe, all, or nearly all of the pecuniary embarrassments of the country are plainly attributable. If the bank had been re-chartered, the public deposites suffered to remain undisturbed where the law required them to be made, and the land bill had gone into operation, there is no more confirmation that we should have had no more individual distress and ruin than is common, in ordinary and regular times, to a trading and commercial community.

And all this just once take a rapid review of the experiments of our rulers. They began with incontestibly the best currency in the world, and promised a better. That better currency was to be supplied by the local banks, and in the first stages of the experiment, after the removal of the deposites, they were highly commended from high authority, for their beneficial and extensive operations in exchange, the financial facilities which they afforded to the government, &c., &c. But the day of trouble and difficulty, which had been predicted, for the want of a United States bank, came. They could not stand the shock, but gave way, and the suspension of 1837 took place. Then what was the counsel of those same rulers! They had denounced and put down the Bank of the United States. It was now denounced, they had extolled and lavished praises on the local banks. Now, they turned round against the objects of their own creation and commendation. Now they were a brood of iniquity, monopoly and corruption, with separate privileges, preying upon the vitals of the state. They vehemently call out for a divorce of state and bank. And meanly retreating under the sub-treasury, from the storm which themselves had raised, leaving the people to suffer under all its pelting and pitiless rage, they add insult to injury, by telling them that they unreasonably expect too much from government, that they must take care of themselves, and that it is the highest and most patriotic duty of a free government, to take care of itself, without regard to the sufferings and distresses of the people.

They began with the best currency, promised a better, and end with giving none! For we might as well resort to the costumes of our original parents in the garden of Eden, as, in this enlightened age, with the example of the commercial world before us, to cramp this energetic and enterprising people by a circulation exclusively of the precious metals. Let us see how the matter stands with us here in Kentucky, and I believe we stand as well as the people do in most of the states. We have a circulation of about twenty millions amounting to about two millions and a half, founded upon specie in their vaults amounting to one million and a quarter, half the actual circulation. Have we too much money? [Not the slightest intimation of it.] If all banks were put down, and all bank paper were annihilated, we should have just one-half the money that we now have. I am quite sure that one of the immediate causes of our present difficulties, is a defect in quantity as well as the quality of the circulating medium. And it would be impossible, if we were reduced to such a region as is proposed by the hard money theorists, to avoid stop laws, relief laws, repudiation, bankruptcies and perhaps civil commotion.

I have traced the principal causes of the present embarrassed condition of the country. I have been with candor and fairness, and without giving offence to any of my fellow citizens, who may have differed in political opinion with me, to state the facts, and to form a correct estimate of my feelings to have dwelt, as I did in 1834, during the third year of the first term of President Jackson's administration, upon bright and cheering prospects of general prosperity. I thought it useful to contrast that period with the present one, and to inquire into the causes which have brought upon us such a sad and dismal reverse. A much more important object remains to be sought out, and that is to point out remedies for existing evils and disorders.

And the first I would suggest, requires the co-operation of the government and the people—it is economy and frugality, strict and persevering economy, both in public and private affairs. Government should incur or continue no expense that can be justly and honorably avoided, and individuals should do the same. The prosperity of the country has been impaired by causes operating throughout several years, and it will not be restored in a day or a year, perhaps not in period less then it has taken to destroy it. But we must not only be economical, we must be industrious, indefatigably industrious. An immense amount of capital has been wasted and squandered in visionary or unprofitable enterprises, public and private. It can only be reproduced by labor and saving.

The second remedy which I would suggest, and that without which all others must prove abortive or ineffectual, is a sound currency, uniform in value throughout the union, and redeemable in specie upon the demand of the holder. I know of but one mode in which that object can be accomplished, and that has stood the test of time and practical experience. If any other can be devised than a bank of the United States, which should be safe and certain, and free from the influence of government, and especially under the control of the executive department, I should for one, gladly see it embraced. I am not exclusively wedded to a bank of the United States nor do I desire to see it established against the will of the people. But all my observation and reflection have served to strengthen and confirm my conviction, that such an institution, emanating from the authority of the general government, properly restricted and guarded, with such improvements as experience has pointed out can alone supply a reliable currency.

Accordingly, at the extra session, a bill passed both houses of congress, which, in my opinion, contained an excellent charter, with one or two slight defects, which it was intended to cure by a supplement bill, if the bill had not been vetoed. That charter contained two new and I think admirable features; one was to separate the operation of issuing a circulation from that of banking, confiding these functions to different boards; and the other was to divide the dividends of the bank, bringing the excess, beyond the prescribed amount, into the public treasury. In the preparation of the charter, great care was taken that could be made to accommodate it, especially in regard to the president. But instead of meeting as in a mutual spirit of conciliation, he fired, as we aptly said by a Virginia editor, upon the flag of truce sent from the capitol.

Congress, anxious to fulfil the expectations of the people, another bank bill was prepared, in conformity with the plan of a bank sketched by the acting president in his veto message. After a previous consultation between him and some distinguished members of congress, and two leading members of his cabinet. The bill was shaped in precise conformity to his views, as communicated by those members of the cabinet, and as communicated to others, and was submitted to his inspection after it was so prepared, and he gave assurances that he would approve such a bill. I was no party to the transaction, but I do not entertain a doubt of what I state. The bill passed both houses of congress without any alteration or amendment whatever, and the veto was nevertheless again employed.

It is painful for me to advert to a grave occurrence marked by such dishonor and bad faith. Although the president, through his recognised organ, derides and denounces the whigs, and disowns being one; although he admonishes the executive branch of the government in contempt of their feelings and in violation of their principles; and although all whom he chooses to have denominated as ultra whigs, that is to say great body of the whig party, have come under his ban, and those of them in office are threatened with his expulsion, I wish not to say of him one word that is not due to truth and to our country. I will, however, say that, in my opinion, the whigs cannot be justly held responsible for his administration of the executive department, for the measures he may recommend, or his failure to recommend others, nor especially for the manner in which he distributes the public patronage. They will do their duty, I hope, towards the country, and have all good and proper support in government; but they ought not to be held accountable for his conduct. They elected him, it is true, but for another office, and he came into the present one by a lamentable visitation of providence. There had been no such instance occurring under the government. If the whigs were bound to scrutinize his opinions, in reference to an office which no one ever anticipated he would fill, he was bound in honor and good faith to decline the Harrisburg nomination, if he could not conscientiously co-operate with the principles that brought him into office. Had the president who was elected lived, had that honest and good man, on whose face, in that picture, we now gaze, been spared, I feel perfectly confident that all the measures which the principles of the whigs authorized the country to expect, including a bank of the United States, would have been carried.

But it may be said that a sound currency, such as I have described, is unattainable during the administration of Mr. Tyler. It will be, if it can only be obtained through the instrumentality of a bank of the United States, unless he changes his opinion, as he has done in regard to the bank bill.

Unfortunately, our chief magistrate possesses more powers, in some respects, than a king or queen of England. The crown is never separated from the nation, but is obliged to follow its lead. If the ministry holds opinions adverse to the nation, and is thrown into the minority in the house of commons, the crown is constrained to dismiss the ministry, and appoint one whose opinions coincide with the nation. This queen Victoria has recently been obliged to do; and not merely to change her ministry, but to dismiss the official attendants upon her person. But here, if the president holds an opinion adverse to that of congress and the nation upon important public measures, there is no remedy but upon the periodical return of the elections, which is slow.

Another remedy, powerfully demanded by the necessities of the times, and requisite to maintaining the currency in a sound state, is a tariff which will lessen importations from abroad, and tend to increase exertions in the domestic industry. I have so often expressed my views on this subject, and so recently in the senate of the United States, that I do not think, that it is necessary for me to enlarge upon it at this time. I do not think that an exorbitant or very high tariff is necessary; but one that shall insure an adequate revenue and reasonable protection; and it is not to be forgotten that the treasury and the wants of the people now perfectly coincide. Union is our highest and greatest interest. No one can look beyond its dissolution without horror and dismay. Harmony is essential to the preservation of the union. It was a leading, although not the only motive, in proposing the compromising act, to preserve that harmony. In the spirit of protecting the interests of our own country, can never be abandoned or surrendered to foreign nations, without a culpable dereliction of duty. Of this truth, all parts of the union are every day becoming more and more sensible. In the mean time this indispensable power should be exercised with a discretion and moderation, and in a form, least calculated to revive prejudices, or to check the progress of reforms now going on in public opinion.

In connection with a system of remedial measures, I shall only allude to, without stopping to dwell on, the distribution bill, which has occasioned excitement of a great national question, which sprung up during the revolutionary war, which has seriously agitated the country, and which is deeply to be regretted had not been settled ten years ago, as then proposed. Independent of all other considerations, the fluctuation in the receipts from sales of the public lands is so great and constant that it is a measure on which the general government ought not to rely for revenue. It is far better that the advice of a democratic land committee of the senate, at the head of which was the amiable and lamented William R. King, of Alabama, given some years ago, should be followed, that the federal treasury be replenished with duties on imports, without bringing into it any part of the land fund.

I have thus suggested measures of relief adapted to the present state of the country, and I have noticed some of the differences which unfortunately exist between the two leading parties which divide our people are unhapplily divided. In considering the question whether the counsels of the one or the other of these parties are wise, and best calculated to advance the interest, the honor and the prosperity of the nation, which every citizen ought to do, we should discard all passion and prejudice, and exercise, as far as possible, a perfect impartiality. And we should not confine our attention merely to the particular measures which those parties respectively espouse or oppose, but extend it to their general course and conduct, and to the ultimate purposes by which they are animated. We should anxiously inquire, whither shall we be led by following in the lead of one or the other of those parties—shall we be carried to the achievement of the glorious destiny, which patriots here, and the liberal portion of mankind every where, have fondly hoped awaits us? or shall we ingloriously terminate our career, by adding another melancholy example of the instability of human affairs, and the folly with which self-government is administered?

I do not arrogate to myself more impartiality, or greater freedom from party bias, than belongs to other men; but, unless I deceive myself, I think I have reached a time of life, and am now in a position of retirement, from which I can look back with calmness, and speak I hope, with candor and justice. I do not intend to attempt a general contrast between the two parties, as to their course, doctrines and spirit. That would be too extensive and laborious an undertaking for this occasion; but I propose to specify a few recent instances, in which I think, our political opponents have exhibited a spirit and bearing, disorganizing and dangerous to the permanency and stability of our institutions, and I invoke the serious and sober attention to them, of all who are here assembled.

The first I would notice is the manner in which territories have been lately admitted, as states into the union, in nearly and regular practice of government was for congress to pass previously a law authorising a convention, regulating the appointment of members to it; specifying the qualification of voters, &c. In that way most of the states were received. Of late, without any previous sanction or authority from congress, several territories have proceeded of themselves to call conventions, form constitutions, and demand admission into the union, and they were admitted. I do not deny that their population and condition entitled them to admission; but I think that it should have been done in the regular and established mode. In the case of Michigan, aliens were allowed to vote, as aliens have been allowed to become pre-emptioners in the public lands. I am no friend to the principle of allowing the proceeding. When foreigners are naturalized and incorporated, as citizens in our community, they are entitled to all the privileges, within the limits of the constitution, which belong to a native born citizen; and, if necessary, they should be protected, at home and abroad—the thunder of our artillery should be heard in their defence, and finally in their defence, if their birth were upon American soil. But I cannot but think it wrong and hazardous, to allow aliens, who have just landed upon our shores, who have not yet renounced all allegiance to foreign potentates, nor sworn fidelity to our constitution, with all the influences of monarchy and anarchy about them, to participate in our elections, and affect our institutions.

2. The New Jersey election case, in which the great seal of the state, and the decision of the local authorities were put aside by the house of representatives, and a majority thus secured to the democratic party.

3. Nullification, which is nothing more nor less than an assumption by one state to abrogate within its limits, a law passed by the 26 states in congress assembled.

4. A late revolutionary attempt in Maryland to subvert the existing government, and set up a new one without authority of law.

5. The refusal of a minority in the legislature of Tennessee, to co-operate with the majority, (their constitution requiring the presence of two-thirds of the members), to exercise a positive injunction of the United States to appoint two United States senators. In principle, that refusal was equivalent to announcing the willingness of that minority to dissolve the union. For if thirteen or fourteen of the twenty-six states were to refuse altogether to elect senators, a dissolution of the union would be the consequence. The majority, for weeks together, at time after time, deliberately refused to enter upon the election. And, if the union is not in fact dissolved, it is not because the principle involved would lead to such a dissolution, but because twelve or thirteen other states have not like themselves refused to perform a high constitutional duty. And why did they refuse? Simply because they apprehended the election to the senate of political opponents. The seats of the two Tennessee senators in the United States senate, are now vacant, and Tennessee has no voice in that branch of congress, in the general legislation. One of the highest compliments which I ever received, was to have been appointed, at a popular meeting in Tennessee, one of her senators, in conjunction with a distinguished senator from South Carolina, with all the authority that such an appointment could bestow. I repeat here an expression of my acknowledgments for the honor, which I most ambitiously resigned, when I gave up my dictatorship, and my seat as a Kentucky senator. [A general laugh.]

6. Then there is repudiation, that foul stain upon the American character, cast chiefly by the democrats of Mississippi, and which it will require years to efface from our bright escutcheon.

7. The support given to executive usurpations, and the expunging the records of the senate of the United States.

8. The recent refusal of state legislatures to pass

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laws to carry into effect the act of distribution, an act of congress passed according to all the forms of the constitution, after ample discussion and deliberate consideration, and after the lapse of ten years from the period it was first proposed. It is the duty of all to submit to the laws regularly passed. They may attempt to get them repealed, they have a right to test their validity before the judiciary, but whilst they remain in force they must be obeyed, and without any decision against their constitutional validity, submission to them is not merely a constitutional and legal but a moral duty. In this case it is true, that those who refuse to abide by them, only bite their own noses. But it is the *principle* of the refusal to which I call your attention. If a minority may refuse compliance with one law, why not another, minorities from disregarding all law? Is this any thing but a modification of nullification? What right have the servants of the people, (the legislative bodies), to withhold from their masters, their assigned quotas of a great public fund?

9. The last, though not least, instance of the manifestation of a spirit of disorganization, to which I shall notice, is the recent convulsion in Rhode Island.—That little but gallant and patriotic state had a charter derived from a British king, in operation between one and two hundred years. Under it she engrafted upon it laws and usages, from time to time, and altogether a practical constitution sprung up, which carried the state as one of the glorious thirteen, through the revolution, and down to 1842 solely into the union. Under it, her Greenes and Perrys and other distinguished men were born and have lived eminence. The legislature had called a convention to remedy whatever defects it had, and to adapt it to the progressive improvement of the age. In that work of reform the Dorr party might have co-operated, but, not choosing to wait, and acting in wanton defiance of all established authority, they undertook subsequently to call another convention. The result was two constitutions, not essentially differing in the principal point of controversy, the right of suffrage.

Upon submitting to the people that which was formed by the regular convention, a small majority voted against it, produced by a union in casting votes, between the Dorr party, and some of the friends of the old charter, who were opposed to any change. The other constitution, which was submitted to the people, an apparent majority voted for it, made up of every description of votes, legal and illegal, by proxy and otherwise, taken in the most irregular and unauthorised manner.

The Dorr party proceeded to put their constitution in operation, by electing him as the governor of the state, members to the new legislature and other officers. But they did not stop here; they proceeded to collect, to drill, and to marshal a military force and pointed their cannon against the arsenal of the state.

The president was called upon to interpose the power of the union to preserve the peace of the state, in conformity with an express provision of the federal constitution. And I have as much pleasure in expressing my opinion that he faithfully performed his duty, in responding to that call, as it gave me pain to be obliged to unimadvert on other parts of his conduct.

The leading presses of the democratic party at Washington, Albany, New York and Richmond, and elsewhere, came out in support of the Dorr party, encouraging them in their work of rebellion and treason. And when matters had got to a crisis, and the two parties were preparing for a civil war, and every hour it was expected to blaze out, a great Tammany meeting was held in the city of New York, headed by the leading men of the party, the Cambreleings, the Vanderpools, the Allens, &c. with a perfect knowledge that the authorities of the union was to be employed, if necessary, to suppress the insurrection, and, notwithstanding, they passed resolutions tending to awe the president, and to countenance and cheer the treason.

Fortunately, numbers of the Dorr party abandoned their chief, he fled, and Rhode Island, unaided by any actual force of the federal authority, proved herself able alone to maintain law, order and government within her borders.

I do not attribute to my fellow citizens here assembled, from whom I address, any sympathy, disposition to countenance the revolutionary proceedings in Rhode Island. I do not believe that they approve it. I do not believe that their party generally could approve it, nor some of the other examples of a spirit of disorganization which I have enumerated; but the misfortune is, in time of high party excitement, that the leaders commit themselves, and finally consult the body of their party, who perceive that unless they stand by and sustain their leaders, a division and perhaps destruction of the party would be the consequence. Of all the springs of human action, party ties are perhaps the most powerful. Interest has been supposed to be more so; but party ties are more influential, unless they are regarded as a modification of imaginary interest. Under their sway, we have seen not only individuals but whole communities abandon their long cherished interests and principles, and turn round and oppose them with violence.

Did not the party ties of Rhode Island induce its support a precedent established by the majority in congress, in the irregular admission of territories, as states, into the union, to which I have heretofore alluded? Is there not reason to fear that the example which congress had previously presented encouraged the Rhode Island rebellion?

It has been attempted to defend that rebellion upon the doctrines of the American Declaration of Independence; but no countenance to it can be fairly derived from them. That Declaration asserts, it is true, that whenever a government becomes destructive of the ends of life, liberty and the pursuit of happiness, for the security of which it was instituted, it is the right of the people to alter or abolish it, and institute new government, and so undoubtedly it is. But this is a right only to be exercised in grave and extreme cases. "Prudence indeed will dictate," says that renowned document, "that governments long established should not be changed for light and transient causes." "But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, their duty, to throw off such government."

Will it be pretended that the actual government of Rhode Island is destructive of life, liberty, or the pursuit of happiness? That it has perpetrated a long train of abuses and usurpations, pursuing the same invariable object, evincing a design to reduce them under despotism? Or that any other cause of complaint existed but such as might be peacefully remedied, without violence and without blood? Such, as in point of fact, the legislature and convention of that country promised a convention to redress, but for the results of whose deliberations the restless spirit of disorder and rebellion had not patience to wait? Would, fellow citizens, little Rhody (God bless and preserve her,) is one of the most prosperous, enterprising and enlightened states in this whole union. No where are life, liberty, and property more fully secured.

How is this right of the people to abolish an existing government, and to set up a new one to be practically exercised? Our revolutionary ancestors did not tell us by rules, but they practised it by gallant and noble deeds. Who are the people that can tear up the whole fabric of human society, whenever and as often as caprice or passion may prompt them? When all the arrangements and ordinances of existing and organized society are prostrated and subverted, as must be supposed in such a lawless and irregular movement as that in Rhode Island, the established privileges and distinctions between the sexes, between the colors, between the ages, between natives and foreigners, between the sane and the insane, and between the moneyed and the little guilty control, all the offspring of positive institutions, are cast down and abolished, and society is thrown into one heterogeneous and unregulated mass. And is it contended that the most part of the Dorr congregation is intended with the right to build up, at its pleasure, a new government? That as often, and whenever society can be drummed up and thrown into such a shapeless mass, the same right of it may establish another, and another new government in endless succession? Why this would overturn all social organization, make revolutions—the extreme and last resort of an oppressed people—the commonest occurrences of human life, and the standing order of the day. How such a principle would operate in a certain section of this union, with a peculiar population, you best understand yourselves. No community could endure such an intolerable state of things any where, and all would, sooner or later, take refuge, from such ceaseless agitation, in the calm repose of absolute despotism.

I know of no mode by which an existing government can be overthrown and put aside, and a new one erected in its place but by the consent or authority of that government, express or implied, or by forcible resistance, that is revolution.

Fellow citizens: I have enumerated these examples of a dangerous spirit of disorganization, without regard of law, with no purpose of giving offence, or exciting bitter and unkind feelings, here or elsewhere; but to illustrate the principles, character and tendency of the two great parties into which this country is divided. In all of these examples, the democratic party, as it calls itself, (a denomination to which I respectfully think it has not the least just pretension,) or large portions of that party, extending to whole states, united with apparent cordiality. To all of them the whig party was constantly and firmly opposed. And now let me ask you, in all candor and sincerity, to say truly and impartially to which of these two parties can the interests, the happiness, and the destinies of this great people be most safely confided? I appeal especially, and with perfect confidence, to the candor of the real, the ancient and long-tried democracy—that old republican party with whom I stood, side by side, during some of the darkest days of the republic, in seasons of both war and peace.

Fellow citizens of all parties! The present situation of our country is one of unexampled distress and difficulty; but there is no occasion for any despondency. A kind and bountiful Providence has never deserted us—punished us be, perhaps, has, for our sins, but has blessings and our mildreds. We have a varied and fertile soil, a genial climate and free institutions. Our whole land is covered, in profusion, with the means of subsistence and the comforts of life. Our gallant ship, it is unfortunately true, lies helpless, tossed on a tempestuous sea, amidst the conflicting billows of contending parties, without a rudder and without a faithful pilot. But that ship is our country, embodying all our past glory, all our future hopes. Its crew is our whole people, by whatever political denomination they are known. If she goes down, all go down together. Let us remember the dying words of the gallant and lamented Lawrence. Don't give up the ship. The glorious banner of our country, with its unstained stars and stripes, floats still in the breeze. With stout hearts and strong arms we can surmount all our difficulties. Let us all—all—rally around that banner and firmly resolve to perpetuate our liberties and again our last prosperity.

Whigs! Arouse from the ignoble supineness which encompasses you—awake from the lethargy in which you be bound—cast from you that unworthy apathy which seems to make you indifferent to the fate of your country—Arouse, awake, shake off the dew drops that glitter on your garments, and once more marshal your ranks for the fray. You have been betrayed, deceived, betrayed—shamefully deceived and betrayed. But will you therefore also prove false and faithless to your country, or obey the impulses of a vindictive and unforgiving spirit? As for Captain Tyler, he is a mere snap—a flash in the pan; pick your whig flints and try your rifles again.

The conclusion of the speech was followed with general and tremendous cheering, and the largest, and one of the most respectable multitudes ever assembled in Kentucky, dispersed, without a solitary instance of disorder or indecorum occurring.

TWENTY-SEVENTH CONGRESS.

SECOND SESSION.

SENATE.

June 30. The Indian appropriation bill received from the house was read twice and referred to the committee on finance.

Mr. *Barbour* presented additional memorials in favor of the tariff.

Mr. *Preston* presented a petition from citizens of Charleston, South Carolina, asking the imposition of a tax on goods sold at auction.

The bill for compensation to Massachusetts for services of her militia during the last war coming up, Mr. *King* offered a proviso restricting the application of the money to compensation of such troops as had been actually employed in the service of the United States. It would, he said, be remembered that the governor of Massachusetts had refused to call out the militia for the public defence when the president had made a requisition on him so to do. If then, these troops had taken the field for Massachusetts only, it was she who should pay them.

Mr. *Bates* resisted the claim. First of all, he must insist, he said, that this was a claim long ago adjudged by previous legislation. As far back as 1826, congress had ordered the department of war to examine and report upon it, and it was submitted to the most rigid scrutiny, and the justice of a large part of it acknowledged by the most scrupulous public officers. It was true that, in 1812, when the president made a requisition on the militia of Massachusetts, Governor Strong had, upon certain state rights notions, refused compliance. It should, however, be remembered that the war in question was the first we had seen under the constitution; and doubts as to the powers of the government, in things relating to the war power, might very naturally and very excusably have been acted upon, especially under those party influences which then prevailed. A fresh act of congress in 1830 directed the secretary at war to settle these claims in favor of all such troops as had been called to the field to repel invasion, whether actual or threatened. The secretary, on looking into the facts, decided that the case

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of these troops met the conditions in the act. He might well so decide. The coast of Massachusetts was then blockaded, through its entire extent, by a British squadron of 6 ships of the line, 8 frigates, and many smaller vessels. In the fortifications on the coast, there were few or no troops, and the entire seaboard might be said to be open to the enemy. Descents, indeed, were soon made at may points. To ward off the danger, the militia was brought into the field, at the national expense, not her whole militia, nor even as many as were needed for the conjuncture, but a body of 3,700—as many from the far interior as were required in addition to those of the coast. The latter were organized, trained, and kept, to the number of 16,000, ready for the field at an instant's notice; but they were not formally made to take the field, although really serving every purpose of defence—every purpose but that of a demand on the treasury.

What was the fact elsewhere? Virginia, under like circumstances, had 17,000 men under arms; for nearly all of whom she has been compensated.

It was on these facts, and with this authority from congress, that the secretary decided on these claims; deciding, there can be no question, right.

Further resolutions were passed, in 1832 and 1836, instructing the secretary to proceed in examining those claims and settling them in conformity with the act of 1830. In the resolution of the last named year, the secretary was directed to proceed by proof less formal and to admit those claims of which the evidence satisfied him. Under these fresh instructions, the matter was once more set about, in July, 1837. Notice was given to the special agent of the state. By him, much fresh evidence was introduced. Of the claims actually liquidated by the state, the large amount of $129,000 was rejected. The remainder, the $249,000 now in question, was admitted.

Such, then, said Mr. B., have been the decisions of your own legislation, your own commissioners, your own appointed agents and judge. The other claims of all other states have been settled. As to Massachusetts, she asks nothing but justice; and that justice I am sure she will receive at the hands of the senate.

Mr. *Allen* asked whether the militia for whom compensation was now asked were under the orders or officers of the United States?

Mr. *Bayle* replied that certain portions were; and that the rest had been directed to come strictly within the constitutional provision, which requires that when the militia are called out to repel invasion, actual or probable, they are to be held as in the service of the United States.

Mr. *Cheate* insisted that the senator from Ohio was asking to set aside a decision already made. The objections now urged had long ago been considered and overthrown. It was true that the conduct of the governor, in the outset, had created a repugnance to even the just claims afterwards preferred. But the act of 1830 had settled all this, and established the rights of Massachusetts. It was clear that the general government had been unable to acquit itself of its duty of defending Massachusetts, and that her men, therefore, her troops turned out to fight, they were to be paid for doing what the United States were bound to do.

Mr. *Sevier* said he was ready to vote every dollar due to any man who had fought for his country; but he could not consider Gov. Strong, or the men of the Hartford convention, as having acted a loyal part. It was too like having the heirs of Benedict Arnold come here with a claim for their father's revolutionary services. If the claim was of this character, old or new, law or no law, he would not give it to them. He did not think the alliance was made in due conformity with the law of 1830.

Mr. *Tappan* spoke with considerable asperity of Gov. Strong, and contented himself with asserting that Massachusetts had through the war refused to profitable a commerce with the enemy, that she ought to be content with a moderate compensation to her patriotic militia.

Mr. *Evans* assured the Ohio senator that he misconceived the claim and its grounds. The refusal was in 1812, on an act of congress calling out the militia of all the states. The governor refused to order out the militia of Massachusetts: there was no invasion: and it was therefore unnecessary. Thus far the governor was right and the president wrong. But in 1814 invasion was really at hand, and Massachusetts was not only left to defend herself, but with means diminished by the number of men drawn from her population by enlistment and sent beyond her borders. What had these different and latter transactions to do with Gov. Strong or his conduct of 1812? Mr. E. here referred to the parallel cases of Maine, the Florida war, and various others, to show that the claim of pay was not diminished by the fact that an invasion had rendered it necessary that troops should take the field without waiting for orders from the general government. As to their being placed under the orders of United States officers, they were not, for the simple reason that none had been sent, and that there were none to send.

The question, therefore, was to strike out the fifth section; it was negatived. Several amendments relative to rations, were adopted and the bill ordered to be engrossed and read a third reading.

The bill to provide further remedial justice in the courts of the United States, (in reference to the McLeod case), was taken up.

Mr. *Wright* addressed the senate in opposition to it, and considered it as calculated to bring the national government into collisions with the states.

The senate then adjourned.

JULY 1. Mr. *Buchanan* presented a memorial from a mass meeting of the citizens of Pittsburg and its vicinity held on the 22d June in favor of a protective tariff.

The call for the meeting had 1,400 hundred signatures without distinction of party. Mr. B. said that a more propitious moment for adjusting the tariff question upon a permanent and satisfactory basis never existed. And if dedefeated, it would be from its being unnaturally connected with the distribution scheme. He was in favor of discrimination for those articles that would render us independent of foreign nations in time of war. He concurred with general Jackson's message of January 16, 1833, in relation to the South Carolina controversy, that it would not be proper to provide that the same rate of duty shall be imposed upon the protected articles that shall be imposed upon the unprotected." No nation had ever adopted a uniform horizontal scale of duties on all articles. He would not consent to raise one cent of revenue more than for an economical expenditure of the government. He would discriminate in favor of all the great interests of the country, and it might possibly be necessary under extraordinary circumstances to counteract thereby the legislation of foreign countries.

Mr. *Woodbury* said that, as he was ready to notice given yesterday, he would ask leave to bring in two bills, viz:

A bill to extend for a time the laws for levying and collecting duties on imports, and to provide a system of home valuation on goods imported into the United States.

Mr. *Huntington* desired before the question was taken to have the bills read, and if they are what he expected, he desired to make a remark or two.

The bills were then read the first time:

The first proposes that all duties in force on the 3d June, 1842, fixing a rate of duties and prescribing the mode of appraisement, &c. shall continue the same as they existed on that day until otherwise provided for by law, and that until such arrangement, the amount shall in no case, after the 3d June, be higher than what is equivalent to 20 per cent. on the value of the articles imported.

The other in relation to home valuation reads thus:

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That hereafter the valuation of goods imported into the United States shall be ascertained and regulated at the port where the same shall be entered as follows:

1st. The value allowed at the place of exportation shall be fixed in the manner prescribed in "an act to alter and amend the several acts imposing duties on imports," passed July 14, 1832, and with a view to cover charges, freight, and all matters usually increasing the value have over that abroad, there shall be added 30 per cent. on all imports from beyond the Cape of Good Hope, and 15 per cent. in all cases of imports from this side of the Cape of Good Hope. And the valuation so obtained and made shall be considered the home valuation of such imports on the value thereof at the port where entered for all purposes of assessing duties thereon.

Mr. *Huntington* regarded the purpose which the gentleman had in view as such as he was bound to concur in, as far as it was possible to do. That purpose, he had no doubt, was to give effect to the existing revenue laws. An objection, however, of of the most insuperable sort seemed to him to present itself against such action in this body. The intended bill was one to raise revenue. It was not competent for the senate to originate such an one. The constitution directly forbade it. If it was contended that the bill was meant only to enable money, a revenue, to be raised under laws already in being, but not capable of being carried into effect, he should answer that it was still the same thing in substance. It is a law to put money into the treasury—a law to collect a revenue which you cannot now collect. What, (he asked), were the precedents? The compromise act of 1833, though framed in this house, was held beyond our competency to originate, and therefore brought first into the other. A like course had been observed as to bills authorising the issue of treasury notes. They were laid to be revenue bills, and so committed, in the first instance, to the action of the other house. In like manner of a proposal by one of the Missouri senators to lay a tax on bank paper: it was held to be beyond the senate's power

But the ground already taken by many members of this body, as to our present situation, is that we have no longer any revenue law in force. He himself had not been blind to the approaching condition of the country, and had urged upon the senate the necessity of providing for the state of things that has now actually happened. If this most serious public difficulty has, after all, overtaken us, whose is the fault? Can it be imputed to congress? Certainly not, with the least regard to facts.

The president is, it seems, "advised" that the collection of the revenue can go forward. By whom is he so advised? Surely not by his secretary of the treasury, the officer having the especial charge and responsibility of these matters. He has told us as a very different, nay, directly opposite language.—There will and there can be but one judicial opinion on the matter, and that will be, that there is an entire and absolute defect of all law providing and regulating the mode of laying this home valuation, which is an essential, an indispensable part of the act, the provisions of which can alone go into force at present.

Mr. H. proceeded to show, historically, that at the passage of the compromise act it was agreed on all hands that subsequent legislation would be necessary to carry into effect the provisions of a home valuation. Mr. CLAY said that it was embodied in the act only as a principle; its form was to be settled in their leisure. It would be for future legislation to see what shape could be given to that principle. He opposed all amendments, urging that to fix the details was yet impracticable. Mr. H. cited like deliberations by the other leading senators who took part in the matter—Messrs. Poindexter, Moore, Clayton and others. Mr. *Calhoun* said distinctly, that he should acquiesce in the principle, as a matter to be settled, by after legislation, in a form that should harmonize with the spirit of the bill.

He proceeded to show the misconception into which the president had fallen as to the powers conferred on him by the compromise act. This act made the valuation a thing "to be regulated by law," at or before 1842. Now, in that of 1832, the president of the secretary of the treasury was proved to prepare rules for the appraisers under the olden mode of valuation. But the terms and the powers are totally different; and it is a strange mal-interpretation, thus to substitute one of these expressions for the other.

Finally, Mr. H. showed that Mr. Dickinson of New Jersey, had actually proposed to give the president and secretary the very power now claimed, and it was resisted by various leading members, on the ground that it ought to be left for future legislation; and the motion was rejected without a division.

Mr. *Woodbury* considered this no revenue bill, but one to maintain the duties, and to preserve the old regulations. He intended the law as a declaratory one.

Mr. *Evans* considered the bills such as the senate could not originate. If we have revenue laws, this measure is unnecessary; and if we have not, this proposition is incompetent to create them. Mr. *Woodbury* considers them a mere machinery; but the president assumes that he needs no such machinery.

Mr. *Bayle* considered it as a much greater calamitous, the inevitable consequence of which incompetency. His friends had no tears to shed over the fall of the distribution act or bank. The government was certainly in a deplorable condition. Loans could not be got; treasury notes were falling lower and lower; there was not merely an insufficient revenue, but none. In short the government was aground—a wreck bulk. This was the result of fifteen months of whig power.

Mr. *Crittenden* after touching upon the anomalous condition of things, and of consequent public spirit in which the member from New Hampshire was endeavoring to fashion out something that might extricate the country from its actual embarrassments, said, that he believed he but expressed the feelings which pressed upon all around him, when he confessed that the entire aspect of affairs affected him with deep sadness. He had for some time past been struggling with a deep and a growing feeling, that, under the actual administration, this government was in a course of dissolution, and every fresh event seemed but to hasten us on to that catastrophe.

Amidst so much private misfortune, and the gloom of public affairs so disastrous, surely the country, it

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sufferings and its danger, might claim the surrender of every meaner feeling, and party might be forgotten. Yet the gentleman from Ohio was ready to call up nothing else but the fruitless bitterness of party reproaches. What avails, let me ask him, this exclamatory patriotism and statesmanship? What, but to dissipate, to divide, to fritter down every high and useful purpose? But is it not, besides, an intolerable egotism in the gentleman to assume all stability, all patriotism, all power, and all will to serve and to guide the country, were his only and his friends? Had the gentleman such a divinity of genius that, from his celestial height, he looks down with pity and contempt upon the puny struggles of all such mere mortals as his adversaries? Is this the patriotic spirit in which he looks upon public events, so unhappy and so alarming? If there be no capacity but on his side, why has it not been exerted? Surely to such an ascendency of talent some responsibility must attach.

But why look so far—why look to those more high-less than he, when the cause and the fault are directly and visibly before him? What need he to look beyond the sole of two days since? Why talk of the extremities, when disease is at the very vitals of your government? Sir, it is a political affection of the heart. Your president is the direct and immediate cause of this malady that rankles in the very central seat of the system. Your president is the malady himself. Yet gentlemen ask why we did not legislate? We did. Not as befitted an independent legislature, consulting only their own prudence and sense of public duty, but in a bill shaped by our opinions, unnerved of our own purposes, to avert the presidential displeasure. Congress was reduced to collect from the voice of your president the mandate that causes that were to shape its performance of its high functions. And yet, after all this degrading submission, what have we? A fresh veto!

Gentlemen declaim about the veto bill, and find in it topics for patriotic denunciation. Yet is there not here a question of infinitely higher consequence? a question whether or not this legislature is to be a mere shadow of imperial will—a register of imperial edicts? I appeal to honorable gentlemen whether we have not, under these unhappy circumstances, a higher duty to perform than this of party attack or defence?

Mr. C. went on to say that, if there had been here a serious constitutional doubt, or even any grave question of public expediency, he would not be misstood the president. But this was a matter of ordinary law, of an expediency the most limited and temporary. It was obvious that this great, this immate executive power was no longer to be suspended on high as a rare and solemn resort. It was now to be put on, day by day, as the little midshipman wears his fire-weapon, and fire it off on almost all occasions. We could, too, have better endured our own official degradation, if it had been a Julius Cæsar or an Andrew Jackson—something great and heroic, having pretext, Mr. S. made a long report, accompanied by a bill, the reading of which was dispensed with, and 3,000 extra copies ordered to be printed.

The bill further to extend remedial justice in the courts of the United States was then taken up; when Mr. Smith, of Conn. addressed the senate at some length against the provisions of the bill.

The debate was further continued, and amendments proposed.

Mr. Berrien thought the amendments too important to be disposed of lightly; and the further consideration of this bill was postponed until Tuesday next, and the amendments ordered to be printed.

The senate then proceeded to the consideration of executive business; and, after some time spent therein, adjourned.

JULY 2. A message from the president of the United States was laid before the senate by the president recommending a final adjustment of the claim of the marquis of Maison Rouge.

A memorial was presented by Mr. Buchanan from citizens of Pennsylvania asking the creation of a stock of 200 millions, with a view to the establishment of a sound currency.

Mr. Young presented a memorial from miners of Wisconsan and Illinois against the sale of lead mines.

Mr. Evans from the committee of finance reported back the bill from the house, without amendment making appropriations for the Indian department.

Mr. Linn submitted a resolution that a committee of four be appointed to concert with Professor Espy for the ventilation of the senate chamber.

Mr. Bagby submitted a resolution that the secretary of the navy cause a scientific examination to be made of Captain Easton's reported invention to prevent explosion of steam boilers. The resolutions lie over.

The bill to refund the balance due to Massachusetts for militia services during the late war was taken up, discussed, ordered to be engrossed, and finally passed.

The senate then proceeded with the private calendar. The bill for the relief of the legal representatives of the late general William Hull, met with opposition from Messrs. King, Tappan and Woodbury, and was supported by Mr. Woodbridge.

Mr. Clayton remarked that the committee had investigated it at length, and that they had not believed his arrest should bar his right to a salary until he was dismissed. Its farther consideration was then postponed. The senate adjourned to Tuesday next the 5th July.

JULY 5. Various petitions and memorials were presented, and several local and private bills disposed of, and the senate adjourned.

JULY 6. Mr. Miller presented the credentials of the hon. Wm. L. Dayton, appointed by the governor of New Jersey to supply the place of the late Samuel L. Southard.

Mr. Dayton, after being duly qualified, took his seat.

Mr. Calhoun, who had been absent for some days, appeared in his seat.

The senate proceeded to the consideration of the bill further supplementary to an act entitled "an act to establish the judicial courts of the United States," passed 24th September, 1789.

The bill was again discussed at length by Messrs. Berrien, Wright, Huntington, Buchanan, Choate, Conrad, and others; and, after some amendments, was ordered to be engrossed.

After transaction of business chiefly of private concern, the senate then adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, JUNE 30. Mr. Fillmore, from the committee on ways and means, reported a resolution following resolution, which was read for information, and, without debate or division, was adopted:

Resolved, That the secretary of the treasury be required to inform this house whether any order, direction, or circular, for the collection of duties after the 30th of June, 1842, has been issued by or under the direction of the treasury department; and, if so, that he furnish this house with a copy thereof; and that he be also required to inform this house, if he is still of opinion, as expressed in his finance report at the commencement of this session, "that it may well be questioned whether ad valorem duties can be collected after the 30th of June," and if his opinion has undergone a change, that he will communicate the reasons which have caused this change.

Mr. Weller asked leave to introduce a bill to extend the present laws for laying and collecting duties on imports, until the 4th March next; the same bill otherwise, as the provisional tariff bill, (reted on yesterday,) with the exception of its distribution proviso, and substituting in place of the words, "laws existing and in force," the words, "laws existing and in actual operation."

Mr. Fillmore objected; and Mr. Barnard raised the question whether the bill was in order, while there was another bill, on the same subject, pending before the house.

Mr. Weller moved a suspension of the rules, and the question being about to be taken,

Mr. Cooper of Pa., moved to lay the motion (of Mr. W.) on the table.

Mr. Everett hoped the gentlemen from Pennsylvania (Mr. C.) would withdraw his motion. This bill was the measure of protection that this administration wished to give.

Mr. Cooper did not persist in his motion.

The question, shall the rules be suspended? was then taken and decided in the negative, yeas 96, nays 106.

So the bill was not introduced.

Mr. Roosevelt, with a view for remedying the prospective evils (apprehended in consequence of a revenue, of flooding this country with imported goods, moved that the rules be suspended for the purpose of considering the following bill.

An act to remove certain doubts in the interpretation of the existing laws for the collection of duties on imports.

Be it enacted by the senate and house of representatives of the United States of America in Congress assembled, That it is the duty of the secretary of the treasury, under the direction of the president of the United States, from time to time, until otherwise ordered by congress, to establish such rules and regulations, not inconsistent with the laws of the United States, as the president shall think proper, to secure a just, faithful, and impartial appraisal of all goods, wares, and merchandise imported into the United States, according to the value thereof at the port where the same shall be entered; and such rules and regulations shall be deemed and taken to be regulations authorized by law within the meaning of the act of the 2d March, 1833, commonly called the compromise act.

Mr. Roosevelt was about to throw himself on the indulgence of the house to state the objection thereof, but objection was made, and amid calls of order, he contented himself with demanding the yeas and nays.

The question was then put, shall the rules be suspended? and by yeas 91, nays 112, it was negatived.

The house then resumed the consideration of the veto message.

Mr. Briggs, of Massachusetts, arose. He said that after this day, by the provisions of the compromise act, all duties on foreign goods were to fall down to 20 per cent., and all between imports which are to be valued under such rules and regulations as should be prescribed by law. No such rules and regulations had been prescribed. To prevent the difficulties which would result in the absence of such rules, the committee of ways and means had reported a bill to the house simply continuing the present existing law until the 1st August, and postponing all questions relating to the tariff and distribution, until the 1st August, in order to allow of their being more fully discussed and acted upon in the interval. This proposition was, he thought, for numerous necessary purposes which he would not now expatiate upon. The bill went to the president, and he has returned it with his reasons for not signing it. It now becomes a duty, in the discussion, to examine those reasons, and if they be sufficient, to yield to them and recede; if, on the other hand, they be insufficient, then it was the duty of the house to do what seemed to we have taken. Mr. B. then proceeded to the president's reasons, and expatiated on the futility of the charge that it conflicted with any compromise. The president on the contrary, had, through his secretary of the treasury, he was authorised to carry in effect the provisions of the compromise law without further legislation by congress. Mr. B. read from the bill, "that on and after the 30th June, 1842, required to be assessed "on the value thereof at the port where entered," and "under such regulations as may be prescribed by law." And yet the message said they were to be collected under such regulations as might be prescribed by the secretary of the treasury. The word "may" is here a mere permissive word. The word "shall," and in such contexts of the kind contemplate that the regulations shall be fixed by law. One clause in his message said that this bill directed distribution to be made on the 1st August next. It provided no such thing; it merely postponed an act already passed, the distribution act, from taking effect before that period, and then whether it should take place was to be determined by other laws. One of the objections set forth in the message was, that this bill abrogated, suspended, or repealed existing laws. For what are we sent here, if not to alter existing laws? This was no just reason *per se* for throwing away the bill. As to the distribution act, it was not a party measure. At the passage of the distribution act in 1833, seven Jackson senators and twenty-six Jackson representatives voted for it. It received more than a two-third vote in the house, and the "old hero," fearing that it would become a law in spite of his veto, refused to return the bill with his objections. From that day to this, distribution had been one of the great principles of the whig party. He appealed to his colleague (Mr. Weller) to speak out! He and they had advocated it on broader grounds than for mere revenue. The "old hero" himself had declared in a message to congress, that this fund ought not to belong to the government, but to the states. This fund belonged to the people and not to the government. This had been announced, too, by the very present chief magistrate, in a message made by him to the Virginia legislature, which had done him honor. Mr. B. was opposed also to giving up the land proceeds to the national revenue, on account of the great objection that a reliance upon it introduces into the national revenue. Another objection was, that by the distribution act 500,000 acres of land had been passed into the hands of seven of the new states of the union, and a provision was contained in it, that where other new states were admitted, they should also receive this amount. These 500,000 acres, at the government price, were valued at $750,000. They were now called on to strike the old states entirely from any of the benefits which the new states received from the public domain. This would be

another reason against his receding from the distribution act. Mr. B. remarked upon the veto power, denied that we took it from the Roman government, denied that we had such relations in American institutions as Roman plebeians and Roman patricians. Was this glorious privilege of universal suffrage in full enjoyment at Rome? The veto was not a legislative power; for 150 years past it has been exercised in England but once, and it was from the English constitution that we have borrowed it, despite of the objections against it advanced by Franklin and others.

His colleague had said that the issue was not between this house and the president, but between this house and the people. Had this house no issue with the people that had raised him to his office? Did any man doubt that an almost overwhelming portion of the party which had placed him in power was in favor of distribution? The president, on this temporary measure, seemed to have leaped before he came to the style. His colleague had said, that the house was making an issue with the president! So far as he (Mr. B.) was concerned, he had no such miserable views. Let them as statesmen, as representatives of a free people, as patriots, perform these things which in their judgment and their conscience, and he had no doubt the result would be such as would be satisfactory to their constituents.

Mr. *A. H. H. Stuart*, of Virginia, said that the president exercised veto upon the grounds of expediency alone, and not upon any conscientious or constitutional scruples. He withholds his assent because of its supposed conflict with the compromise act of 1833. I take issue with the president in regard to this matter of fact, and maintain that there is no such conflict. The president's particular point of objection is the necessary barrier which the act contemplates a prospective distribution of the land proceeds. Now, conceding that the president has put a correct construction on our act, I aver that it is no violation of the compromise act to withdraw the land proceeds from the ordinary purposes of the government, and distribute them among the states. On the contrary, I maintain that the compromise act contemplates the distribution of the land proceeds, that the *distribution was one of the essential elements of the compromise*, and that the *failure to distribute the land fund now would of itself be a violation of the true understanding of those who adopted the compromise*, and a palpable fraud upon the rights of one of the parties to it. The act of 1833, provides that after 30 per cent. after June 30, 1842, reads thus, "and such duties shall be laid for the purpose of raising revenue as may be necessary to an economical administration of the government." The language is broad and comprehensive; it does not provide that "such duties shall be levied as may be necessary in *aid of the land fund*, or any other fund, for the purposes of the government." It provides that *such duties* shall be levied *as may be necessary*. This language excludes the idea of a land fund, of a direct tax, or of excise. It is confined to duties, and the *amount* of those duties is to be regulated by the wants of the government economically administered. There is no other standard prescribed for estimating the amount, than the wants of the government economically administered. The land proceeds constitute no element in forming this estimate. Hence, I conclude, that the sound construction of the language of the compromise act restricts the sources of our revenues to such *duties* as are *of themselves* necessary, independent of direct taxes, of excises, of the land fund, or any other fund, to an economical administration of the government.

Such is the view I derive from the *language* of the act. Let us see how far this construction is sustained by the history of the act and of the conflicting views of those kindred subjects of distribution and imposts. The land distribution bill passed the senate on the 25th January, 1833, and was communicated to the house for its concurrence. The bill, though there was an ascertained majority of two to one in its favor, being at that time engaged in the all engrossing subject of a tariff bill, now lay immediate upon the subject. On the 25th of February, 1833, just one month after the passage of the land bill through the senate, Mr. Letcher, of Kentucky, introduced the compromise bill as a substitute for the tariff bill then pending before the house, and on the 26th Feb. (see journal house of repr. page 428,) one month and one day after the passage of the land bill through the senate, the house passed the compromise bill and sent it to the senate. The two houses, then, were contemporaneously engaged in the consideration of the two bills—the house of representatives having the land bill before it, and the senate the compromise set. These subjects progressed together; and, finally, on the first day of March, 1833, the senate passed the compromise bill as a substitute for the land bill, the house gave its sanction to the land bill, with an amendment, which was promptly concurred in by the senate. Both bills were then sent to the president, who signed the tariff bill, but withheld his assent from the land bill, whereby it was lost. Who can doubt, from this simple narration of facts, independently of every other consideration, that these two bills had a mutual relation to each other that they were connected together in the minds of those who passed them; that they had a mutual dependence upon each other; and that, together, they constituted the grand system which harmonized and adjusted for the time the difficulties which had shaken this Union to its centre? Or who can for a moment believe that it entered into the contemplation of congress to let the land bill, which had been made a source of the permanent revenue of the country at the very time that they were, by a solemn legislative act, pledged to give it to the states, forever? Here Mr. *Pickens*, of South Carolina, interrupted Mr. S. and asked him to state what was the limitation of that land bill?

Mr. *Stuart* replied that the bill provided for a distribution for five years; but he submitted it to Mr. *Pickens* to say whether it was not regarded as a *permanent* system, of which the bill introduced by Mr. Clay so had the permanent. Was it not discussed as a permanent system? Was it not rested on reason which applied to a permanent system?

As I not then sustained the distribution contained in the construction which I have given to the compromise act by the whole context of circumstances which attended its inception, its progress through the two houses, and its final consummation?

But there are other circumstances, springing out of the peculiar condition of the country at the time of the passage of the compromise bill, which tend to throw a flood of light upon its true meaning and objects. We must look to the purposes which were to be accomplished, to the interests which were to be compromised, to the sources of difficulties which were to be adjusted, and to the motives and reasons which influenced the parties interested, before we can have a right apprehension of the true scope and bearing of this important act. I propose very briefly to advert to some of them.

Mr. S. here referred to the situation of the country at that period; the act of nullification of South Carolina, the passage of the force bill, the array of hostile troops at Charleston, and congress with but eight days before the day on which it was to adjourn; the general suspense and gloom that overhung the country, and the necessity of adopting a compromise act, which averted from the Union the civil war which threatened to sunder it. To understand the precise nature of the difficulties which were arranged, it is necessary to advert to the points which were the subjects of dispute, and to the respective pretensions of the two parties. The controversy was between the two extreme south states. The north contended for protection to its great interests by a system of import duties. The south repudiated the whole doctrine of protection, and insisted that duties should be levied down to the revenue standard. These were the extreme positions, and fortunately, the compromise assumed a middle ground between them. The south having demanded an *immediate* reduction of the *duties on imports* to the revenue standard, the north declined acceding to the proposition to the full extent, but agreed that a gradual reduction of the duties should be made, which at the end of nine years would bring those *duties* down to the revenue standard. The north thereby gained for their manufacturing interests a temporary but gradually diminishing protection, and the south gained an ultimate approximation to their doctrines of free trade. As equivalent for these concessions, other stipulations were made, which are enumerated in the third section of the act which I have already quoted. These equivalents were, first, *home* valuation instead of *foreign* valuation. This stipulation was for the benefit of the north, because the home value being considerably greater than the foreign value, the duty was necessarily made higher by adopting that standard. And the best information I have been able to obtain, it was estimated to increase the duty about five per cent.; or, in other words, to give five per cent. additional protection to domestic manufactures.

The next stipulation was the substitution of *cash* duties for the *credit system*. This also inured to the benefit of the north, as it tended to discourage the system of importations on foreign account, which were often made, the importer giving bonds for the duties, and then selling the goods at auction, and paying the duties out of the proceeds. The effect of this practice was to break down the regular manufacturers and dealers, and place them in the power of foreigners. This provision was estimated, I have understood, to be equivalent to an additional duty of three or four per cent. The third stipulation was the large list of free articles. This also operated advantageously to the north, as I will proceed in a few words to show. It is obvious that if it were necessary to raise twenty millions by a uniform duty on one hundred millions of imports, a duty of 20 per cent. would accomplish it. If, however, you render one-half of your articles free, it is equally obvious that to raise the same amount of money on the residue, you must double the *rate* of the duty. It resolves itself into a problem to be solved by the inverse rule of three. Thus, if a duty of 20 per cent. on one hundred millions of dollars will give twenty millions, it will require a duty of 40 per cent. on fifty millions to give the same amount. In other words, as you diminish the *amount* of dutiable articles you must increase the *rate* of duty to produce a given sum. The north were, therefore, interested in expanding the list of free articles as much as possible, as that expansion produced a corresponding contraction of the list of dutiable articles which came in competition with their own manufactures, and rendered a higher *rate* of duty on them necessary.

The fourth and last stipulation in favor of the south was the provision that the necessary revenue of the government should be raised by *duties* in contradistinction to excises, direct taxes, or the land fund. This topic I have already discussed, and I will now dismiss it with one single additional view. It is this: Will any gentleman in his place here and say it would not be a breach of the compromise to raise the revenues of the government by *direct taxation*, or by excises and the land fund? Would it not be directly in the teeth of the provisions of that act to do so? If I am answered in the affirmative, as I must be, I ask again where is the distinction between raising the necessary revenue by excises or direct taxes and by the sales of the public domain? If you derive your revenue from that source, de you not inflict the same injury on the manufacturer as if you raised it by one of the enumerated obnoxious modes of taxation? Do you not just as effectually cheat him out of the protection which you professed and promised to extend to him? I ask, then, of the venerable gentleman from Massachusetts opposite to me, (Mr. *Adams*), to the distinguished member from Vermont near him, (Mr. *Everett*), and to every member on this floor who was a member when the compromise was passed, to say whether I have not given its history truly. And does any man believe for a moment that the northern men—been, shrewd, and sagacious, as we know them to be—clear-headed and vigilant in regard to all that concerns the interests of their constituents, as they proverbially are—would have entered into the compromise if they had the president understands and represents this compromise to be? Look at the practical operation of it and judge for yourselves. The president understands the clause providing that "such duties shall be laid for the purpose of revenue as may be necessary," as meaning not what the words import, but "such duties in *aid of the land fund* for revenue as may be necessary," and, by a strange system of strict construction, interpolates a new member of the sentence, so as to limit its signification and make it conform to his views. Let us assume this, for the sake of argument, to be the true construction; let us then assume that for the next period of eight years the land fund will yield as much as it did during the last eight years. This, I presume, will not be regarded as an extravagant estimate, considering the increase of our wealth and population. The proceeds of the land fund for the last eight years are as follows:

1833,	$4,972,000	1837,	$7,000,000
1834,	6,099,000	1838,	4,305,000
1835,	15,999,000	1839,	6,464,000
1836,	25,167,000	1840,	2,252,000

Let us assume, further, that we are now about to lay our duties in compliance with the terms of the compromise. We will suppose that, by judicious economy, we have reduced our estimated for expenditures to $25,000,000. How are we to proceed? Instead of laying duties to produce $25,000,000, we are, according the president's view, to lay them so as to produce a sum which, when added to the land fund of the present year, will make $25,000,000. In other words, continuing the parallel between the past eight years and the next eight, we must raise by imposts $19,028,000, that sum being sufficient, when added to the $4,972,000, the estimate of the land fund for the current year, to make the $25,000,000. We accordingly pass a tariff of duties to that extent. What is the result the next year? The duties being the same, and the land fund having increased to $6,099,000, there will be an excess in 1844 of a million. In 1845, the land fund rising to fifteen millions, there would be an excess of more than ten millions, and in 1846, the land fund having mounted up to $25,167,000, there would be an excess of more than twenty millions of dollars! But this a violation

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of the compromise, according to the president's construction, because you are inhibited by its terms, from raising more than a sum sufficient in aid of *the land fund*, to meet the expenses of the government. These surpluses have, therefore, been illegally levied, and, like the fines imposed under the alien and sedition laws, they must be refunded, and you will have all the importers here before congress praying that a commission may be appointed to take an account of their overpayments, in order that the same may be refunded.

But let us view the subject in another aspect. How is the government to know how much to collect by duties? How can you estimate what the proceeds of the lands will be? In the year 1833 they were near five millions, in 1837 they were twenty-five millions, and the year 1841 they are less than one million. How can you have any thing like stability in your legislation, or in your revenue, unless if you revise your tariff every year, it will be but guess work at the best; for the avails of one year, as the table I have exhibited shows, furnish no criterion by which you can judge of what they will be the next year. What protection can you afford to your manufacturing interests? Under the president's construction you can one year raise twenty millions by duties, in the next ten millions, and in the next a single dollar; for it may happen, and probably will happen, again as it did in 1836, that the proceeds of the public lands will of themselves be sufficient to raise an amount fully equal to the wants of the government.

In that event, you must, according to the president's construction, expend all your collections in duties, or, if you have made them, you must refund to those who paid them. How will such a system operate on the manufacturing and commercial interests? Is that the protection which you promised to the people? Is that the faith which you pledged to them? And with these obvious consequences staring them in the face, is it to be wondered at that the northern men were "soft enough" to enter into such a bargain as that? No, sir, no! I repeat that the construction which the president has given to the compromise is unsound and mischievous, that it would make the act illusory and deceptive, and neither more nor less than a fraud on the manufacturing interests of the country. It would be equally injurious to the mercantile interests. A ship would go on her voyage to the East Indies, and the chances would be ten to one that there would be a new tariff on her return, before her return; the entire trade would be turned into a system of gambling and speculation alike ruinous to the interests and to the morals of the country.

There is another consideration connected with this land fund as a source of permanent revenue which, probably, had its weight with the authors of the compromise. It certainly has much force with me. It comes when you have lost sight of it, and it disappears at the very time it would be most useful. In seasons of prosperity, when industry reaps its richest reward, when business of every description is flourishing, when money is abundant, and a spirit of enterprise and speculation pervades the country, capital naturally seeks investment in the government lands. The proceeds of their sale is rapidly augmented to three or four times its ordinary amount. But when the day of adversity comes, when distress and ruin stalk abroad in the land, these resources cease; capital finds a more profitable employment in speculating in the misfortunes of the debtor classes of the community, and the land fund, like a barometer, which indicates the redundancy or scarcity of money in the country, sinks to the lowest point of depression. The history of our country for the last eight years affords a striking illustration of the truth of this proposition. Viewing the subject in this light, even if there were no obligations resulting from the compromise act resting upon us, if the question of distribution were a new one, I should be clearly in favor of withdrawing the proceeds of the public lands from the treasury. But when, in addition to these considerations of expediency, the obligations of good faith to the manufacturers are superadded, not a doubt can be left on my mind as to the course which it is my duty to pursue.

Having thus closed my review of the president's objections to the bill which has been vetoed on account of its supposed violation of the compromise act, I cannot forbear from making a few remarks of a more general character in regard to his message. This is, I believe, the first occasion, Mr. Speaker, upon which a president of the United States has ventured to veto a bill on the ground of inexpediency alone. If he had rested his objections on any constitutional difficulty, or if it had been a matter of *conscience* with him, there might have been some excuse for him. But I must confess that I can see no apology for his conduct on this occasion. Of all subjects in the world, the subject of *taxation* is the last with which the executive ought to intermeddle. It is a subject which belongs peculiarly, and almost exclusively, to the immediate representatives of the people. It is a delicate power to be exercised, and is one in regard to which the people are particularly sensitive. In our constitution that feeling manifests itself most prominently. Such was the jealousy in regard to this power, on the part of the framers of our government, that they would not entrust even the senators, the representatives of sovereign states, with concurrent jurisdiction with the immediate representatives of the people over it. This jealousy arose from the nearer proximity of that body to the executive, from the paucity of their numbers, from their comparatively long tenure of office, and from the apprehension that they would be more liable to executive influence.

The constitution therefore, wisely ordained that all bills for imposing taxes on the people shall *originate* in the house of representatives. This is a most important safe-guard of the rights and liberties of the people. We come directly from the people; we are presumed to know their interests and their feelings; we reflect their will and pleasure, and we are directly amenable to them, at short intervals, for what we do. In the hands of this body, then, the power of oppressive taxation emanating from the popular branch of the legislature. But what becomes of this principle if you sanction the assumption that the president can, upon oil occasions, at his mere will and pleasure, interfere with the exercise of the most delicate functions of the house of representatives, and dictate to them what taxes they shall lay or which they shall tax their own constituents? It is a complete inversion of the principles of our constitution. If it be tolerated, you had as well surrender the whole legislative power into the hands of the president. He will possess it substantially through the agency of his power to *recommend*, and his power to *veto*. Nothing is more easy than to show how the substance is gone? Give him the power to recommend what laws you shall pass, and the unqualified power to forbid your passing any that do not conform to his recommendations, and what more is necessary to invest him with absolute legislative authority! Let me illustrate this proposition by a single example. The constitution authorizes congress to impose taxes in three modes—by imposts, by excises, and direct taxes. Let us then suppose that the legislature, knowing the abhorrence which their constituents manifest to the system of direct taxation, on account of their inquisitorial character, shall prefer that the taxes shall be levied *indirectly* by duties on foreign goods imported into the country? Now, let us suppose that the president, entertaining strong feelings of partiality for a particular section of the union in which he was born, or from which he has derived, or expects to derive, future support in his ambitious aspirations, and thinking that the interests of that section of the union would be promoted by direct taxation, instead of imposts, and should accordingly, in the bill of the representatives of the people levying imposts, what would be the consequence? You must either adopt the mode of taxation which he indirectly orders you to adopt, or you must refuse to raise the revenue necessary to carry on the government, and suffer it to tumble into twenty-six independent sovereignties. And this an impossible case. Suppose he were to have a president imbued with the notions of free trade, and the partiality for direct taxation which has been repeatedly avowed from high quarters in this house, I ask is it reasonable to suppose that his veto power might be exercised for the very purpose which I have indicated? Sir, there are principles of the gravest character involved in this message of the president—principles of a character which the bill, which had been returned to us by the president, important as that is, sinks into utter insignificance.

The power and the dignity and the most important functions of this house are involved. The rights and the interests and the liberties of those who sent us here are involved. The question now submitted to us, will we maintain our position as becomes the representatives of freemen—or will we kneel at the footstool of the executive and betray the trust which has been confided to us? Sir, if my yield was had better better disperse at once. If we stand here merely to register executive edicts, where is the necessity of going through the forms of consultation and deliberation? Why not suffer the laws to be promulged at once from the executive mansion without the intervention of a cumbrous legislative assembly? or why shall we not, when we assemble here in obedience to the letter of the constitution, at once make an address to his majesty the president, and beg that he will condescend at his earliest convenience to inform us what laws are in his opinion necessary and proper to promote the interests and happiness of the people, and in what manner they will be most likely to receive his majesty's gracious approbation? Sir, is this the spirit which animated our fathers necessarily in the early struggle for freedom in England? Is this the feeling which burned in the breasts of our fathers when they proclaimed amongst the grievous wrongs which had impelled them to throw off their allegiance to the crown of George the Third that he had "refused his assent to laws the most wholesome and necessary for the public good?" No, sir! This is not the spirit which animates their descendants! Sir, I have seen enough of this congress to know that it will do its duty—I have seen sufficient manifestations in its proceedings of moral courage, of firmness, of purpose, of devotion to the public weal, of lofty heroism of character, to know, that come what may, they at least will be true to their country, and share no effort to preserve sacred and inviolate the rights and liberties of the people whose constitution they are sworn to protect and defend.

Mr. *Tillinghast* next addressed the house and said that the effect of the bill which was sent to the president he did not conceive was inconsistent with the compromise act, because the compromise admitted a duty above the 20 per cent. to meet the exigencies of the country required it. How, then, did the president say in his message that it was inconsistent with that act, and why did he return it on account of that? Was it because it was not provided that the land fund should go into the general revenue of government? The compromise directed future congresses to look to duties for revenue, and not to the lands for this purpose; and one party had no right to turn round and say that the lands must be retained as a source of revenue, and to interpolate any terms or provisions into the compromise act which had not been agreed to by the other. The compromise provided for levying such duties as would raise the revenue necessary to an economical administration of government, to be assessed under such regulations as prescribed by law, and those duties might be above twenty per cent. and not be inconsistent with the provisions of that act.

He should not regard with any thing like hostility any of the acts emanating from the executive. Far from it.

It had been asked, why connect the land proviso with the tariff bill? It was supposed that something insidious was contained in that proviso. The union of these two subjects had been proposed by the president himself rendered it absolutely necessary, and without any cause for an ascription of an insidious intention, that these two subjects should be united in this bill, and the president was not the author of combination. This tariff bill provided for an imposition of duty above 20 per cent. and the moment it went into operation without that proviso it would suspend the land distribution.

Mr. T. proceeded to examine the veto power, as it exists in our constitution; and to point out the difference between it and the veto powers of England and of Russia. This power was in the constitution; it had an object, and that object, as explained before the constitution was ratified, was an important one. He had no objection to the power, but he would ask him in whom it was vested carefully to confine it to the objects for which it was granted. His impression was that the president was justified by the constitution in exercising his veto power on this bill, but in an instance in which it was unnecessary and unsustained by precedents.

Mr. *Proffit* next arose and spoke in defence of the exercise of the veto, and alluded to the course of his enemies in presenting, time after time, in forcing as he said bills on the president which they knew he would not sign. He said the majority knew very well that if the great tariff bill should be presented to the president, with the objectionable distribution clause, he would veto it. And yet although they were conscious of this, the friends of the manufacturers and others, were calling on their friends to support them in passing the bill with that clause in it. He, Mr. P. had no doubt but that such was the intention, to pass the great bill with a clause which they knew would prevent the signature of the president.

A voice—"Yes we do."

Mr. *Proffit*—I hear one gentleman say that such is to be the plan, and I have no doubt of it. Mr. P. then proceeded, with much severity to comment upon the inconsistency of the enemies of the president. He said the latter was not only blamed for a bill, but he himself had been summoned that morning to attend a committee appointed because the president had signed a bill.

Mr. *Lane*, of Indiana, wished to say a few words on this executive veto and the history of the measure which had given occasion for it; and he hoped on this, as on all other occasions in which he had sat-

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dressed that house, to manifest a spirit of becoming moderation. [A laugh.] He trusted, however, that the house would pardon him if he should fail in exhibiting that perfect calmness which had marked the manner of the gentleman from Massachusetts (Mr. *Cushing*) yesterday. To be sure, that gentleman might have sources of consolation and support which did not belong to the whigs. There were certain situations in the cabinet to which gentlemen might look forward, the hope of which might well sustain them. That gentleman, as was known to all who heard him, had all the smoothness of marble, but all its coldness, too.

Mr. L. said he should not go at length into the argument. This was a time not for talking, but for voting and for acting. This issue was now fairly presented, and must be met.

Congress, in its strong anxiety that the revenue laws of the country should not be suffered to expire, had passed a bill extending them, as they at present stood, for one month longer, till further legislation could be had. The president differed from them on a question of expediency, and had vetoed the bill. The question then, was now put to the country, in whom resided the right to originate revenue measures under the government—in the power of the people, through their representatives! The issue was between a president who had proved recreant to every obligation of morality and patriotism, and an abused and betrayed constituency, who had given him the place he occupied. Well was it for that individual that we were a law abiding people, and that he had constitutional safeguards thrown around him which they could not violate. In other countries from and under other governments, a veto like this would have caused a very different spectacle from that of a deliberative assembly, calmly discussing the subject of their complaints. Had the British crown ventured thus to treat a measure in which both houses of parliament concurred by majorities such as those which had passed this bill, instead of a grave and deliberate debate, the king would have heard the voice of God speaking from the highest and holiest throne in the hearts of a free and honest people. Such a voice might yet be heard when the effects of this measure came to be fully felt.

The president had set himself against the representatives of the nation—the contest was now between their will and his—a contest now for the first time waged. That question had long since been tried in Europe, and kings had felt and trembled before the power of the people. Here it had openly been said that the president had intervened between the people and their representatives for the safety of the people. Strange doctrine, indeed! Mr. L. thought that the theory of our government was that the people, free people of this republic made and executed their own laws. When and where had popular liberty been cloven down by the people's representatives? Had they not a right to legislate without consulting or consult the executive pleasure? Was the president, and not the legislature, to be the judge of questions of expediency in relation to the revenue? Were money bills to originate with him, or in the people's own house.

Mr. L's colleague (Mr. *Proffit*) had charged the whig majority with forcing upon the president the necessity for a veto with the intention to profit by it in party politics. How? What right had they to anticipate that he would reject such a bill as this? To his sure they had vague intuitions and conjectures and prophecies of the gentleman himself, and they had the oracular rationalizations of the court journal, but if they look to more authentic sources, to Mr. Tyler's own official recommendations, and to the language laid by him in his own state legislature, in the St. Clairsville speech, when he had declared that the land was a matter purely sectional, and the design of the compromise act, and never entered the minds of those who passed it, and that it was absurd to hold up any other idea, had they any reason to expect a veto? All they had done was to interpose to save the country and the administration from disgrace by the expiration of the revenue law before any substitute was provided. How was this forcing the president upon the necessity of a veto? The president's own secretary of the treasury had told congress the revenue could not be collected after the 30th June without further legislation; two committees of the house held the same opinion; nay, the president himself and his cabinet held the same till within a few days past. But now it seemed that congress was wrong, the cabinet was wrong, and the president's one legal acumen had discovered that he could get along without any law by his mere executive regalitnous. It might all be so; the president might be the first to discover what none else could see, for we were told in the book of books that Balaam's ass saw the angel before his master. [Roars of laughter.]

Mr. L. next proceeded to take some notice of the argument of Mr. *Cushing*, on which it was needless for him to pass any compliments after the extravagant eulogies of his colleague, (Mr. *Proffit*). He admitted that the speech displayed much memory and acuteness, and not a little forekuowledge; for while the house were all taken back, and even the gentleman from Massachusetts (Mr. *Sidenadd*) was overwhelmed with surprise, the gentleman himself seemed to quote the veto like a book. [A laugh.]—He seemed quite familiar with the details even of the language and conclusions of the president's defence of the president. Perhaps these might be but a foretaste of a future privy counselship, that is, a right participation in the secret hopes and designs of the veto on such an arrangement. [Loud laughter.] The free representative of a free people should put on gloves before taking hold of such a document. What did it possess to recommend it? Nothing that he could see but the boldness with which it had been thrust upon the house at a crisis like the present.

Mr. L. here went into a brief review of some of the grounds taken in the message: denying that the compromise act had any other "moral force in the country" than as a law, which it was to be repealed if repealed. He rejected with indignation the idea that the hands of congress were to be tied up because an act had been passed ten years ago which was not satisfactory to the northern lands of the south, but the effect of which had been only to leave them in a worse condition at this hour than ever before. Mr. L. would never touch the compromise act subject to his judgment it was not lawful to provide revenue for the government: but he denied that it had any permanent binding force like a part of the constitution. Was it, then, a law, or a compact: a compact? and with whom? and by whom? Who had any authority to bind him to observe it? his predecessors voted against it, and if they had not, they could not bind any, much less any obligation to observe it. A compact! Yes, with the sovereign state of South Carolina, a state in rebellion!—an act to save their necks from the halter! And this, forsooth, was to be the law of the land, and all other all instruments—as in fact a part of the constitution itself!

Mr. L. here looked at the feature of the compromise law which provided that the mode of conducting the home valuation shall be prescribed by law, and he defied gentlemen to produce any law on the subject, and investigate the assumption of such a power by the executive department.

A new chancellor of the exchequer (Mr. *Roosevelt*) had attempted this morning to introduce a bill to enable the president to exercise the power which himself claimed to possess it already. He trusted we were not yet come to that point when a president of the United States, by his simple authority, could not only defend laws passed by congress, but himself make the laws of the land. He might fulminate his worse than Papal bulls from the Vatican at the other end of the avenue; but for the actual creation of the law, he must have some regard to the action of the two houses of the legislature.

Gentlemen asked on what principle it was the whigs opposed this veto? Was it for them. It was on the great and eternal principle of the resistance of usurpation and tyranny. If "resistance to tyrants was obedience to God," then was their course most holy. If ever the proud eagle of American freedom was struck down, it would be by the fatal hand of executive power.

Gentlemen had carried back the house to the days of the Tribunes, just as if there was any analogy or any analogy to the condition of the Roman people, with their patrician and plebeian classes, and their conquered provinces and slaves. The source from which the veto power has been introduced into our constitution, was most obviously the government of Great Britain; but even there the power had become obsolete from non-user—here he trusted it would die from *mis-user*.

But was the house to go and vote millions for the support of the government, that the president might have further opportunities of vetoing their acts? No. Let the people know that if the army was prostrated, and the navy left to rot—if all the interests of trade and industry were languishing and dying, it was the president who had done it. Mr. L. should make an appeal to them. They were yet free. He thanked God he was himself free also; and he prized his own honor far more than any office or emolument they could confer upon him. And never would he crawl and bend the knee at the footstool of executive dominion. Never! never!

The president talked of the critical condition of our foreign relations. How critical! When was the better prospect of permanent and honorable peace?—He trusted war was very far off. But if we must be launched upon the stormy waves of a national conflict, God forbid it should be with such a "captain" and with such a crew! (Laughter.)

He repelled with warmth the imputation of opposition to the executive by a factious association in the house. He appealed to the whig votes granting supplies to the administration, in refutation of such a charge. As to the effect of this veto, so far from regarding it as unfavorable to the whig cause, he regarded it as one of the proudest moments the party had known since their glorious triumph in 1840. The occasion was one of such importance as to make broad enough again to unite them when the hour of need should come.—Let the president and his friends go on: let them sell out the old and tried friends of the whigs, and see how they would prosper. To whom would the people look for deliverance in their distresses? To the president and his guard, and their force force alone? Never.—When the day of the struggle should come, their eyes would be turned towards the whigs, who would carry out those measures of relief which nothing could have prevented but the treachery of the man they had placed in power.

Gentlemen told the people to look to the president for deliverance from their own representatives; but there was nothing to look to; there was nothing of him. The whigs were battling with the place where he stood, but not with the nothing which fitted it. He was the mere nonentity of the whig party! All his power lay in the guard, and in their new allies the levellers. Mr. L. invited them to the issue. Let them look to their man. Could he be true to any party, who had proved false to all who had ever trusted him? Let them make the most of their midnight bargain—a bargain in which the sacrificed honor of a commonwealth was the national balance. The president had yet the pour privilege of having friends, on condition that he must buy them. He might possibly, in this way, get a party, though he had lost every one of his old friends. He would be sorely, he gave gentlemen warning they might look out for trouble in their camp. Would the veteran, honest democrats (if such a collocation of terms was allowable) consent to sacrifice all their favorite measures? And for what? To make John Tyler their presidential candidate? Such a purpose never entered their heads. They meant to use him, and leave him.

They would set on the principle of the writer who recommended a man to have no friends longer than he had use for them.

Mr. L. here quoted that clause of the veto in which the president declares the suspension of distribution as the condition of all the benefits to be derived from a tariff. In a word, this was the president's *sine qua non*, and this reminded him of a story of a certain Captain Hunter, in Shelby county, Kentucky, a great Indian fighter and woodsman; who being asked by some of his neighbors what the phrase meant, when he was to the British treaty signified, replied that "it was the name of an island in Passamaquoddy bay, and he meant to shed the last drop of his blood before he would give it up."—[A laugh.]

After referring to the multiplied declarations heretofore publicly made by Mr. Tyler in favor of distribution, and contrasting them with his present language on that subject, he intimated as a solution his suspicion that this declaration of war against distribution was one of the hard conditions of the great bargain recently consummated, and that it was "his property, not his will, that consented" to it. [A laugh.]

Mr. L. then went on further to comment on several subsequent clauses of the message, and especially on that clause which present refers to loan; reminding gentlemen that the loan had been asked for by his own secretary at the very session when the distribution law was recommended, and of the promptitude with which it had been voted by the Clay-men whigs. As to the proviso in the distribution law, it had been inserted mainly from the rumored probability of a presidential veto, and also to secure the vote of the senate, which he defended as a proper and legitimate course of parliamentary proceeding.

The president declared the tariff and the compromise act to be inseparably connected with the subject of the land distribution; but Mr. L's colleague had just insisted that they ought to be separated, and distinct action had in regard to each. Who should decide when doctors disagree?

The president in one breath told congress that the compromise act had a binding moral force, yet in the next professed his willingness to depart from its provisions.

Mr. L. then went into some remarks on the concluding part of Mr. *Cushing's* speech, and particularly where that gentleman ridiculed the idea of calling the present a crisis in the country and the government. Mr. L. thought when a president claimed the power of legislating for the American people, it

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was a most serious and alarming crisis, and intimated that the people would show that they so considered it. Were they ready to submit their own proud sovereignty to the caprices of one man and of such a man? Was the noble ship which had outridden the storms of the revolution, and whose glorious flag, tribute-free, had visited every shore, to veil her colors and surrender her legislative helm to such a commander? No such cowardly weakness our cloud our national history by action of his. Far otherwise would the history prove. Pyramids of stone might mark the proud spot which had been the last abode of freedom upon the earth: but the people would never yield their liberties without a struggle. Better have such a government as that of Great Britain than a constitution formally professing the perfection of freedom, with a president who, by the exercise of the veto on every question of legislative expediency, might thwart the representatives of the people, and make his own will the unresisted law of the country.

Would the American people give up such a power to such hands? Never. The power of vetoing measures would soon settle that question. This had in England broken down the iron will of the Stuarts; and it would triumph again on this side of the Atlantic, if the American people were wedded to the constitution and of their household gods. Executive apostles and *prophets* might stand here and preach passive obedience and non-resistance, but the people would embrace a very different creed. The thunders of their denunciation of executive oppression in the glorious victory of 1840 had yet scarce died upon the ear; and they were not the people to accept infallibility and how their creed was such a creature of accident and chance as now occupied the seat of their own delegated authority.

Mr. L. here digressed to advert to the reasons filed by the president in the department of state together with the apportionment bill, and denounced them as amounting to an invitation to the states to refuse to carry out the legislation of Congress, and as inciting to bloodshed and civil commotion.

In conclusion, Mr. L. declared that he never would bow the knees of a freeborn American to this Baal of unrighteousness. He would there as the independent representative of a free constituency, and he never would vote to cleave down the independence of congress for any question or end of mere expediency. Before he would yield the consecrated labors of his forefathers, and countenanced a tyranny worse than that of the Great Mogul's, he would see our brave army disbanded, and our gallant fleet unmanned and rotting in ordinary. Yes, he would rather see the waves of the Potomac rolling fifty fathom deep over the dome of the Capitol, than agree to ask of John Tyler what laws should be passed by those whom the people had entrusted with the power of their legislation.

He hoped the house would go on and pass a tariff bill; not such as Mr. Tyler might please to approve, but such an one as the house pleased; when that failed of becoming a law, it would be time enough for them to suit their action to the case, but never was, that their course would ever be taken would be worthy of this house and of this nation.

Mr. *Weller* alluded to the charge of a political bargain between the president and "democratic" party, and by way of offset, alluded to the numerous office applicants besieging General Harrison to his death; he considered their present divisions, which he had foreworned them, would come, as a most righteous judgment of heaven upon them for the means they had employed to possess the reins of power. The gentleman from New York (Mr. Greger,) talked of the great whig principles of 1840. On what principle had that gentleman gone into the cabinet? and on what principle did he go out of it? And while in his office 1700 vacancies fill by the gentleman's own hand before he was victimized himself. The president was elected by the people, and there was as much reason for saying that his act in vetoing was the expression of the people's will as that of the house of congress. As many at 120 of those now here would, at the next congress, be suffered to enjoy the shades of retirement. The president was now so familiar with them would know them no more forever. They who had played such fantastic tricks before high heaven must lay their account to dwell in darkness.

[A voice: "we hope you'll visit us there, we shall be glad to see you."]

Mr. W. should not now have said a word of reproach to gentlemen in the day of their misfortune, had it not been for the triumph they manifested at the extra session. Had they shown any magnanimity toward their opponents at that time, he should not have opened his lips. But they were now reaping the bitter fruits of the deceptions they had practised in 1840, when they went for "Tippecanoe and Tyler too," and avowedly without any reason founded on principle. They had taken up men as some of their constituents were now forced to take a bank note, and must not complain if they found it was bad.

[A voice: "Yes, one is a counterfeit note certainly."]

Here Mr. W. went at some length into remarks on the nomination of Mr. John Tyler, and the reasons which led the convention to such a selection. And could they expect a man thus taken up to abandon all the principles of his early life, all regard to the resolutions '98, and all his political associations and predilections, for the sake of preserving harmony in the "universal whig party?" He then adverted to the frequent meetings in secret which were practised by the whig party in the opening of the extra session. He said it had been an amusement to the minority to see how stragglers were whipped in; and if they refused to conform, were then whipped out. [A laugh.]

From this he passed into an eulogy on the guard, who had stood firm against the whole force of a victorious and powerful party flushed with success. Such a spectacle was calculated to command admiration. In speaking on the subject of caucuses he understood they had held but the evening before; but he could tell gentlemen that in spite of all efforts at a drill they would find vast difficulty in their ranks. Some were protective whigs, others were free-trade whigs.

One man would rise and say, "unless you give more protection to my district, I'll vote against the bill." For instance, said Mr. W., pointing to Mr. *Tillinghast*, "there is a gentleman from Rhode Island, who will, I suppose, claim protection for the *pin* manufactory in that state.

Mr. *Tillinghast* said "there is no pin manufactory in Rhode Island."

[A voice: "stick a pin there."]

Mr. *Weller*. Perhaps I am mistaken. A gentleman near me says it is a pill manufactory. [Laughter.]

Mr. *Weller* concluded with the vindication of Mr. Tyler's exercise of the veto and strictures against the whig party, and the vetoing conclude, the commitee arose and the house adjourned.

FRIDAY, JULY 1. Mr. *Fillmore* reported back with amendments the bill, returned from the senate amended, making appropriations for the army and military academy, and on motion it was referred to the committee of the whole.

Mr. *Pendleton* reported a bill to pay the Florida militia for services in 1839 and '40.

Mr. *Casey*, of Illinois, asked leave to offer the following joint resolution:

Resolved by the Senate and House of Representatives of the United States of America, in congress assembled, That the two houses of congress will adjourn sine die on Monday, the 18th day of July instant, at two o'clock.

Mr. *Fillmore*. I object. We are not yet in a situation to adjourn. I trust congress never will adjourn until a tariff bill is passed.

Mr. *Casey*. We can adjourn on the day designated as well as at any other time.

Mr. *J. R. Ingersoll* said he hoped an adjournment would not even be talked of until a tariff bill had been passed.

Mr. *Casey* moved that the rules of the house be suspended for the purpose of enabling him to offer the resolution. The house refused to suspend.

The house then resumed the consideration of the veto message.

Mr. *Cushing* said the subject was of so important a nature, that he hoped the debate would not be terminated until an opportunity had been afforded for every gentleman who wished to express his sentiments. He admitted the president has the constitutional power to veto any bill, of whatever nature. As a question of power only, he did not dispute it, but he intended to arraign the president on the ground on which the power in this case had been exercised. Mr. C. then proceeded to express his belief that a bargain had been made between the president and the party which had opposed his coming into power, and that this veto was one of the conditions of the said bargain. It was true the full extent of it was found in the boots of Andre. And if gentlemen could look into the boots of members of the opposite party; if they could get into their secret recesses he was not certain but that evidence of a conclusive character might be found here also. Mr. C. said he intended to show that the reasons which the president had assigned for his veto were so perfectly contradictory and nonsensical as ever had been assigned by any man in justification of an act.

In the first place, the president asserted that the provisional tariff bill violated the compromise act; and, in the next place, as he (Mr. C.) desired to prove by the president himself, (for out of his own mouth he would condemn him,) he admitted that the bill did *not* violate the compromise act. The proof of this amounted to demonstration which could not be resisted. And here he must be permitted to remark that the gentleman from South Carolina (Mr. *Holmes*) had been rather too precipitate in uttering his praises of Mr. Tyler.

The president in his veto had said that the compromise act itself authorized the raising of duties to an amount sufficient for the administration of the affairs of the government. Well, what did congress do? They put the duties about three-tenths above the 20 per cent. for one month. Did that violate the compromise act? The president himself said that that was one of its principles and yet, only a few lines afterwards, he said that they were violating the compromise act. Violating it in what? In nothing except the imposition of duties above twenty per cent.; and yet he said that we could do that according to his own reading of the act itself. He admitted that congress could do every thing which it had done in accordance with the compromise, and therefore, *that* was not the real objection operating upon his mind. That, then, could not be the reason for the veto. There was no principle in the compromise act which, according to the president's own construction of it, was interfered with by this bill. What, then, could there be in the bill which was so offensive to his conscience? Why did he veto it? Was it through mere wantonness?

But there was another difficulty which the president entertained, and this was the true ground on which he had based his veto. Mr. C. here read one part of the message which related to the proviso of the act of last session, suspending distribution whenever duties shall be raised above 20 per cent. Now, the president said that this bill interfered with that. But he was mistaken. There was no interference with that proviso, because the bill which had been passed withheld the distribution of the proceeds of the sales of the public lands entirely, until the 1st of August.

We must, therefore, search for some other cause for this veto. The president, like all other men, had his motives; he had his motives for vetoing what he thear good or bad; and if he had but assigned them in his message, or if one part of that message contradicted and refuted another, what reason had he for the course he had pursued? It would be recollected that, at the late extra session, there were many leading whig measures, which the whig majority in congress felt instructed by their constituents to carry out. And it happened at that time to be in the other end of the capitol a conspicuous statesman who had for many years been identified with those very measures. Very soon after the commencement of the session, that distinguished individual was assailed, peculiarly and vindictively, by all the professing friends of the president in and out of this house. The object seemed to be his destruction. Well, if that had been all, it would have been a matter between them; and congress, as legislators, would have had nothing to do with it. But the great cry and glory of the opponents of the whig party had been that *all* the measures of the extra session had failed; and we had always met this declaration by pointing to the distribution law, and showing that we had secured to the states their rights under that law. Another distinguished individual had been known to make the declaration that if the president would only let alone that law, we would immortalize himself. But Mr. Tyler was so committed to the principle of distribution, that he could not do it. Was the president so wedded to opinions that distribution ought now to take place? If so, he had changed.

Mr. C. then proceeded to show what the position of Mr. Tyler was at the special session in relation to this principle of distribution, and to examine the distinction since taken by the president as to distribution when there was a surplus, and distribution when there was not a surplus. Mr. C. declared that there was nothing in the argument. But still this was not an argument between us and the president, but between us and our real opponents.

But the president said he had changed his opinion since the extra session; or rather that he had not calculated right; that the prospect then was that there would be a surplus, whereas now there was none. Mr. C. denied that the president had put the matter on that ground, and he referred, with some particularity, to Mr. Tyler's oft-quoted resolutions in the legislature of Virginia, in 1839, urging the distribution, and conveying the whole proceeds of the lands, not only ceded but acquired by purchase and by treaty. Mr. C. also referred to the adroit

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manner in which Mr. Tyler had at that time met the charge of his opponents, (that he desired to violate the compromise act,) by the introduction of the well known proviso that the general assembly did not mean to infringe or disturb the provisions of the compromise act. He took the ground that the compromise act had nothing to do with the matter, that the proceeds of the public lands were not to be regarded as a portion of the revenue of the country, but as belonging to the states. This was the ground the president meant, or else he contradicted his previous votes. Such was his position on the subject, and he had gone before the people with that position well known.

Mr. C. referred still further to the views of the president on this subject at the special session, for the purpose of showing that Mr. Tyler had then stood out on the true wing ground. And, in this connection, Mr. C. adverted to a declaration which had been made the other day, (when a proposition for an assumption of state debts was introduced by a member from Maryland, Mr. H. C. *Johnson*) that there were not three members of this house in favor of such a proposition. And Mr. C. would not repeat that no such sentiment was entertained by the whig party. It was a scheme of the gentleman's own—made, as that gentleman himself had said, on his own responsibility, without concert, and for his own ends.

Mr. C. remarked that Mr. Tyler, in his official career, had gone as far beyond Gen. Jackson as that individual had gone beyond the preceding presidents. Mr. Tyler not only stood the veto, (which, indeed, he took upon himself, when he *did* approve these acts, to explain what their meaning was. Mr. C. referred to the recent case of the apportionment bill.

Mr. *Wise* said General Jackson had done the same thing.

Mr. *Cornthers* denied the analogy of the eaves, to which he briefly recurred. Mr. C. then proceeded to illustrate the operation of this one-man power, when—

Mr. *Wise* desired him to say, whilst he was charging Mr. Tyler with a desertion of his principles, whether he (Mr. C.) was not a member of the Tennessee convention in 1835, and united in the nomination of Mr. White and Mr. Tyler as the anti-bank candidates for president and vice-president?

Mr. *Cornthers*. I did not. Mr. Tyler was never nominated.

Mr. *Wise*. Of Mr. White, then?

Mr. *Cornthers*. He was nominated for president, and I voted for his nomination. I supported it, amongst other things, on account of his hostility to a bank. But upon that subject I have changed my opinion. Can the gentleman from Virginia understand that? [Roars of laughter.] Mr. C. referred to Mr. *Wise*'s former affection of Mr. Clay, and his change of opinion on that subject, and also to Mr. Wise change of opinion on the subject of a Bank of the United States. The gentleman, Mr. C. said, should be the last to be astonished at any change of opinion in others. He (Mr. C.) had seen and satisfied himself that the powers of this government could not be efficiently and successfully exercised without the adoption of a Bank of the United States as a fiscal agent; and, therefore, he had changed his opinions on constitutional grounds. He had found that the constitutional power existed, and that its exercise was requisite to the carrying on the functions of the government.

Mr. C. said he wished to exhibit to the house a few sins of the times. He wished to show that previous to this veto message there had been some ominous boldings out; and he referred to a letter, under date of June 19, written by the correspondent of the New York Herald, setting forth that the president could not administer the government in conjunction with the whigs, that they had no sentiments in common, that he was forced to the democratic party for support, &c. This, Mr. C. said, was one symptom of the president's going over.

Then, to show that his correspondent had gone over, Mr. C. referred to an article in the "Madisonian," announcing the veto, and calling upon the friends of the administration now to exert themselves in support of that paper; setting forth "that the cloud were breaking away," &c.

And Mr. C. was about to refer to an article in last evening's "Globe," and sundry other items of evidence going to show that a correspondent change in opinion—when the hour expired, and Mr. *Cornthers* took his seat.

Mr. *Gentry* arose to explain a fact alluded to by his colleague (Mr. *Turney*) that he (Mr. G.) had during the first session of the 28th congress given notice that he would ask leave to bring in a "bill providing for the payment of certain debts of the states and appropriating the proceeds of the public lands for that purpose." From this it had been inferred that he had intended to introduce a bill to assume all the debts of the states. He should not say whether the fact was such as to authorise conscientious, just, and veracious men to make such an assertion. His notice had furnished no sufficient ground for such assertion. He had given the notice upon his own responsibility. He had previously consulted some of his friends on the subject, but they had earnestly protested against it. He believed them and still believes that the day is fast approaching, when the general government will have to interpose in a manner more effectual than by mere distribution, or this nation must consent to be banished from the great family of civilized nations, and be regarded as barbarians destitute alike of national and individual honor. Entertaining this opinion, he had intended to introduce such a bill as a more effectual remedy than the distribution policy that was subsequently adopted. He himself alone was responsible for the purpose he had entertained. His opinions had been misrepresented by his colleague. He had not thought it courteous or fair for gentlemen to guess at the unknown provisions of a bill and proceed on such data to make assertions.

Mr. *Turney* said he had no intention of misrepresenting his colleague. When at Nashville, on his way to this city, at the last congress, Mr. Bell delivered a speech in which he contended on the ground as whig doctrine that the government must assume the debts of the states. A short time after congress had convened, his colleague (Mr. *Gentry*) gave his notice to the house. Upon this he had formed his view up to the other branch of congress. The title of his bill had been proclaimed to this house and what were its objects and intentions (if they were not such as were proclaimed by its title)

Mr. *Gentry* said he had given the notice referred to, verbatim from his place, and he was quite confident the clerk had accurately recorded its precise terms. But that was immaterial: he still had the bill with him and its title was "a bill providing for the payment of certain debts of the states, and appropriating the proceeds of the public lands for that purpose." It contained no provisions for the payment of all the debts of the states, and if gentlemen persisted in guessing at its details, they were presuming that the *amount* of state debts provided for bore some proportion to the appropriation. It was news to him that such a speech had ever been made by Mr. Bell, and he was indeed sorry that his friend was so misinformed. It was but justice to add that none of his friends had importuned him more earnestly than Mr. Bell, to forego his purpose of introducing the bill referred to. Not a single member of congress had intimated a purpose to support that bill.

Mr. *Rhett* arose and alluded to Mr. *Saltonstall's* having spoken of the effects of the veto as about to "shake the country to its foundation." Mr. *Graves* gen'ssaying "let the country reel and totter as it might that they must stand firm and see who could stand it best;" and to Mr. *Lane's* position, that "because the president had vetoed this bill he would not give government the means to go on." In this aspect, the question was far more important than a question of a new protective tariff, or of the distribution, or of the compromise. It was a question of revolution. It was a question whether the dominant party should change or abolish the constitution by unconstitutional action. He wanted to show that the present course of things was not justified. The president had done his duty as laid down in the constitution. To abolish the veto would be fatal to the constitution. The whole government was a system of checks and vetoes of one branch upon another. Was the veto, of the president a tyranny if it checked the tyranny of a majority on this House? This veto was to be met by the proposal to deny appropriations and withhold supplies! Let them meet this question.—He trusted the house would come to the point.

Mr. R. referred to the intimations of a coalition, of a bargain between the Tyler party and those who opposed his election to the vice presidency, and called for evidence of a single fact to justify it. He knew that those who made the charge were familiar with bargaining from 1824, down to the present time. The passage of the distribution act was an instance of bargaining. Mr. R. had regarded with pride the military opposition of Mr. Tyler when a senator, against the passage of the force bill. He had friendly feelings for him, and why is he, who but yesterday was high in honor and in the hearts of people, now to be disgraced? He protested against it as ungenerous to the country and rendering us infamous in the eyes of the world. All who knew the president knew that Mr. R. had but little to do with him, and let no man say, that he was in favor of John Tyler, but he spoke for the cause of truth, of honor, and of his country.

Mr. *Summers* said that it was against the abuse not the use of the veto, that the arguments of the whigs were directed. Mr. S. entered his protest against the doctrine advanced that the president was a coordinate branch of the legislative department, a doctrine advanced first in Van Buren's administration, but overthrown by the election of Harrison. Mr. S. disclaimed against the alarming and increasing frequency of the abuse of the veto power, against the executive message accompanying the appportionment bill, against his applying the epithet of "monster politicians" to members of congress, and then proceeded to prove that every objection taken in his veto message was without the shadow of foundation, and there was not a particle of reason in it to induce a single member to change his vote. It was obvious that the president did not understand the provisions of the bill they had passed. He had defeated his own favorite distribution law. Mr. S. had voted for the bill with reluctance, because it surrendered distribution, unless they could revivify the act of 1841, by the legislature; by the refusal of the president to sign it, the distribution must necessarily take place. The president seems to have been apprehensive that some trick was to be played upon him. Mr. S. then entered into a history of Mr. Tyler's expressed opinions on the subject of the public lands, his report to the Virginia legislature, his speech printed in the Richmond papers in 1839 in which he even undertook to impute to opposition to claim for the states the whole amount of land proceeds that had previously gone into the national coffers. From his former opinions, therefore, the house had a right to expect him to sign this bill. Mr. S.'s hour expiring,

(A message was received from the senate with a bill providing for the reorganization of the army and appointment of commissioners of the house. On motion of Mr. *Adams* it was referred to the committee on military affairs).

Mr. *Barnard* of N. York next addressed the house, against the veto.

Mr. *White* of Indiana next arose and said he would pay his respects to the very extraordinary paper which had been sent to them from the executive, in a temper as unlike that so calm, and so free from expression as temperate and measured, as the nature of the case would admit. He should address himself to its pointless reasoning, and its pointless attempt at wisdom. The house, in its open abandonment of all principle; to its reckless disregard of truth; and above all to its unblushing effrontery.—He had understood the gentleman from Massachusetts (Mr. *Cushing*), to say, that under the existing laws, the president had power to make rules and regulations for the collection of the revenue and a home valuation of commodities imported, and also that under existing laws, duties beyond twenty per cent. might be laid, and that no distribution would then take place. Mr. W. proceeded then to show that no duties can be collected after this day, because no law had been passed prescribing the rules and mode for their collection. Mr. W. proceeded to examine the message and said that the president placed his veto upon the ground of violation of the compromise act! this from the lips of John Tyler, who had himself violated that law in all its provisions!—The act limited at twenty per cent. He said congress might go above twenty per cent. The act said that duties should be *ad valorem*; he said congress might discriminate; and yet this was the man who dared to charge the house with a violation of faith for departing from the act he invited them to violate! Mr. W. next adverted to the president's repeated assertions that the principle that government was to look to duties alone for revenue, and not to the avails of public lands, is proof, he referred to his negative votes when in the senate, on a motion to strike out the compromise clause of the law. The gentleman from South Carolina (Mr. *Rhett*) had complained of the language of Mr. W's colleague (Mr. *Lane*), as squinting towards disunion. Surely a gentleman from South Carolina ought to be the very last on that floor to put forward that objection. Dissolution! Had the gentleman forgotten the nullification doctrine! and how its violence had menaced, not a single party, but a great and affectionate love of the union, as by the dread of the halter! And as to sacrificing army and navy too, before he would bow to executive doctrine, Mr. W. stood ready to endorse his colleague's words there too. Mr. W. believed that the president had determined to veto first, and sought his reasons afterwards. What was the true reason for this veto? Mr. Tyler had long severed himself from party ties, and found it necessary to do something to make his peace with their opponents. As Mr. W. had been informed and believed a large body of the love feast gentlemen had gone up in a body to congratulate him on the redemption of the liberties of his country. The veto had a wonderful effect upon the gentleman from South Carolina (Mr. *Hubner*), it had converted him to the true religion. Although the marriage union had been consummated but the night before, in

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the morning a gentleman from Ohio (Mr. *Weller*), a new chancellor, rose in his place as soon as the house got together and proposed to take away the reins of power from the naughty whigs. Yet so rapidly prolific had this new union proved, that on the very day after the marriage, the bantling was presented for baptism, (loud laughter), and although the whole house had witnessed the offspring, they were gravely told there had been no alliance!

Mr. *White* here enquired whether Mr. *Weller* had not been with others of his political friends at the president's mansion on the night after the veto; and whether it had not been agreed in caucus that the bill he had next morning offered should be presented, and whether the president did not know that that bill was to be brought into the house.

(Mr. *Weller* replied that he had been there and was proceeding with an explanation, but his voice was drowned by the roars of laughter and cries to order).

Mr. W. next drew a picture of Mr. Tyler's courtship of the opposite party and warned them they would get cheated of their virgins. He went on to say that there was no one principle in common between John Tyler and the whig party. Yet John Tyler did all, all from the dictates of his conscience." He came with one hand upon his heart and the other lifted toward Heaven, and called upon congress to preserve that faith to the compromise which he had himself openly violated. John Tyler talk about conscience! It was a mockery. His conscience! All done for conscience sake! Oh, yes. And while he stood before the altar of his country, and lifted his eyes to the defender of the constitution, he grasped a dagger to plunge it in the heart of the constitution. A veto on mere expediency! If such a course was tolerated our liberties were gone, gone! We might have the forms and the theory of a free government; so had Rome under Tiberius and Nero; but our liberty would be the liberty of a slave, who kneeled at the feet of his master, and begged leave to live.

The people, the fond deluded people, might, in all simplicity, run to the ballot box, and there designate representatives to speak their will; and they might faithfully speak it in the people's hall of legislation; but there the farce would end. Of what avail would their voices be, when a tyrant in the palace set their will aside as nothing! They might vote for what the people desired; but unless the president chose to grant, they never would get it.

After alluding to the gentleman from Massachusetts (Mr. *Cushing*) Mr. W. brought his remarks to a close, and

Mr. *Smith* having obtained the floor, the house adjourned.

SATURDAY, JULY 2. Mr. *Adams*, from the select committee heretofore appointed on the message of the president of the United States, in relation to the apportionment bill, reported, on leave given, the following resolution.

Resolved, That the secretary of state be directed to bring or transmit to this house, an authenticated copy of the exposition of the reasons of the president of the United States for giving his sanction to the act for an apportionment of representatives among the several states according to the sixth census, which exposition the president, by his message of the 25th ultimo, informed the house he had caused to be delivered in the office of the secretary of state, accompanying the said bill.

Mr. *Pugh* objected, on the ground that it called for the original paper, and not a copy thereof.

Mr. *Adams* regarded the right of the house to send for the paper as clear. He had never before heard it doubted. It was competent for either house as for a court of justice, to send for any paper, and this power had been frequently exercised by the supreme court. The committee knew not whether the president had placed his reasons on the act itself or not, and thought it best to send for the original paper. He contended that the president had not complied with the letter of the law, in sending the paper containing his reasons for signing the apportionment bill to the state department, instead of delivering it to the secretary of state in person. The law creating the state department required the secretary to receive all acts personally from the president, when approved by him; and from the speaker of the house and the president of the senate, in case it should be passed by a vote of two-thirds after a veto. He did not, however, offer this as a serious objection to the course of the president.

Mr. *Cushing* said that the resolution offered by his colleague opened nice questions of constitutional law, and concluded his remarks by moving an amendment to the resolution of his colleague, so as to make it request an *authenticated copy* of the reasons of the president, instead of the original paper.

Mr. *Arnold* called the previous question.

The question on the amendment of Mr. *Cushing* was then taken, and decided in the affirmative, by yeas 94, nays 80; and the resolution as amended was adopted.

The veto of the provisional tariff bill, was again taken into consideration.

Mr. *Smith* of Virginia, arose and defended the veto.

Mr. *Payne* followed on the same side.

Mr. *Watterson* also defended it.

Mr. *Howard* assailed the veto and its reasons, as assigned by the president.

Mr. *Arnold* of Tenn., followed on the same side.

Mr. *Weller* also defended the veto and the president.

Mr. *Underwood* then spoke at considerable length, and having concluded,

Mr. *Hunter* of Va. obtained the floor, but yielded for a motion to adjourn, and the house adjourned.

MONDAY, JULY 4. Mr. *Dean* reported a bill for the payment of Iowa militia called into service in Dec. 1839. Referred to the committee of the whole.

Also presented a report on the payment to James D. Doty of $40,000 for erection of public buildings in Wisconsan.

The house proceeded to consider the veto of the provisional tariff bill.

Mr. *Foster*, of Va. defended the veto.

Mr. *Cooper*, of la. expressed himself strongly against the course of the president.

Mr. *Saunders*, of N. C. defended the president and vindicated the veto.

Mr. *Marshall*, of Ky. spoke in condemnation of the veto.

Mr. *Adams*, followed upon the same side, and having concluded, Mr. *Pendleton* moved the previous question.

And the main question was ordered to be now taken.

And the main question, "shall this bill pass" was taken and decided as follows:

YEAS—Messrs. Allen, L. W. Andrews, Sherlock J. Andrews, Arnold, Ashe, Atherton, Ayrault, Badger, Baker, Barnard, Barton, Birdseye, Blair, Boardman, Borden, Briggs, Brockway, Bronson, Milton Brown, Jeremiah Brown, Burnell, Wm. Butler, William B. Campbell, Thomas J. Campbell, Carter, Casey, Childs, Chittenden, John C. Clark, Staley N. Clarke, James Cooper, Cowen, Garrett Davis, Deberry, John Edwards, Everett, Fessenden, Fillmore, A. L. Foster, Gamble, Gentry, Giddings, Goggin, Patrick G Goode, Graham, Granger, Green, Hall, Halstead, Howard, Hudson, Hunt, Joseph R. Ingersoll, James Irvin, Wm. W. Irwin, James, John Pt. Kennedy. King, Lane, Linn, McKennan, Thomas P. Marshall, S. Mason, Mathiot, Mattocks, Maxwell, Maynard, Meriwether, Mitchell, Moore, Morgan, Morris, Morrow, Osborne, Owsley, Pearce, Pendleton, Pope, Powell, Ramsey, Benj. Randall, Alexander Randall, Randolph, Ridgway, Rodney, W. Russell, A. H. Sawtelle, Sidney Sherman, Simonton, T. Smith, Sollers, Sprigg, Stanly, Stokely, Stratton, A. H. H. Stuart, John T. Stuart, Summers, Taliaferro, John B. Thompson, Richard W. Thompson, Tillinghast, Toland, Tomlinson, Triplett, Trumbull, Van Rensselaer, Wallace, Warren, Washington, E. D. White, C. H. Williams, Joseph L. Williams, J. Young—111.

NAYS—Messrs. Adams, Arrington, Atherton, Bidlack, Black, Bowne, Boyd, Brewster, Burke, William O. Butler, Green W. Caldwell, Patrick C. Caldwell, John Campbell, Clifford, Clinton, Coles, Mark A. Cooper, Cravens, Cushing, Daniel, Richard D. Davis, Dawson, Dean, Dean, Doig, Eastman, Egbert, Ferris, Charles A. Floyd, Fornance, Thomas F. Foster, Gerry, Gilmer, Wm. O. Goode, Gordon, Gwin, Habersham, John Hastings, Hays, Holmes, Hopkins, Houck, Houston, Hubard, Hunter, Chas. J. Ingersoll, Cave Johnson, John W. Jones, Keim, Andrew Kennedy, Lewis, Littlefield, Abraham McClellan, Robert McClellan, McKay, McKeon, Mallory, Marchand, Alfred Marshall, John Thomas Marshall, Mathews, Medill, Mallet, Newhard, Oliver, Patridge, Payne, Fickens, Plumer, Read, Reding, Rencher, Reynolds, Rhett, Riggs, Rogers, Roosevelt, Sanford, Saunders, Shaw, Shields, William Smith, Steenrod, Sumter, Sweney, Jacob Thompson, Van Buren, Ward, Watterson, Weller, Westbrook, Joseph L. White, James W. Williams, Wise, Wood—91.

ABSENT—THIRTY-ONE.

So, two-thirds not voting in the affirmative, as required by the constitution of the United States, the bill was rejected.

To-morrow and the two following days having been set apart for the consideration of territorial business, Mr. *Pillsbury* moved that it be postponed until next week, in order that the great tariff bill might be again taken up to morrow. The motion prevailed.

A communication was received from the secretary of state, transmitting, in obedience to a resolution of the house, an authenticated copy of the reasons of the president for signing the apportionment bill.

Mr. *Adams* moved the reference of the documents to the select committee on that subject.

Pending which, on motion of Mr. *Campbell* of S. Carolina, the house adjourned.

TUESDAY, JULY 5. Mr. *Botts* presented a petition from over 2,000 citizens of Richmond, for the passage of a tariff of discriminating duties. This, in addition to the one he had the honor of presenting a few days ago from the city of Petersburg, he regarded as evidences of the salutary changes of opinion in the south.

The resolution on the subject of the Virginia military land warrants was considered.

After a few remarks from Messrs. *Gilmer* and *Hall*, the question was taken, the amendments agreed to, and the resolution adopted.

On motion of Mr. *Fillmore*, the house went into committee of the whole, and resumed the consideration of the revenue or tariff bill.

The question was now on the amendment proposed by Mr. *Saltonstall*, striking out its first Item, and inserting the bill as reported by him from the committee on manufactures.

Mr. *Kennedy* of Md., arose and advocated protection, and made a defence of American interests.

Mr. *Appleton* of Mass. followed, and scouted the idea of attaching any sacred character to the compromise act. It has already accomplished its object.

Mr. *Saunders* of N. C., followed on the other side, in a party speech.

Messrs. *Bidlack* of Pa., *McKeon*, and *Ingersoll* followed.

Mr. *Triplett* having obtained the floor, the committee rose and reported progress.

Mr. *Fillmore* then submitted a resolution, providing for abbreviating all general debate, in committee on the revenue bill, on and after Thursday next, which he proposed to offer to-morrow morning.

The house then adjourned.

WEDNESDAY, JULY 6. Mr. *Meriwether*, from the select committee on that subject, made a report relative to the expenses of the Florida war. Laid on the table and ordered to be printed.

The resolution to refer the copy of the reasons of the president for signing the apportionment bill, was then called up.

Mr. *Cushing* arose and spoke in defence of the president's course.

Mr. *Campbell*, of S. C. admitted the right of the president to give his reasons for signing a bill, but denied that he has the right of filing those reasons among the archives of the country; he believed this act of the president a dangerous though unintentional encroachment on the right of the house.

Mr. *Botts* contended that the course of the president in this respect, was calculated to excite a revolutionary spirit, and that it was highly reprehensible. With a view of getting at the tariff bill, Mr. B. agreed to waive further remarks until another opportunity. He therefore moved the previous question, which was seconded. The "reasons" were then referred to the select committee, at whose request they had been transmitted.

Mr. *Fillmore* offered the following resolution:

Resolved, That all debate in committee of the whole house on the state of the union on house bill No. 472, "to provide revenue from imports and to change and modify existing laws imposing duties on imports, and for other purposes," shall cease on Monday next, the 11th instant, at 12 o'clock, M. unless the committee shall report the bill sooner to the house, and the committee shall then proceed to vote on all pending amendments and all and any bills offered thereto, and then report the same to the house.

The said resolution after being amended on motion of *Wm. Cost Johnson*, so as to substitute Tuesday for Monday was adopted by 98 yeas to 94 nays.

On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole on the state of the union, and resumed the consideration of the bill "to provide revenue from imports and to change and modify existing laws imposing duties on imports, and for other purposes," with the amendment pending thereto.

The debate was resumed by Mr. *Triplett*, who was entitled to the floor, and was continued by Messrs. *Mark A. Cooper*, *Washington*, and *Barnard*; after which—

Mr. *John Thompson*, *Mason* obtained the floor, and moved that the committee rise.

On which motion no quorum voted.

The committee then rose, and the *fact* was reported to the house.

After an ineffectual motion for a call of the house, the house adjourned.

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CHRONICLE.

AMERICAN SILK. President Tyler appeared on the fourth of July, in attire of native silk, presented to him. The progress of the silk business in this country is onward.

Proof. In Ohio, in 1839, the bounty paid to silk growers was only $71 10: in 1841, $2 631 76 bounty was paid. The amount produced estimated at 93,000 that year.

In Massachusetts, in 1836, bounty paid $35 20. In 1838, $129 93. In 1841 $1 675 10.

In Pennsylvania, in 1840, $2,121 39. In 1841, $4,413-35 cents.

In New York, in 1840 about 2,103 pounds of cocoons were raised. In 1841, 6,456 pounds.

The rev. Frederick A. Ross has probably raised more silk than any other person in the country. During the last year he sold 200 pounds of reeled silk in Burlington, New Jersey, for $1,500. A silk filature has been recently established in Philadelphia.

ARKANSAS. Honorable Edward Cross, Euclid L. Johnson and a Mr. Evans are candidates for congress in the state—all Van Buren men. No whig candidate yet announced.

REV. GEORGE W. BRUSH has received and accepted the appointment of superintendent of public instruction in Kentucky. Mr. B. was formerly pastor of the Methodist church in Lexington. *Lou. Jour.*

COAL. Mr. Peel announces that the export duty upon coal, under his new tariff, will be two shillings instead of four shillings, as at first proposed; the amendment was carried in the commons—ayes 200, nays 67.

THE COUNT DE LAS CASES, who accompanied Napoleon in his banishment to St. Helena, died at Passy, in France, on Monday the 18th May.

PROFESSOR DEWEY arrived at Hayre in twenty-two days from New York, on the 19 h of May, after a pleasant voyage with Mr. Sewell; he is now on a tour up in the country.

ELECTION. The official returns of the special election in Washington county, Pennsylvania, for a member of congress gives the following result:

Congress, 1842.	Governor, 1841.	
McKennan, W.	3 111 Banks,	3,291
Patterson, V. B.	2,187 Porter,	3,434
Whig majority	257 V. B. maj.	143

Whig gain since last year, 400.

EXPLORING EXPEDITION. The brig Oregon, lieut. com. O Carty, another of the squadron (schooner Porpoise of the Peacock), arrived at Boston on the 1st inst. from Rio Janeiro, which she left in company with the U. S. brig Porpoise, who bound home. Lieut. Wilkes was in charge of the late Delaware.

The British surveying ketch Arrow, arrived at Rio on the 20th May, from the Falkland islands, where the Terror and Erebus of the British exploring squadron had arrived on the 6th April damaged by a gale on the 20th January, having gone as miles further south than in the preceding voyage. They were still further damaged by a collision between the sloops in lat. 66, 44, in which the Erebus suffered most.

During the absence of the U. S. ship Peacock, on the exploring expedition, and prior to her loss in the mouth of Columbia river, she is said to have sailed 62 000 m'es. The Flying Fish, tender to the Vincennes, had sailed 78 648 miles prior to her being sold at Singapore, as unseaworthy. The Vincennes in her circumnavigation of the globe, sailed 71,000 miles; equal to twenty trips across the Atlantic.

The U. S. brig Porpoise, Cadwallader Ringgold, lieut. com. parted with the Oregon three days out from Rio and arrived at New York on the 21 inst. having been 80 years and 11 months out, sailed 25,000 miles, sustained no material injury or accident, and lost but two men by death, viz. George Reynolds, ordinary seaman, and David Bluget, quarter master. On the 28th ult. she was within two days of New York, but detained by calms and light wind.

ERIE CANAL INTERRUPTED. Part of the aqueduct at York mills, three miles above Utica, fell in on Wednesday last. The navigation of the canal will be suspended for some days.

CAPTAIN BASIL HALL, with the ladies and children of his family, have completed their tour to Thebes, Syria, the River Jordan, and the Red Sea, and are now proceeding to Greece and Constantinople.

HOP CROPS. The hop plantations in the neighborhood of East Bedford rev. it is said, seriously affected with fly and lice; and the accounts from Sussex, and Mid and East Kent, are very bad indeed. Similar reports are almost invariably circulated about this time of the year. *London paper.*

LIGHTSHIPS. A correspondent of a Liverpool paper, in a discussion on *lightships* contends—

1st. That an iron lightship can be built to ride with more ease and safety than a wooden one.

2d. That an iron lightship will be much more durable and even much less for repairs than one of wood.

3d. That no injury is to be feared from corrosion, but that much is to be feared from such connexions as Mr. Tobin, who will by no means hear of any thing in the way of improvement.

4th. That iron vessels which have not endured double the fatigue and lasted double the time of wood uses, have not been properly built.

MAINE WHIG STATE CONVENTION AND NOMINATIONS. A whig state convention assembled at Portsmouth, Maine, last week. The hon. L. S. Cutler presided. The whig politicians say that the utmost feeling of harmony and unanimity prevailed. The hon. Edward Robinson of Thomaston, was unanimously, and by acclamation, put in nomination as the whig candidate for governor. Spirited resolutions, expressive of the feelings of the whigs of Maine, were unanimously adopted. The hon. HENRY CLAY, of Kentucky, was recommended as the whig candidate for president of the United States. His name was announced amidst great applause. Some very able speeches were made upon the present position of political affairs.

MALMAISON. The Dowager Queen of Spain, Christina, has purchased Malmaison, the former residence of the Emperor Napoleon and the Empress Josephine.

MARYLAND WHIG STATE CONVENTION. The whig central committee have requested the whigs of the state to appoint delegates to a convention, to assemble on the 20th of August next, at the city of Baltimore, for the purpose of nominating a candidate for presidency, and consulting upon the political affairs of the state.

MISSISSIPPI. The board of examination which met at Philadelphia on the 13 h ult. after a careful examination of the relative claims of the candidates, passed the following gentlemen in the order assigned them:

1. Thomas M. Crossley,	19. John Boothe,
2. Thomas Holdup Stevens,	20. John H. Brown,
3. Charles Stokker,	21. Ed. Fitzgerald Beale,
4. Calvin Ap Roger Jones,	22. Francis Alexander,
5. James L. Blair,	23. William C. Ballou, S. Porter,
6. Thomas H. Patterson,	24. Chas. R. Smith,
7. Francis K. Murray,	25. Ed. Tatnall Nicols,
8. Silas Bent,	26. Thos. L. Kulsch,
9. John C. Howell,	27. John P. Decatur,
10. Edward Higgins,	28. Hamilton F. Porter,
11. Wm. Elias Boudinot,	29. Edward L. Winder,
12. Van Rensselaer Morgan,	30. John K. Duer,
13. Maldison Rush,	31. Henry A. Clemson,
14. Daniel Ammen,	32. Richard Allison,
15. Henry Rolando,	33. James W. Ripley,
16. Andrew Weir,	34. Ed. Ward West,
17. John R. Taylor,	35. John H. Parker,
18. Isaac N. Morris,	36. Wm. B. Muse,
	37. Geo. M. Rogers,

Navy department, July 1, 1842.

NEW YORK CORPORATION. The court of errors on the last session, after overruling the decision of the supreme court of New York in the mandamus case to compel the mayor to swear in the whig officers. Each of the judges delivered lengthy opinions.

The common council on the 6 h inst. proceeded to business accordingly, and a change of the officers of the police will be the consequence.

Assistant alderman Scoles has introduced resolutions for impeaching the mayor.

A GENERAL COURT MARTIAL is now in session on board of the United States ship North Carolina, in New York harbor, composed of the following members:

Captain Francis H. Gregory, president.
" Silas H Stringham,
" Samuel L. House.
Com'der Hiram Paulding,
" William J. McCluney.
" E. W. Carpender.
" William W. Newton.
Philip Hamilton, judge advocate.

NEW ORLEANS. The Picayune of June 26, remarks: "There are now three hundred patients in the Charity hospital. The disease most fatal among them is the congestive fever."

OIL. Importations into the United States during May, 1842—Sperm, 24,830 barrels; whale, 42 530 barrels—Sperm 24, barks 10, brigs 4, schooners 2. Tuunage 11,306.

PENNSYLVANIA FUNDED DEBT. The funded debt of the state of Pennsylvania is held as follows:

By citizens of Pennsylvania,	$9,631,613 47
By citizens of other states of the Union,	1,690,537 00
By subjects of Great Britain,	20,026,488 00
By subjects of other foreign kingdoms,	3,711,748 00
Total amount of funded debt,	$34,671,356 47

RHODE ISLAND. The triumph of the legal authorities appears to be complete. A special review of the troops took place at Providence on the 1st inst. Every preparation has been made to detach large forces of mounted men in any direction that may be threatened, at a moments, warning.

The general assembly has passed resolutions for paying off the troops. Expenses of the war are estimated at $9 to $100,000. Resolutions have also been adopted providing for examining and disposing of the prisoners. The examination of the prisoners is proceeding, and a large portion of them are discharged, as miserable dupes of misguided leaders. Thomas F. Carpenter, is the only recent arrest we have noticed.

RAIL ROAD ITEMS. The Russian government is negotiating a loan of two millions sterling with the house of Baring to execute the railroad between St. Petersburg and Moscow.

The Hanseatic Rail Road company have assigned the office to the city of Bremen. Indebtedness of the concern 840 000.

The Camden and Amboy Rail Road company, during the last year, the receipts have received $276,955 23
And expended 355 538 76

Profit $401,716 43

Of this, $148 530 65 was paid for accruing interest upon loans, leaving $253,185 78 to be divided to stockholders—equal to 42,109 per cent.

SEIZURES. From the British custom house it appears that in 1841 the following seizures were made—Brandy 12 939 gallons; genevra 2,196 gallons; rum 193 gallons; and wines 68 gallons.

STAGE COACHES IN THE DESERT. The London papers announce by advertisement, the establishment of a stage-coach communication between Cairo and Suez! Here, says the London Athenæum, in the march of civilization. But a few years since, it was supposed that camels or dromedaries, from their power of enduring thirst, could alone traverse those sandy plains, and penetrate the solitude of the desert. Now we have hotels established at regular intervals, with relays of horses, and a coach running, which performs the journey regularly in about eighteen hours. The accommodation offered at the close of the vertisement is amusing: "Refreshment and provisions supplied in the desert at very moderate charges."

AN IRON STEAMBOAT, intended for the coal trade on the Delaware and Raritan canal, was launched in N. York on Wednesday. She is of 220 tons burthen, and is furnished with Erickson's propeller.

THE TUNNEL. The whole of the Thames tunnel, 1,172 feet in length, is now completed, and, as soon as the stair case on the Wapping side is erected, will be opened as a public thoroughfare.

THE TRINITY BILL is still under discussion in the house of representatives, but according to decisions of the house the discussion is to terminate in committee and they are to proceed to vote upon the bill on Tuesday next.

TENNESSEE BANKS. The Nashville Banner of the 29 th ult. says: "We are authorized and requested by the proper officers to announce that the banks in Tennessee, and their branches, will resume specie payments on the first day of August next."

TARIFF. The New York Express says—Private letters from England represent trade as improving, the manufacturing districts are getting worse. Many of the manufactories had stopped. Cotton was depressed, and supplies of cotton from Liverpool were large, but yarn was very known. Vessels were taking dry goods to Apenrea for six shillings per ton; thirty shillings has been the usual rate.

UNIVERSITY HALL (*Cambridge*) *blown up.* About two o'clock on the morning of the 6th instant, this hall, nearly new, and one of the best of the college buildings, was blown up. Some villains had undermined one corner of the bomb shell, and set fire to the fuse. It exploded with a tremendous effect carrying away most the upper part of the building.

The only person in it at the time was the baker who slept there in charge of the building. He escaped serious injury.

QUEEN VICTORIA has made her first excursion upon a railway, accompanied by Prince Albert she removed from Windsor to Buckingham palace, by steam, on the 9th June—per the Great Western railway. *Boston Mer.*

VEGETABLE IVORY. It is said that the French discovery ships have introduced, from the south seas, a new vegetable, resembling the cocoa nut, but much harder. When the outer shell is removed, the interior presents the appearance, and possesses all the properties, of the finest ivory. In the manufacture of articles to which its use is adapted, it is supposed that this vegetable product will entirely supercede the more costly tusk of the elephant. * *Southern Planter.*

WOOD. A London publication, some years since gave the following statement of the comparative strength of different kinds of wood, on the authority of Colonel Beaudoy.

Pitch Pine, called 1 000; English Oak, with straight and even fibres, 930; do. irregular and cross grained, 887; Riga Fir, 792; and Dantzic Oak, 663.

Hardness, on the strength of timber, gives the following comparative weights of timber two inches square, assuming the following weights, five feet from the fulcrum: Riga Fir, 169 pounds; yellow pine, 199 pounds; pitch pine, 256 pounds; white pine, 199 pounds; ash, 217; oak, 261 pounds.

Four feet from the fulcrum, Dantzic oak, 167 pounds; riga fir, 202 pounds; pitch pine, 272 pounds; English oak, 211 and 298 pounds.

WILD PIGEONS. *New speculation.* 2,000 live wild pigeons, will arrive at 5 o'clock this afternoon, at the depot of the Western rail road, by the freight train from Albany. These pigeons were taken in Michigan a few days since, and are in fine condition. *[Boston Times.*

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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STATES OF THE UNION.
MISCELLANEOUS—Webster's letter.
POLITICS—impeachment.
REPORT OF COMMITTEE ON COMMERCE.
CONGRESSIONAL PROCEEDINGS.
CHRONICLE.

☞ The reply of Mr. *Webster*, Secretary of State, to the note of the Mexican Minister published in this number, was communicated to congress on the 14th instant by the president, and will be inserted in our next.

Extract of a letter from George Washington to Edmund Pendleton, 23d, Sept. 1793.

"You do me no more than justice when you suppose that from motives of respect to the legislature, *and I might add, from my interpretation of the constitution,)* I give my signature to many bills with which my *judgment is at variance*. In saying this, however, I do no injustice to any act. From the nature of the constitution I must approve all the parts of a bill or reject it *in toto*. To do the latter can only be justified upon the clear and obvious ground of propriety, and I never had such a confidence in my own faculty of judging as to be ever tenacious of the opinions I have imbibed in doubtful cases."

BUSINESS TRANSACTED. That the unhappy difference of opinion and views between the executive and legislative departments of government as to some of the most important measures now pressing upon their attention has seriously obstructed the progress of the business of the session, and now renders it quite doubtful whether there is any probability of reconciling those differences, is too true—yet the members cannot fairly be chargeable with neglecting the duties of legislation, if we compare the business they have transacted, with the business transacted by any previous congress in the same length of time. The house of representatives in the last (the 26th) congress, it was ascertained on examination, had done more business and done it faster than any that had preceded it. Comparing the business done during the long session of that congress, up to the 24th June, with the business done to the 24th June by the present house, we have the following result:

	26th Cong.	27th Cong.
Bills reported	460	514
Bills passed the house	202	222
Senate bills passed the house	21	32
Printed reports of committees	629	881

This comparison in favor of the present session as to the *bulk* of business transacted, would be eclipsed altogether if we compare the relative importance, and intrinsic *difficulties* surrounding the questions which have required the attention and most deliberate examination of the members; for instance, besides the adjustment of a general tariff of duties, of itself a topic for a whole session, the investigation of the public expenditures, the proposed reduction of our civil, military and naval disbursements, the bankrupt bill, saved by the skin of its teeth, the bill which passed the senate last week after an elaborate discussion, designed to obviate the recurrence in future of such conflicts between the general government and the state authorities, as was experienced in the case of McLeod; the apportionment bill, &c. &c. &c.

FOREIGN ARTICLES.

CENTRAL AMERICA.

BRITISH CLAIMS. Rear admiral sir Charles Adam, reached the Belize on the 16th June, in the Illustrious 74, to assist the British superintendent in enforcing the payment of the British claims. Carrera and the members of the government at Guatemala had given assurances of the immediate payment of their quota, and similar assurances had been received from the authorities of Honduras—and measures were in train to secure payment from the other three states. The British negociators were peremptory.

AMERICAN CLAIMS. The Belize Gazette of the 4th inst. contains the following very improbable statement respecting a retaliation for a robbery committed by Manuel Quixano of the custom-house, in St. John's river:

We learn that a U. S. sloop of war, sent out by the president to inquire into the circumstances of a robbery committed on the brig Galen, had arrived in San Juan's river. The commander, having ascertained the facts of the case, landed a party of sailors and marines, took possession of the best goods in the custom-house and conveyed them on board the sloop of war. He demanded also a sum of money, but as it was not immediately paid he got under way for a cruise, promising to return in a fortnight, when it must be forthcoming or he would take other measures.

Lopez had resigned the presidency of Guatemala. It was offered to Carrera, to whom Mr. Stevens has introduced us in his travels, and he declined the responsibility. Senor Rivera Paz was then chosen. Vigorous efforts are making to encounter Morazan.

BELGIAN COLONIZATION. The Courier des Etats Unis, says "The company formed in Belgium to colonize a part of Central America, sent at the end of last year a committee to examine the land, and to make choice of a suitable place for forming an establishment. The members of this commission are now in New York, on their return to Europe. The objects of the mission have been successfully accomplished. M. Colonel Galloway, chief of the expedition, has obtained from the government of Guatemala the concession of the district known under the name of Santo Thomas, situated between the river Montagne and lake Isabel. On this territory is comprised the bay of St. Thomas of Castile, at the bottom of the gulf of Honduras. If the account published by Mr. Montgomery, envoy of the States of Guatemala in 1838, may be credited, this bay may become one of the finest ports in the world, and the surrounding lands are highly favorable for the site of a great city, which by its proximity with the Montagna, navigable in a considerable part of its course, will in a short time acquire a commercial importance very desirable for the states of Central America. It is there, it is said, that the Belgian colonists proposes to establish its colony, and to open a communication with the Montagna by either a road or canal of only four leagues length. There is reason to believe if these projects succeed, with the chances in its favor, which the patient character and laborious habits of the Belgians promise, that Central America will arouse from the torpor in which she has been deadened since the Spanish conquest." The correctness of this statement is doubted by some of the New York papers.

A Belgian journal contains the following fanciful passage: "To ensure permanent peace upon the continent, the great powers, convinced of the necessity of assuring colonies to all the people of Europe, are about to re-assemble in congress at Aix la Chapelle, to make a partition of the immense and fertile lands yet unoccupied upon the globe. Every nation will be legally in possession of a territory equal to that of the mother country, and will obtain a right of protection by contribution for the maintenance of a neutral fleet, destined for the police of the seas, and to defend the colonists against the attacks of which they may be the object, as well as to exercise the right of visit."

MEXICO.

The brig Petersburg has brought dates from Vera Cruz of 10th, and Mexico of 6th ult to N. York.

The constituent congress assembled on the 1st June in virtue of the law of convocation decreed by the provisional president. The first 10 days would be occupied in verifying the powers of the deputies.

The military forces assembled by Santa Anna at great pains, amount not to 60 as had been reported, but to 35,000 men at most. They are destined in appearance for the invasion of Texas, the old object always projected, never realized and which will end in smoke. They are designed by Santa Anna to maintain his own power at home.

The United States frigate Macedonian has arrived at Pensacola from Vera Cruz. When she left, the yellow fever was very bad, deaths 30 or 40 per day, and was very bad also at Tampico. Commodore Wilkinson furnished the editor of the Pensacola Gazette with several interesting documents lately issued by the Mexican government, and published in the Diario, at Mexico. They are all aimed against Texas, and against the United States for allowing so much aid as has been given to Texas by American citizens within the United States.

The first paper is a circular to Mexican diplomatic and consular agents in Europe and America. It states the constant solicitude and recent preparations of the Mexican government for the "re-conquest of the department of Texas;" complains that "the government and subordinate and local authorities" of the United States have "tolerated tranquilly, contentedly, and impassively the numerous public meeting which are held, the armaments and other aids of war that her citizens send constantly to Texas;" and announces that Santa Anna has "protested formally and repeatedly against such an open violation of the principles of the laws of nations, and of the treaties of friendship which had been formed."

Enclosed in this circular are circulars addressed to the diplomatic ministers of England, France, Spain, Prussia, and the United States, and a special note addressed to the hon. Daniel Webster, secretary of state of the United States, both dated, on the 31st of May. These papers are directed to be published as fully as possible, by the Mexican agents, throughout Europe and America.

The circular addressed to foreign ministers is full of reproaches against the United States for having suffered, in the presence of its authorities, the recruiting and enlisting of volunteers and furnishing of munitions of war against Mexico and on behalf of Texas; states the formal and repeated protest of Mexico against these breaches of the law of nations and the laws of treaties, and recites that these explanations are made to the end that the other governments may be apprised of such acts, and know that "Mexico, without wishing to disturb the relations which subsist with the United States, well knows how it may be proper to manifest and cause to be appreciated the justice which accompanies her, and which she rightly based upon the law of nations—making use of all that her honor and dignity imperatively demand." [N. Y. Stand.

We copy from the New York Journal of Commerce the following translation of a letter, addressed by the secretary of state of the republic of Mexico to the secretary of state of the United States, but published at Mexico before it had left that country on its way to the United States:

National palace, Mexico, May 31, 1842.

A few days since, the undersigned, minister of foreign relations of the Mexican republic, had the honor to address the honorable secretary of state of the United States, protesting formally to that republic, in the name of his excellency the provisional president, against the unusual hostilities and aggressions committed by citizens of those states upon the Mexican territory. A favorable change might have been hoped for in consequence, but it seems necessary, by reason of a continuance of those aggressions, to call the attention of the honorable secretary of state to the subject anew, on account of the unbeniable tolerance which has been and continues to be extended to the enemies of a nation sincerely friendly, and bound by the solemn treaty compacts which unite both the two republics.

In that note, after bringing to the notice of the secretary the circumspection with which, ever since the revolution in Texas broke out, the government of Mexico has endeavored to conduct its relations with the United States in order to avoid a rupture between two nations which, on account of their importance and other grave considerations, seemed destined to control the policy and destiny of the vast and fertile American continent, the undersigned flattered himself with the idea that the cabinet of Washington would not protect, either openly or secretly, nor in any way, the scandalous usurpation of a part of our acknowledged national territory. But he has the pain to infer from the acts palpable to the whole world, that the said cabinet of the United States and the subordinate and local authorities are pursuing a course of conduct entirely contrary to the most sacred principle of the law of nations, and to the solemn treaties of friendship which exist between the two nations. Of this, sufficient evidence is afforded by the allowance of noisy political meetings at var-

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ous places in said states, the preparation of armaments, the embarkation of large numbers of volunteers, and the disposition and endeavor, as far as convenient and practicable, to aid the Texians, and promote the invasion of a neighboring and friendly republic.

Such conduct the Mexican government cannot comprehend; and although animated with a sincere desire that the relations now happily existing between this republic and the United States may not suffer the least alteration, it feels bound in frankness to repeat, in the most formal manner, its former protest against the tolerance before mentioned, a continuance of which it will regard as a positive act of hostility against this republic, and will regulate its conduct as justice, its own interests, and the national dignity may demand.

The undersigned hopes that the secretary will be pleased to reply as promptly as the importance of the subject demands, and avails himself of this opportunity to repeat to him the assurances of the distinguished consideration with which he subscribes himself your most obedient servant,

J. MARIA DE BOCANEGRA.

FOREIGN ITEMS.

Steam navigation on the Danube. In 1841, the number of travellers by steam on this river was 170,078, and the weight of merchandise transported was 513,576 quintals; being an increase of 44,785 travellers and of 144,913 quintals, over the preceding year. We note these facts with the more satisfaction, as a few years ago this great artery of navigation from the east to the west of Europe was not ploughed by a single vessel. This river is therefore destined to become a grand part in the commercial movement of Europe with the east. In fact, when the canal "Louis," in the construction of which Bavaria is engaged with so commendable a perseverance, shall join the Mayne and Danube, the Rhine will find itself in direct water communication with the Black sea; and who can calculate the fruitful consequences of such a communication, the dream in the time of Charlemagne.

English emigration. Lord Stanly has lately introduced into parliament a bill, which proposes to exercise a new influence on the direction of emigration, and will have the effect of turning the current of the poorer classes to the Australian colonies instead of America, and permit those of the rather higher classes to the latter country. By the United States laws which permit foreign vessels to transport two individuals to five tons, the passage of a family of six individuals from England to the United States would cost £21 sterling or $105; while by the English laws which permit every vessel to transport four individuals to six tons the passage of a similar family to Quebec or Halifax would cost only £6 or $30. The difference of price causes most of the English emigrants to ship for Canada or Nova Scotia, whence they make their way by land to the states. But the British government desires the emigration to be directed to her Asiatic or Australian colonies, as it perfectly comprehends the resources that might be drawn from those fertile lands and begins to feel seriously for the fate of its possessions in America. To obtain this purpose, the bill of Lord Stanly proposes to assimilate the laws of transport to Canada to those of the United States, and to reduce the duties imposed on the vessels which go to Quebec or Halifax. If then a family of six can be transported to Australia for $30 instead of 105 which a voyage to America would cost, it is evident that if they could not pay the latter, which is the case with nine-tenths of English emigrants, they will be obliged to choose the former. Thus the poorer classes will be left two alternatives, either to remain at home and die of hunger or to go and enjoy abundance in the fertile countries of New Holland, New Zealand, Van Diemen's land, or a host of other islands in the same zone. [*Bee.*

NATIONAL AFFAIRS.

THE ARMY.

GENERAL ORDERS, NO. 40.

Head quarters of the army, adj't gen'l's office.

Washington, July 12, 1842.

I. The general-in-chief has received the following order through the department of war:

War department, July 11, 1842.

The great improvement which has been made in the facility of intercourse between the seat of government and the most remote parts of the Union since the organization of military divisions, renders correspondence between the general head quarters of the army and the military geographical departments so rapid, that divisions are deemed no longer necessary. The circuitous transmission of important communications caused by that organization has sometimes been found inconvenient to the public service, and may prove seriously detrimental. In view, therefore, of the great importance of a direct, prompt, and immediate correspondence between the executive and the major general commanding the army on the one part, and the commanders of the several military departments on the other, the president directs that the two military geographical divisions be discontinued.

Circumstances have varied so much since the military geographical departments were established that a new arrangement has become expedient, and the major general commanding the army will therefore report for the approbation of the president such a plan for districting the United States into military departments, with a commander to each, not exceeding ten, as may be deemed advisable, with a view to the direction of the military force which may at any time be employed within them.

J. C. SPENCER.

II. The following arrangement of military geographical departments having been duly submitted and approved, under the foregoing instructions, the same is hereby published for the government of the army:

Department No. 1—West Florida, and the states of Alabama, Mississippi, Louisiana, Tennessee, and Kentucky, with the exception of the last, to be attached to the 30th of June, in each year, at New Orleans, and for the remainder of the year at the bay of St. Louis, or Baton Rouge, as the commander may direct.

Department No. 2—The country west of the Mississippi, north of Louisiana and Texas, and south of 37th degree of north latitude. Headquarters, Fort Smith.

Department No. 3—The state of Missouri, (above the 37th degree of north latitude), the state of Illinois, the Iowa territory, that part of the Wisconsan territory west of the 13th degree of longitude west from Washington, and the Indian country north and west of the lines indicated. Headquarters, Jefferson Barracks.

Department No. 4—The states of Indiana, Ohio, and Michigan, the part of the Wisconsan territory not included in department No. 3, and the Indian country north. Headquarters, Detroit.

Department No. 5—The states of Pennsylvania, N. York, Vermont, New Jersey, Connecticut, and R. Island. Headquarters, Troy, N. Y.

Department No. 6—The states of Massachusetts, New Hampshire, and Maine. Headquarters, Portland.

Department No. 7—The states of Delaware, Maryland, and Virginia. Headquarters, Fort Monroe.

Department No. 8—The states of North Carolina, South Carolina, and Georgia. Headquarters, Sullivan's Island, harbor of Charleston.

Department No. 9—(Temporary.) East and Middle Florida. Headquarters in the field.

III. Brevet Major General Gaines is, for the present, assigned to department No 1. and Brigadier General Wool to department No. 5.

IV. The senior officer in command of troops in a department will command such department until an officer of higher rank shall be sent to the same.

V. Commanders of the respective departments will not leave their headquarters, on tours of inspection, without giving the earliest notice thereof (in anticipation, if practicable) to general headquarters. They will also promptly report their return, together with such observations on the state and condition of the troops and the frontiers inspected, as the good of the service and the general regulations for the army may require.

R. JONES, *adj. gen.*

By command of Maj. Gen. Scott.

THE NAVY.

The U. S. ship Warren, at Norfolk, has changed officers, commander M. M. Armstrong succeeds commander Williamson. T. Turnar, O. S. Gilson and J. A. Winslow, are his lieutenants.

U. S. ships Fairfield, Com. Morgan, and Preble, capt. Voorhees, arrived at Gibraltar May 28, and sailed same day, destination not reported.

A marine on board the United States frigate Congress, at Portsmouth, got asleep on his post, fell overboard and was drowned on the 1st inst.

BRITISH NAVY.

A late English paper has an article on the subject of the British naval preparations for war, says: "The determination of France to build seventy-three steam frigates above the size of those in the British navy has given our government great concern, as the country is not in a state to build an equal number of the same class to cope with them. Accordingly, the admiralty assembled the master shipwrights at Woolwich dock-yard, and formed a committee of the royal builders to devise the best means to protect our line-of-battle ships from the certain destruction which our enemies intended by their formidable preparations to visit them with. All the large ships building at the royal dock-yards were stopped proceeding with for some time—the Albion, Aboukir, Exmouth, Princess Royal, Hannibal and Victoria—until a plan should be determined upon to make them adequate to repulse the steamships of the French and American navies. It has therefore been determined upon to fortify their bows and sterns with long 68lb. guns, to keep them at a respectable distance, and which will enable our large class ships to approach the harbors and towns on the coast of America or France and destroy them at pleasure without the power of our enemies' battery cannon being able to injure them, as our ships will be able to keep out of their reach. Our steam-ships are all to be fitted forthwith with long 68lb. guns, and the experiments going forward at Woolwich are intended to make them impregnable in running up the harbors of brother Jonathan and those of our friends on the opposite side of the English channel. But Robert Peel's government are quite alive to the necessity of preserving our sovereignty of the sea, and are determined not to give America, France, or any other enemy Russia, any chance of gaining the ascendancy on that element of which we have so long been the mistress. England has nothing to fear from France or America, if all openly, as they are secretly, combined against us. We will beat them, as we have before done, over and over again. [*John Bull.*

COLLECTION OF THE REVENUE. OFFICIAL CIRCULARS. The following circulars have been issued by the first comptroller of the treasury, to the collectors of the several ports:

CIRCULARS TO COLLECTORS.

Treasury department, comptr's office, June 23, 1842.

SIR: As the existing laws direct important alterations to be made in the collection of duties on articles imported into the United States, from and after the 30th day of June, 1842, it is proper that I should inform you, as collector, that after that day, until otherwise directed by law, in the collection of duties as prescribed by the acts of congress of March, 1833, and September, 1841—which, together, provide the rules and rates of duty, duties shall be levied, collected, and paid, in ready money, on all goods, wares, and merchandize, imported into the United States, at the rate of twenty per cent. on the value thereof, to be ascertained in the same shall be entered—excepting always those articles which are enumerated in the said acts, or either of them, as being liable to a higher rate—also, that I should request you to be careful, that the said value shall be accurately ascertained by the appraisers, or other proper officers or persons at your port—who should determine the value, with just reference to the qualities and manner in which the several articles are there sold by importers, and to the prices obtained at cash sales in the fair and regular course of trade.

I remain with great respect, your ob'nt serv't,

JAMES WM. McCULLOH, *comptroller.*

To ——, *collector.*

June 25, 1842.

SIR: As congress have this day passed a bill providing that all laws, existing and in force on the 1st day of June, 1842, regulating and fixing the amount and rate of duties to be levied and collected on goods, wares and merchandise, imported into the U. States, and prescribing the mode of collecting the same, and all provisions relating thereto, shall continue and be in force, as they stood at that date, *until the first day of August*—at which time, if there be no further legislation on the subject, the laws for laying and collecting duties shall be the same as though the said bill had not been passed—any thing in any other act to the contrary, in any wise, notwithstanding, but, as the said bill still requires the approbation of the president to become a law, it is proper that I should require you to proceed in the collection of duties, from and after the 30th day of June, 1842, precisely as you did on the first day of said month, and, also, in the manner you are required to do, by the circular issued from this office on the 23d inst., and to defer your ascertainment of the duties proper to be finally exacted, and your decision as to the mode of payment to be enforced, until you shall be advised as to what will be the actual state of the law, and proceedings thereby definitely required, from and after the expiration of this month, as you will be, by a circular that shall be issued from this office, on or before the 1st of July next.

I remain with great respect, your ob'nt serv't,

JAMES WM. McCULLOH, *comptroller.*

To ——, *collector.*

Treasury department, comptr's office, July 1, 1842.

SIR: The bill passed by congress on the 25th day of June, 1842, to regulate and fix the rates of duties on imports, from the end of said month until the 1st day of August, not having become law, by reason

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of the president having returned the same to the house of representatives, with the objections thereto, you will proceed to levy and collect duties in ready money, on all goods, wares, and merchandise imported in your district, after the 30th day of June, 1842, at the rate of 20 per cent. on the value thereof at the port of entry; except those articles which are enumerated in the 5th section of the act of congress, of the 30 day of March, 1833, and in the 1st section of the act of the 11th day of September, 1841—or, in either of the said sections, as being thereby made free; and excepting, also, muriatic acid, sulphuric acid, and the other articles, expressly mentioned and provided for in the said act of 11th September, 1841, to be admitted on the payment of the rates of duty imposed on them respectively under the existing laws; but those rates, except such as were specific, must be levied however, on the value of the article at the port of entry; and this value is to be determined by the appraiser, in *all* cases with just reference to quantities and manner in which articles are respectively sold by importers, and to the prices which they obtain for them at cash sales in the fair and regular course of trade at the port of entry; the sum of the duty to be paid at the rate of 20 per cent on the value of any article at the port of entry will in each case be the one-sixth part of the price ascertained as aforesaid, at which importers sell articles; and the oath or persons appraising any article, having ascertained the price at which it is sold, or will sell, should report the value of such article at a rate or sum, which with 20 per cent added thereto, will amount to said price; for instance—if a bale of cloth was under their examination, and they found it would sell in manner aforesaid, at the price of six dollars per yard, the appraisers should report the value thereof, at said port, to be five dollars. It is contended that there is no law now in existence enforcing duties upon imports, but that there is a law providing that duties shall be levied of more than 20 per cent. ad valorem."!

The New York Journal of Commerce of the 5th inst. has the following paragraph on this subject:

Duties. "The treasury department has upon full advisement ordered duties to be charged on the home valuation or the short price; that is, the price before the duty is put on.

For instance, sugar which is worth five cents a pound, short price, for exportation, but six cents for consumption, will be charged twenty per cent. duty on five cents, which being one cent, the long price will stand six cents.

The merchants are entering their goods and paying the duties in cash, generally with a protest.

The Boston Mail says: "We understand that suits have already been instituted against the collector on this port, for compelling the payment of duties in accordance with the recent "circular" from Washington. Thus is the government not only without any certain law for the collection of revenue, but in a fair way to lose all the duties, and be saddled with costs into the bargain. Alas, to what a pitch of misery and degradation is this great country reduced by the selfish obstinacy of one man, who wishes to set up his own opinion as the supreme law of the land."

The Boston Daily Advertiser, says: "It is a question of doubt among lawyers, whether, under the existing laws, any duties whatever can be collected on "goods, wares, and merchandise" imported into the United States since the 30th of June last. The question depends solely upon the construction to be put upon the third section of the compromise act, passed March 2, 1833. To enable the reader to understand the true purport of that clause it is necessary to advert only to the following provisions of the act.

The object of the act appears to have been, not to establish a permanent revenue system, but to make a gradual reduction and equalization of existing duties, during a period of ten years, preparatory to the establishment of new regulations by law, to be based on the principle of assessing all duties on a home valuation. The first section of the act provides for the repeal, in certain proportions, at six successive periods, of all excess of existing duties over 20 per cent. ad valorem, including not only those which were originally ad valorem in their form, but those which were specific, viz: on the 31st of December, in the years 1833, '35, '37, and '39, each one-tenth of such excess, on the 31st of December, 1841, three tenths of said excess, and June 30, 1842, the remaining three-tenths. Then comes the third section, which is in the following words:

"*Be it further enacted*, That until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be *collected in ready money*; and all credits now allowed by law, in the payment of duties, shall be, and hereby are, abolished; and such *duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government*: and from and after the day last aforesaid, the duties required to be paid by law on goods, wares, and merchandise shall be *assessed upon the value thereof at the port where the same shall be entered*, UNDER SUCH REGULATIONS AS MAY BE PRESCRIBED BY LAW."

"Besides the foregoing provision of the first section of the law for bringing down existing duties to the level of 20 per cent. another act was passed at the extra session of last year for bringing certain other duties, not included in the act of 1833, up to that level, and for imposing duties not exceeding 20 per cent. on a large number of articles previously duty-free.

"In determining the construction of the aforesaid third section, it cannot be assumed that it was the intention of the law to abolish the residuum of duty, after the successive reductions, equal to 20 per cent.; but the only question is, whether it has done so in fact, by abolishing the mode by which they were by law assessed in another mode, for which there is no legal provision, in the express terms, "under such regulations as may be prescribed by law," when in fact it is notorious that no such regulations have been prescribed by law.

"In assessing duties heretofore, on merchandise imported, founded on the invoice value thereof, verified in the mode prescribed by law, the officers of the customs were to proceed in strict conformity with the regulations so prescribed. But in assessing duties on the value of the goods at the port where they are entered, the collectors would be entirely without chart or compass, to guide them in the course of proceeding. What is to be test of value? Who is to be the judge? Is all left to the discretion of the collector? Is the collector of this port to make his own regulations? These questions seemed to be answered by the law itself, which requires that they shall be assessed "under such regulations as may be prescribed by law," and if, in the absence of all such regulations, no assessment can be legally made.

"We understand that circulars from the treasury department at Washington have been addressed to the collectors of the several ports, requiring them to assess the 20 per cent. duty on all merchandise not free under the above named laws, on a valuation to be made at the request of the collector of Boston, by the appraisers and other officers of the customs; the mode of proceeding not being very definitely prescribed, and consequently left, in a great measure, to the discretion of the collectors. Whether such proceedings will be suffered to stand, in lieu of regulations prescribed by law, we presume will be determined in the last resort by the courts of law."

TREASURY AGENT. T. F. ROBINSON, Esq. of Harrisburg, Pa. has been appointed a treasury agent of the U. States, to proceed to Europe for the purpose of disposing of twelve millions of government stock. Noticing this appointment, the Boston Atlas says: "The same steamer which carries out the news of the appointment, also takes the veto of the bill, providing, we presume, among other things for the payment of the interest accruing upon the loan. Whether Mr. Robinson will proceed, under circumstances so unlikely to allude so injuriously the accomplishment of his object, we have not learned, but we think it would be equally well, for all parties concerned, that he should remain at home. There is not the most distant probability of negotiating a loan in Europe, while our public affairs are in their present unpropitious position. No capitalist there will loan our government a dollar, until some definite and permanent system of revenue is established."

STATES OF THE UNION.

NEW HAMPSHIRE.

The senate of New Hampshire did not concur with the house of representatives in the passage of resolutions refusing to distrust the state for the choice of congressional representatives, agreeably to the late act of congress, but adopted others, which the house did not concur in.

The subject lays over for course. By districting the state the party at present in the majority would lose some members.

RHODE ISLAND.

BY HIS EXCELLENCY SAMUEL WARD KING, *Governor, Captain General, and commander-in-chief of the State of Rhode Island and Providence Plantations.*

A PROCLAMATION.

By virtue of a resolution of the general assembly of said state, I issue this my proclamation, and appoint Thursday, the 28th of July instant, as a day of public thanksgiving and praise: and I recommend to the good people of this state, that, abstaining from all unnecessary labor and unbecoming recreation, they on that day assemble in their several places of public worship, and in compliance with the resolution aforesaid:

"There confess before the living God their sins as a people; and with warm and contrite hearts, sincerely offer up to the Father of all Mercies their deep and unaffected thanksgiving for the signal interposition of his kind and fatherly love, so recently and strikingly manifested in rescuing them from the horrors of civil war, anarchy and death; and to beseech him to impress this whole people with an active abiding reverence for his holy laws, and that they be enabled, through the mercy of Jesus Christ, to live in the daily recognition of the great and solemn truth, that they are all hastening to a final and eternal retribution.

Given under my hand and the seal of the said state, at the city of Providence, this fourth day of July, in the year of our Lord one thousand [L. s.] eight hundred and forty-two, and of the independence of the United States of America the sixty-seventh.

SAMUEL WARD KING.

By his excellency's command,

HENRY BOWEN, *secretary of state.*

The Providence Journal speaks in very warm terms of the sons of Rhode Island, who, having formed new associations, found new homes in other states, abandoned all these, and joined the citizens of their native state in their successful attempt to support the supremacy of the laws. The Journal says—"From them we might well have expected a deep feeling against the atrocious attempt to overthrow the government of Rhode Island, and a strong sympathy for the cause of law and order; but we had not a right to look for their personal services in the ranks. Yet they have come; and the ranks of many of our companies show the familiar, through long absent faces of those who did not forget us when they left us. Rhode Island sounded the tocsin of alarm, and its returning echoes brought back the gallant sons, from the crowded mart, from the work shop, and from the desk; and hereafter, when, like Cornelia, she reckons up her jewels, not the least prized will be those whose brightness amid our time not silence have dimmed. They will return to their new homes, prouder of their native state, while their state will be equally proud of them as their representatives and her children."

The Journal gives a list of seventy-seven prisoners who had been examined by the commissioners. Of these forty-nine were discharged and the other twenty-eight committed for trial. Eighteen of the number alleged that they were forced into the rebel service. One of the discharged is 14 years of age, one 17, one 19, and two 18.

Providence, July 1, 1842.

SIR: I am charged by the hon. secretary of war with the duty—which I execute with great pleasure—of expressing his very high gratification at the appearance of the citizen soldiers under arms, during the review this afternoon, under your command.

Mr. Spencer is deeply sensible of the many personal sacrifices the citizens of Rhode Island have made in the sacred cause of law and order, and congratulates them on the signal success with which these sacrifices have been attended. He hopes that recent events will induce a more just estimate of the value and efficiency of the militia in the defence of their homes and their altars, and that it will be the pride of all good citizens to cherish and sustain a means of defence and protection so sure and so entirely within the control of the respective states. He desires that you will make acceptable to those under your command this expression of his sentiments. I have the honor to be, with great respect, your obedient servant,

E. A. HITCHCOCK,

Lieut. col. U. S. army.

Col. Wm. Brown, commdg. Prov. City Guards.

The New York American notices this article and observes, "this praise of the appearance and discipline of the troops is all very well, but what had the secretary of war to do in Rhode Island, when the contest had been ended by the arms of Rhode Island men, *unassisted by the general government?*

We think the a captious inquiry and that the secretary is so unimpeachable.

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The visit of this high functionary to a state which had been left unaided to expose its most precious lives against a revolted and armed rabble, seems to us, under the circumstances, little else than mockery.

We take leave to differ in opinion with the writer of the above. The course of circumstances in the case, we think has been strictly appropriate throughout, and calculated to confirm the confidence of the people of this country.

MARYLAND.

BALTIMORE AND OHIO RAIL ROAD. The Baltimore American states, "that an arrangement has been concluded with Messrs. Baring, Brothers & Co. of London, by which they agree to furnish the iron requisite to finish the Baltimore and Ohio rail road to Cumberland, and receive payment in annual instalments of $50,000, with interest semi-annually. The house in London also suspends the option of selling the state bonds below the company's limits, so long as the payments are punctually made. A liberal credit of seven years is obtained in the transaction, the completion of the road to Cumberland early in the approaching autumn is placed beyond a doubt, and the state bonds in the hands of the company are by this arrangement preserved from any possible sacrifice.

This very satisfactory information will be gratifying to all who are interested in the progress of this great work, which promises so auspiciously for the prosperity of Baltimore. It is a matter, too, of sincere congratulation, that so effective an arrangement has been concluded without incurring the necessity of throwing the state bonds into the market at the present depreciation of that scrip."

MISCELLANEOUS.

The heavy columns of congressional proceedings during the interesting discussions lately under consideration, have monopolized so much of the Register, that for mere variety sake we are determined to abridge the space allowed that head in this number in order to insert a number of articles that have been by us for some time waiting for room. Amongst them the following

RAIL ROAD TOPICS.

DIVIDENDS OF MASSACHUSETTS ROADS IN JULY.

	Capital.	Dividend.	Amount.
Worcester,	$2,400,000	4 pr. ct.	$96,000
Lowell,	1,800,000	4 "	72,000
Nashua,	400,000	4 "	16,000
Taunton,	250,000	4 "	10,000
Eastern,	1,600,000	3 "	48,000
Providence,	1,842,000	3 "	55,260
New Bedford,	400,000	3 "	12,000
	$8,692,000		$309,260

Averaging nearly 7 1-8 per cent. per annum.

[*Transcript.*

EUROPEAN RAIL ROAD ITEMS. The emperor of Russia is constructing a rail road between the two principal cities of his empire, St. Petersburg and Moscow—a distance of 500 miles.

The great rail road which is constructing in Austria by a company chartered in 1830, with a capital of seven millions, at the head of which is the Baron Rothschild, of Vienna, is gradually progressing.—The work was commenced in April, 1837. In November of that year the first trip was made from Vienna to Wagram, a distance of seven miles. In July, 1839, it was opened as far as Brunn, in Moravia, 91 miles. There are now 188 miles in operation.—Fifty-three miles are in progress of construction, and the locations are extended many more miles. Few difficulties are found in the route; neither tunnels nor inclined planes have been required to surmount summits;—the steepest grade is 17 6 feet per mile, or 1 in 300, which is their maximum. The curves have no radius shorter than 1,640 feet. The widest bridge is round 12½ feet, the slopes 1½ to 1. Single track, except the first seventeen miles from Vienna. The iron T rail of 40 lb. per yard is used which cost $135 per ton. The superstructure is not left to contractors for fear of not obtaining solid work, but the residue, after the plans are completed and estimates made, are set up in sections and bid for by contractors, at *so much below the estimates*. The sub-contractors employ females to do a great part of the work, at very low wages.

The cost of this road, single track, has averaged $28,600 per mile, or $33,0.0 including outfits. The amount expended so far, is 8 millions of dollars. In 1840 the income of the part between Vienna and Brunn, was $294,172, averaging $3,333 per mile, or ten per cent. on the capital of construction; 928,968 passengers paid $201,561, and 32,180 tons of goods paid $90,063. The expenses were $225,547 or $2,478; per mile, leaving $68,625, or 3, per cent. profit. The number of miles travelled by all the engines, was 188,100,—at an expense of $1,25 per mile,—of which 52.4 cents was paid for fuel, which has to be brought from a great distance;—coal and coke are used.

The rate of passenger fare, has been 3.16 cents for first class, 2.01 for second, 1.58 for third class—and the average 1.75 cents per mile. The charge is now increased one fourth.

The first 91 miles required 6,012,500 cubic yards of excavations and embankments; 3,708 feet of wooden bridges over the Danube and Vienna, being 1,969 feet long, with spans of 60 feet, 488 feet wooden bridges with stone piers; 24 stone bridges and viaducts having 228 arches of different spans; 116 culverts, 198 road crossings, of which 31 were under 6 over, and the remainder level with the rail road.

It is estimated that 90,000 oxen, (*cattle we presume* is meant,) are driven annually from the interior of Galatia to market, upon the transportation of which this company calculate, as well as vast travel and traffic from the interior. Experiments have shown that from 150 to 180 oxen can be carried by a train, each car containing 6 to 8, standing sideways, secured by their ears. In this way they are conveyed from Hamlach to Vienna, 83 miles, in 7 or 8 hours, without food.

Since sketching the above we have met with the following article from the *Courier Francais*. It affords so comprehensive a view of the progress of rail roads in central Europe, that we have had it translated.

From the Courier Francais.

An extraordinary enthusiasm has seized upon the German and Sclavonian population beyond the Rhine, in regard to the rapid progress which the construction of rail roads has made in England, Belgium and the United States. The governments of Austria, Prussia, Russia and Central Germany have applied themselves to work, drawing after them the zeal of a population which cannot be estimated at less than 60 millions. In these countries, the projects have not to undergo the tardy movements of representative bodies, and the financial resources not being absorbed by a multitude of contingent or separate schemes can be concentrated upon a single object, by which, the lines being traced with great economy, and generally on a single track, do not require any great outlay of capital. These causes seem to be, in few years, joined to Germany, Poland and Hungary a great net work of railways.

In Austria, Bavaria, Baden and Hanover, the lines which are to traverse these countries are placed under charge of the governments. Saxony and Bavaria have signed a convention, which has for its object, the execution of a line traced across the centre of Germany from Augsburg to Leipsic, and 83 millions of francs have been appropriated to that purpose by the two governments. Prussia on her side has treated with Brunswick and Hanover, for prolonging to Cologne, from Berlin to Magdeburg, and thus to connect the Elbe with the Rhine.

Germany has not a centre to which all the radii of her united schemes of convergence and unite (as at France has in the city of Paris), and hence, each of her great powers wishes to have its own separate system, to which the works of the secondary states shall attach themselves. It is, perhaps however of easing an artificial centre, where the great line which shall join the Baltic to Switzerland, in passing from north to south will cross and exchange its transports, with that which will pass from east to west to unite the Danube with the Rhine, and Vienna with Rotterdam. This intermediary point will be Cassel.

The rail road lines executed comprise 1,225 kilometers or 306 leagues, which have cost 144 millions, (450,000 francs per league.) If the line from Leipsig to Dresden and a part of that from Vienna to Prague are deducted, the kilometers railways have yet but one track; and some of them even, among others the 206 kilometres from Budweis to Gemunden, do not admit locomotives and are subserved by horse power of by

The extent of the lines in the course of construction is estimated at 1,162 kilometres, and their expense at 160 millions francs. There are besides 4,750 kilometres of additional roads projected. The whole system, comprehending thus the Prusso Belgian, Prusso Saxon, and the Austrian projected towards Poland and Lombardy, would thus compose 7,147 kilometres or 4,786 leagues and would cost 852 millions.

The Prusso Belgian works comprise as yet 65 kilometres from Cologne to Aix la Chapelle, and 38 from Eberfeld to Dusseldorf. The roads are being actively prosecuted upon that portion of the first of these lines, which is to connect with the Belgian frontier in front of Verviers, and thus connect Cologne with Ahvers. The Rhenish road is to be prolonged farther, from Cologne to the north to Dusseldorf, and to the south to Bonn. The company which constructs this is authorised also to construct a line of 238 kilometres from Dusseldorf to Minden, to connect the Rhine to the Weser. But this is as yet, only a project, the immediate execution of which cannot be anticipated.

The Prusso Saxon system comprehends from Berlin to Coethen and also to Leipsig, and from Leipsig to Dresden. Besides these roads upon which transportation has already commenced, Prussia is constructing lines from Berlin to Frankfort on the Oder, and from Berlin to Stettin Saxony is executing the line from Leipsic to Plauen. These works prolonged to Hamburg will afford two maritime *debouches* to the Prussian customs union. By running from Dresden to Prague they will connect with the Austrian road.

The Austrian system has been prosecuted at the north, from Vienna to Olmutz, and at the south from Vienna to Neustadt; it is to be prolonged to Peth by the left bank of the Danube to Pesth in Hungary, and from Prusan where it is arrested, it is to connect with Cracow. Austria intends to extend it moreover towards the Adriatic and also towards Ravarcum but to attain this immense development, a financial power would be requisite which this government is not at present endowed with.

In northern Germany, there exist only the roads from Francfort to Mayence, from Manheim to Bruckwall, from Augsburg to Munich, and from Nuremburg to Furth. Wurtemburg is discussing the construction of a road from Stuttgard to Heidelburg, and from Ulm to Augsburg; but her project has not yet led to any measure indicative of its execution; and the government seems to be in no haste for Prusse to deserve the construction of the road from Paris to Strasburg, before entering decisively upon the undertaking.

THE CROTON AQUEDUCT. This stupendous structure is now completed, and in a few weeks at farthest the city will have a foretaste of the thousand benefits to be derived from it. Our citizens may not be generally aware that in this magnificent work they are surpassing ancient Rome in one of her proudest boasts. None of the hydraulic structures of that city, in spite of the legions of slaves at her command, equal, in magnitude of design, perfection of detail, and prospective benefits, this aqueduct. The main trunk consists of an immense mass of masonry, six feet and a half, nine feet high, and forty miles long formed of solid walls three feet thick, cemented into solid rock. But this water channel, gigantic as it is, is but the lesser being all the work. The dam across the Croton, which retains the water in a grand reservoir, is a mound of earth and masonry, forty feet high and seventy feet wide at the bottom, and has connected with it an elegantly executed but perfect contrivances to enable the engineer to have complete control over the mighty mass of water.

The river, thus thrown back toward its sources, will form a lake of five hundred acres, which will retain a supply for emergencies of some thousand millions of gallons, and also afford a pleasant advantage many picturesque sites for country seats upon the woody points which will jut out into its smooth basin. A tunnel leads the water from this reservoir into the aqueduct, and eleven more of these subterraneous passages occur before reaching Harlem river, having an aggregate length of seven hundred and ninety miles, and many of them are cut through the solid rock. At intervals of a mile, ventilators are constructed in the form of towers of white marble, which give to the water that exposure without which it becomes rapid and insipid; and these dazzling turrets mark out the line of the aqueduct to the passengers upon the Hudson.

The streams which intersect the line of the structure are conveyed under it, in stone *culverts*, the extremities of which afford the engineers an opportunity of displaying their architectural taste. Sing Sing creek, with its deep ravine, is crossed by a bridge of a single elliptical arch of eighty eight feet span, and a hundred feet above the stream. Its unusually perfect workmanship was proved by its having settled but one inch after the centres were removed. The view of its massive grace from the narrow valley beneath is one of the most striking points upon the line. Sleepy Hollow, well known to the readers of imaginative lore, is spanned by a series of graceful arches.

The bridge across Harlem river has been the subject of much controversy. The admirers of magnificent symmetry and perfect, and these inte-

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rested in preserving the navigation of that stream, have warmly advocated the erection of a bridge over which the water might pass upon its regular level; while the friends of more measured economy recommended a lower and cheaper structure, to which pipes should descend and rise therefrom after the manner of an inverted siphon. The plan finally adopted is that of a high bridge, but still with its surface ten feet below the usual grade, which falls fourteen inches to the mile. It is a quarter of a mile long, one hundred and sixteen feet above high water, and its estimated cost exceeds three quarters of a million.

Across this the water is conveyed in huge iron pipes, protected from the frost by a covering of earth four feet deep. Near Manhattanville is a tunnel a quarter of a mile long, through the hill at that place, and the valley is crossed by pipes descending one hundred and five feet. Clendenning valley is passed at an elevation of forty feet, and arches of appropriate size, upon the lines of the streets, leave symmetrical carriage ways and foot paths.

We paid a brief visit yesterday to the two great reservoirs of this stupendous undertaking. The receiving reservoir, at Yorkville, thirty-eight miles from the dam at Croton river, is in two divisions, both covering a space of thirty-five acres, capable of containing one hundred and twenty millions of gallons. It is enclosed by granite walls of solid masonry roughly finished. The bottom of the basin is the natural soil.

The distribution reservoir, at Murray's Hill in Forty-second street, is a much finer and more expensive work. It is nearly square, and covers an area of about five acres. The bottom is made of concrete, as smooth, hard and water tight, as marble itself. This area is 440 feet square at the base, and is divided in the centre by a wall of granite nineteen feet thick at the bottom and four at the top. It is surrounded by a wall, also of granite, composed of three distinct columns of solid mason work. The outer column is five feet thick; the second six, and the third or inner one a lining of granite, which, from sixteen in depth, placed upon a concrete masonry above 30 feet thick at the base.

From the outside of the middle wall—the thickness of neither included—the distance is fourteen feet; and from the extreme of the outer wall to the inner angle of the third is sixty feet—the three walls uniting at the top. At a distance of ten feet from each other are thick cross walls with solid arches, thus binding the whole into one solid, impenishable mass. From the top of the northeast cornice to the level of the street the distance is fifty-six feet. The depth of the reservoir is forty feet; and it will contain water to the depth of 36 feet, or about 22 millions of gallons—a capacity, few days since by James Renwick, jr. one of the engineers employed on the work.

At the east end of the division wall, a well has been sunk to the depth of fifty feet, communicating with a sewer below, and forming a waste-weir for the discharge of the surplus water, when it rises in the reservoir above the height of 36 feet. At the bottom of this well is laid a block of granite, weighing seven tons, and still farther to break the fall of the overflowing stream, and to prevent it from wearing away the stone, water to the depth of six feet rests permanently at the bottom. From the well, waste water is conveyed by a sewer nearly a mile to the North River.

The style of the architecture is Egyptian—well fitted by its heavy and impenetrable character for a work of such magnitude. The summit of the walls around the whole area is flagged and will be provided with a heavy iron railing—forming a beautiful and sightly promenade twenty feet in width. The ground immediately around the work have been purchased by the corporation to protect it from encroachments. The receiving and discharging pipes are two in number—each about three feet in diameter. It is now nearly four years since the work was first commenced; and during the working season, on an average, about 400 men have been constantly employed in the winter season in bringing materials. During the whole time no lives have been lost by accidents—bands—and that the loss of life in the injuries that have been sustained. The whole cost will not be far from $500,000. Above the door at which you ascend to the summit by three flights of eight, thirteen and thirty steps, is the following inscription:

CROTON AQUEDUCT.

DISTRIBUTING RESERVOIR.

Commissioners.	*Engineers.*
Samuel Stevens,	John B. Jervis, chief.
Zebedee Ring,	H. Allen, principal asst.
John D. Ward,	P. Hastie, resident.

Builders.
Benjamin Birdsall,
Samuel R. Childs,
Thompson, Price & Sons.
Commenced.
MDCCCXXXVII.
Completed.
MDCCCXLII.

Such is a condensed but comprehensive view of this noble structure. It is now completed, with the exception of the high bridge. The bridge will occupy two years more, but a temporary pipe has been laid over the river upon the soffer-dams of the bridge, which will afford us a supply of water for use at three years until the completion of the entire work. [*N. Y. Tribune of June 14th.*

THE THAMES TUNNEL. This extraordinary work is now on the point of completion; and the boldness of the enterprise, the indefatigable labor with which it has been prosecuted, and the remarkable skill which has been exercised in bringing it to this point of unquestionable success, place it among the most remarkable scientific performances of the age. We know that any thing may be laughed at, and that little—very little is found of laughing the most at the gravest things; but we have no fashion to join in ridicule of a work which exhibits so singular a combination of the daring and the practical—of the lofty speculation and the profound science, both so characteristic of England, and so honorable to the national character.

It is true that the chief engineer of this stupendous work is a Frenchman, but we cannot much feel angry for national jealousy in his origin, than for national honor in his employment. England boasts, and justly, of her enterprising commerce of the world; her still prouder boast should be that of her attractive talents of the world. A nation can give no stronger evidence of its superiority, than its disregard of bitterness of all kinds. The Russians never gave a clearer evidence of his being marked for the master of the world, than when he borrowed the arms of the conquered nations—when he adopted the laurel of the Sabines, the shield of the Samnites, the helmet of the Tarentine. We only wish that our adoptions were larger and more frequent, that we had the powerful genius of a country like yours of every great sculptor, architect, and painter of Europe, and that we had thus nobly monopolized Thorwaldsen, Canova, and the building of the Pantheon of Paris, and still retained Hamlin.

The Tunnel has now comp'eely reached across the river—a distance of 1,300 feet—and the projector and engineer had the gratification, a short time since, of being the first who walked from the Rotherhithe shaft on the London side. The shafts on both sites of the river, which are intended for foot passengers, are really grand things. They are a succession of staircases ascending in circular revolution, between twenty and eighty feet deep, and when they shall all be lighted with gas, will be among the most extraordinary parts of the whole structure. Even now they strongly realize the idea conceived of the descent into the caverns of the Egyptian mysteries; and the view of the interior, nearly a quarter of a mile in extent, lighted with a long succession of mouthed flames, would probably have suggested to a Greek the image of an entrance into Tartarus.

But, in our day, the sublime is well exchanged for the practical and that vast and formidable looking cavern will be stripped of its poetic associations by the passage of carriers and wagons, bales of goods and herds of bullocks. Still it will be almost impossible to divest ourselves of the recollections really attaching to this work. We have before us attogether a new attempt to conquer nature—a great experiment to make practicable without bridge or ferry—a new and capable contrivance for expediting the intercourse of mankind. The stone bridge is at all times the most expensive edifice in the world, and the ferry boats in stormy weather, and in freezing almost certain to be broken up in every instance of a flood. Besides this, the fixed bridge blocks up the navigation of the river for all vessels beyond the size of a barge or a small steamboat. The expense of the stone bridge also is enormous. Waterloo Bridge cost upwards of a million—London Bridge about as much more—Westminster and Blackfriars bridges, which were built at a cheaper rate and in cheaper times, so constantly demand repairs that they probably have cost more than either of the modern ones; but the Tunnel has the advantage of giving a passage from side to side of the Thames, where from the breadth of the river, a stone bridge would have probably cost nearer two millions than one, and where no bridge could be thrown across without blocking up the most important part of the Thames, that portion which may be called the great wet dock of London. Yet the expense of the whole has not amounted to more than £400 000; and even this is to be remembered, as an expense greatly increased by the utter novelty of the experiment, by difficulties unforeseen in the commencement, by several irruptions of the river, by the dearness of workmen's wages arising from the peculiar peril and singular nature of the labor connected with an undertaking carried on at all hazard and wholly by artificial light. All this, too, in constant hazard of an influx of the river, and the various difficulties belonging to working in a mine. The weight of a vast body of water above, acting alike during summer and winter, which at any moment might break in, and against whose incursions it was as necessary to fortify the outside of the tunnel as the interior, added greatly to the difficulties of the undertaking.

The original object of the tunnel was, to convey cattle, passengers, and general traffic from the rich countries on the Kent side to that great commercial region of the metropolis—the London and East and West India docks. How far this will be now effected, is a question of great moment to be decided by experience. There can be no doubt that if the traffic be not impeded by the fear of passing under the river, it must be immense. The convenience of escaping the long circuit up to London Bridge, which, from the various obstructions in the streets, and the general difficulty of passing through the most crowded portion of the city, must now occupy many hours, would obviously direct the whole current of the traffic into the tunnel.

Hitherto, no expedient has been adopted to shorten the passage of the traffic and the conveyance by which 1,200 clear feet are substituted for at least three miles of the most encumbered thoroughfare imaginable, must be adopted as a matter of the most palpable advantage. Still there may be difficulties in the way which practice only can exhibit. But any fear of the structure itself we should regard as altogether groundless. The building of the tunnel seems as solid as a rock. During the whole period from the commencement, we have not heard of a single instance of its giving way, vast as the pressure was from above, and trying as were the sinkings, the ground springs, and the extreme difficulty of building under water.

At this moment the roof is obviously as free from damp as the roof of St. Paul's—and instances of earthquake should burst it, the whole fabric seems much more likely to last than were it exposed to the diversities of temperature, the heats and frosts above ground. The especial advantage of the system of the tunnel is, that it can be adopted in any part of the course of a river, and even in its widest part, (the European tunnel does not exceed the breadth of the Thames at Rotherhithe, unless where they spread into marshes or lakes), and yet offer no impediment to the navigation.

But we regard it as having a still higher character; we consider it as a noble and essential adjunct to the railway system, and to have come exactly at the per, per period for completing a system which is now spreading over Europe, which is obviously meant as a great instrument of civilization, and which without it must suffer a full stop at the banks of every great river. For we cannot look to any resource in the clumsy and always insecure contrivance of a bridge of boats or measury, incurring great loss of time, requiring change of engines and carriages, with a hundred other disadvantages, while by a tunnel, the whole train might sweep along wholly unobstructed, and be many a league on the course before a traveller could have crossed by the bridge. We shall then probably see the Rhine, the Danube, and the Elbone passed below their beds, if the governments of their countries shall have the funds or the common sense to follow up the current projects for the rail roads. Our impression decidedly is, that the tunnel is essential as a part of the railway. England has a right to pride herself alike on the scientific intrepidity and the palpable value of the undertaking to mankind.—Brunel has been knighted on the completion of his work. But his perseverance and talent deserve a more productive distinction. We hope that he will give a portion of this great, now, and well decided labor to nature. [*Blackwood's Magazine.*

CULTIVATION OF COTTON.

Extract from the Natchez Free-Trader.

THE ACRIBE BUBST. Last winter and spring the papers of the whole union were filled with alarming and cunningly-wrought articles showing the great production of cotton in the British East Indies, and holding out to the American planter the most discouraging prospects.

A series of these articles, full of false statements and deceptive statistics, appeared first in the Boston Atlas—the creature of the Lowell manufacturers—and were immediately copied by the National Intelligencer, New York American, and the organs of the tariff interest throughout the country, and even in the cotton growing states—at the very time when crops were going into market—these articles were published and endorsed. We denounced them at the

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time as a scheme got up, 1st to lower the prices of cotton in market for the benefit of the manufacturer; 2d, to affect the legislation of congress on the tariff, and create a general clamor, even in the south, for high, protective duties, so as to establish a home demand for the raw material. We endeavored to show, in several numbers, that none but inferior cotton could be grown in India—that seed carried from this country would yield nothing—that the climate and labourers were adapted to the cultivation—and that the expenses would always prevent its extended cultivation. We took this ground before any other journal in the United States, and were ridiculed, even by many cotton planters—men who were then suffering in the sales of their crop by the panic in the market occasioned by the article referred to—for our positions. They have since been sustained by several able writers, and we will in a very short time submit to our readers authentic evidence from India, that will put the matter to rest. The following paragraph has just met our eye:

Alexandria, (Egypt,) 2d March, 1842.

"There is a Mr. F——— here from Philadelphia, and also the cotton planters who went out under the auspices of the English government to raise cotton in India, two years ago—the whole thing has fallen through, and they arrived here on their way home day before yesterday, at our hotel. They are very intelligent fellows, apparently. I am very glad at the result." [*Salem Gazette.*

In confirmation of the above we are able to state, and to prove, by the most unexceptionable authority, that the whole scheme of raising American fine staple cotton in India, at a cost to the company of $100,000 or more, has utterly exploded and will doubtless be abandoned. On one experimental farm of 200 acres planted with seed from the U. States, and managed by an experienced American planter, supplied with all appliances for laborious culture, not more than one bale will be produced.

CULTIVATION OF COTTON IN INDIA. It appears from the following correspondence that the project of introducing an improved system of cotton cultivation in India is by no means abandoned. The following correspondence on the subject has been published in the London papers: [*Inter. Ade.*

"50, *Wilton-crescent, May* 25, 1842.

Dear sir! Would you be good enough to inform me whether the government is in possession of information as to the cause of the unexpected return to this country of the American gentlemen who were lately sent out to India to superintend improvements in the cultivation of cotton in our East India possessions, I have the honor to apprize you that three only of ten American planters to whom you refer have abandoned their engagements.

"Those gentlemen were settled in the Bombay presidency. They seem to have been dissatisfied with the amount of their salaries. They were disheartened by the failure of their crops, from which they expected to derive a portion of their remuneration; and perhaps there was not that eagerness evinced on the part of the local authorities to retain their services, which the importance of the experiment and the interest displayed in the despatches of the home government should have insured.

"No time has been lost in supplying their places from the other presidencies, and in resuming the experiments, which have hitherto, in spite of the unfavorable season of 1841, served rather to encourage than to darken our ultimate prospects of success.

"I have the honour to be, sir, your obedient servant,

W. B. BARING.

To Thos. Milner Gibson, esq. M. P. 50 Wilton-crescent."

NEW YORK CITY SCHOOLS. The 37th annual report of the trustees of the public school society expresses some melancholy forebodings from the effects of the occurrences of the past year and from the statute enacted at the last session of the legislature. They fear that their "noble institution will be subjected to the blighting influence of party strife and sectarian influence, and that its hitherto peculiar adaptation to a floating population embracing an immense operative mass is dimmed forever. "The boast of our city, that in her public schools the children of the rich and the poor, of the American and the foreigner, all mingled as a band of brothers, imbibing freedom and acquiring sentiments of an equality of rights and privileges, both as citizens of this great republic and children of one common father, in whose right all the people of the earth are as one, is overthrown.

How far and how long the board may be able to continue their schools under the intricate provisions of the 'act' they are at this time unable to ascertain. It may be sufficient to say, that the simple, comprehensive and compact system matured through so many years assiduous examination and careful adaptation to its object, is about to be impaired is not destroyed by the introduction of another of complex character, a system, which if not impracticable, is in their judgment ill suited to a city population.

With this hasty glance at recent events, the trustees proceed to sketch a review of their proceedings during the past year. *

The whole number attending all the schools for white children, on the 1st May was 18,341, and colored 988, viz:

		Boys.	Girls.
14 Boys' schools,	white,	4,642	
14 Girls' do.	do.		3,650
2 Boys' and Girls'	do.	390	60
12 Primary departments,	do.	1,863	1,579
48 Primary schools,	do.	3,161	2,996
2 Boys' schools,	colored.	304	
2 Girls' do.	do.		254
1 Primary department,	do.	59	83
3 Primary schools,	do.	119	163

There were also, in addition to the above, 344 children under four years of age attending the several primary departments.

It is a cause of deep felt gratification that the numerous schools under their charge are more fully attended than ever before, and are at the same time in excellent condition.

Although very desirous to extend the sphere of their operations, which is called for by the rapidly increasing population of our city, the trustees have not been able since their last report to add to the number of their schools (with the exception of a single primary) owing to the want of funds.

With the schools in general, those for the improvement of female junior teachers and monitors, have during the past year, continued to flourish, promising a harvest of well qualified and faithful laborers in the cause.

The benefits contemplated from the free scholarships in our universities and grammar schools, and in Rutgers' Institute, have been sought by a number of pupils. Several pupils have entered from college from the public schools, have been distinguished for those high intellectual and moral attainments so gratifying to their instructors, and so creditable to themselves.

Appended to the annual statement furnished by the board to the constituted authorities, will be found a census of the children to the public schools, showing that a number (nearly equal to the attending them) is over 12 years of age. From this it is not unreasonable to infer, that a large number of those not actually at school, have received at their parents' bidding a sufficient education, and have been called upon by them to assist in procuring a livelihood for the family.

There will also be found a table showing that the actual number of children that received instructions in the schools during the past twelve months, was nearly double that returned in accordance with the form required by law.

ROBERT C. CORNELL, *president.*

A. P. HALSEY, *secretary.*

New York, May 5th, 1842.

On the 11th page of the report will be found a table, showing that the number of individual pupils who received some education in the public and primary schools, during the year ending May 1, 1842, was 38,607; while the number returned to the commissioners of school money, in the *mode prescribed* by law, was only 14,543, showing the gross injustice done the system, as well as the trustees, by the legal requisition. [*New York American.*

IRISH REPEAL. LETTER FROM GEN. JACKSON. *Hermitage, May 23, 1842. Sir:* I have the pleasure to acknowledge the receipt of your letter of the 14th inst., enclosing me letters of introduction from Col. R. M. Johnson and other gentlemen, and acquainting me with the objects of your visit to this country, as the agent of the Young Men's Irish Repeal association of New York.

No individual can take a deeper interest than I do in whatever concerns the welfare and happiness of the Irish people. And there is nothing more grateful to my feelings than the anticipation, authorized by the progress of liberal principles throughout the world, that the day is not far distant, when without violence or civil commotion, Ireland will regain the principles she lost in 1800, and be in possession of all the blessings that flow from a government deriving its authority from the will of her people, and administered with a view to their security and happiness. That the measures calculated to produce this happy result may be crowned with speedy success is my fervent prayer.

But at the same time that I express thus freely my sympathy for the patriotic-hearted Irish people, and my hopes that the exertions they are making peaceably and constitutionally to recover the representative government may be successful, it is proper for me to say that I do so without meaning to transcend that maxim which teaches us not to interfere offensively with the internal affairs of other nations. The preservation of the principle on which this maxim rests is far more important to the good of mankind than any benefit which can possibly be obtained by a departure from it, and there are no people, I am sure, who would be less willing than the Irish to occupy a position which would bring into question the justice of the principle.

Entertaining these views, it would give me great pleasure to attend the meeting which you propose, but the feeble state of my health will not permit me to do so.

Thanking you for the too favorable terms in which you are pleased to allude to me personally, and assuring you that the irish blood which flows in my veins will never cease, but with my life alone, to beat in unison with those who have at heart the security of Irish liberty, I subscribe myself very truly, your obedient servant,

ANDREW JACKSON.

To *Thomas Mooney, esq. agent of the Irish Repeal association of New York—Nashville.*

INVENTIONS IN MISSILES OF WAR. "AN INFERNAL MACHINE." Mr. William Beale, pyrotechnist, exhibited to us this morning, a model of the expanding cannon ball invented by him. This ball, when discharged from a 32 pounder, will expand the instant it leaves the cannon, from three to four feet, and is capable of destroying the whole main rigging of a ship, and would cut down four men standing abreast in the field. This ball was examined at Washington, last week, by the president, Mr. Upshur, secretary of the navy, and several naval and military officers, who pronounced it a very singular and ingenious invention. The secretary is about ordering an experiment to be made with it at the navy yard, Charlestown.

Mr. Beale has also made some improvements in the rocket boat, and it was propelled in less than half a minute about three hundred yards, and struck within six inches of the point towards which it was directed.

Mr. Upshur, in a note says—"I witnessed an experiment with Mr. Beale' rocket boat on a small scale, which was highly satisfactory." [*Boston Transcript.*

COLT'S SUBMARINE BATTERY. Mr. Colt made an experiment on Saturday with his newly invented submarine battery, which was considered highly satisfactory. The explosion took place in the bay, opposite Castle garden. It was attended with a dull and heavy rushing sound, and a huge column of water was thrown suddenly and violently to a height of twenty or thirty feet in the air. Any thing less than a ship of the line must have been either destroyed or capsized had the explosion taken place immediately under it. But it strikes us that the great difficulty with which the battery differed must be the impossibility of placing it immediately under any vessel that it may be designed to destroy.

[*New York Sun.*

SUBMARINE EXPLOSION. A great incident of the fourth, was the complete destruction, by means of the *voltaic spark*, of a vessel, looking like an old gunboat. This new application of science to the power of destruction, was made by Mr. Colt, the inventor of the rifles, &c. The case containing the combustibles was sunk under the hulk, and a wire conducted from it to the deck of the North Carolina, distant some two or three hundred yards. At the moment fixed, (1 o'clock,) Mr. Colt, on the deck of the Carolina, applied the acid to his plates, and, quicker than thought, the doomed hulk was thrown into the air, and scattered into fragments. A more complete experiment was never performed. Tens of thousands spectators witnessed it from the battery. Of this new element in harbor defence we have not room to speak to-day; but it certainly seems promising. [*N. Y. American.*

A writer on board the North Carolina thus describes it in the New York Courier and Enquirer: "Mr. Colt having his magneto battery ready on the quarter deck of this ship, the wires from which hat-

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ing been passed, under water, and connected with the explosive machine under the fated vessel—said, "*gentlemen, I am ready—look out!*" when with the quickness of the electric flash the vessel was blown up, and into ten thousand fragments, which were seen amidst a column of water thrown up with them, to a height of some 120 feet, looking like a great water spout, when the whole, water and fragments fell, as does water from a *jet d'eau*, or fountain, though in a less regular form. The suddenness with which the vessel, which I suppose to have been of some hundred tons burden, disappeared—was more like an optical delusion than reality—for in the twinkling of an eye, the form and fashion of the boat, was changed into a column of water and fragments.

"Shouts broke from the multitude that lined the shores. The band, as if electrified by the suddenness of the destruction of the vessel, struck up, "*Yankee Doodle*," which was as much as to say "*beat that who can*." And now the scene was closed, all hands awarding to Mr. Colt the praise of having struck upon a device that will be a more certain protector to our ports and harbors, against invading fleets, than would scores of batteries, and men of war, for against these visible agents of defence, power can be employed and applied, but against this unseen, hidden, and invisible agent, with power enough to blow to atoms the proudest navy that floats, in a moment, no power can be applied, and no vigilance can guard against its devastating effects. All such discoveries are but the messengers of security and peace. For no commander will have the temerity to navigate his ship into waters, where these hidden agents for her destruction are known to be concealed. No commander, though as intrepid as Paul Jones, would provoke their power."

[*From the Buffalo Advertiser.*]

Mr. Ketchum: As new and strange things are occasionally the theme of the public press, we hope you will be pleased to give place in your columns to the following gratifying exhibition:

We, this day, by the politeness of Mr. William F. Ketchum, of Buffalo, had the pleasure of witnessing an experiment of his newly invented explosive ball. Mr. Ketchum made six shots (for the want of a proper target) at trees near the lake beach, from a six pound brass gun of the Buffalo artillery.

The ball is intended to explode on entering the object assailed to a desirable depth. The result of five of the shots was agreeable to the intention of design—entering the object and exploding—showing the destructive effect of such explosion to admiration—the one failing to meet his views being fired at a tree of about 20 inches diameter, struck from the centre as to glance off on an angle of 35 to 45 degrees, so that explosion did not seem to take place for want of sufficient opposition to its projectile motion.

Mr. Ketchum says the principle is applicable to all sizes of ordnance from 6lbs. to the largest used in the army or navy—and the nature of the construction is such that there is perfect safety in handling the balls for purposes of loading, stowing away or transporting from place to place.

The balls being ready for use before being taken on the ground for experiment, we could discover none of the internal construction—but ascertained that no fuse is in any way attached—and that the explosion is the result of impingement when the ball assails an object. The peculiar formation of the ball seems to cause it to take a very accurate direction—as the shots were made with more precision than we ever before witnessed—and it appears to us that there is as much accuracy in the direction of the ball as that shot from a cut or greased rifle.

From the result of the trials we saw, we are of opinion that the inventor has accomplished one of the most important objects ever attained in the construction of warlike weapons, and we hope the projector will not fail to meet the encouragement which untiring genius so justly merits.

We also saw a hand grenade of Mr. Ketchum's invention which he has designed for use in sorties—to be thrown from the vessel in close action; from the deck or round top—or in case of boarding, also to be used for the defence of forts, when an enemy may attempt to take them by storm.

The grenade is so constructed as to be of suitable size and shape to throw—will weigh about one pound—but may be made to weigh more or less, according to the plans of its contemplated use. The formation and principles are such that it is perfectly safe to handle, stow away or transport as occasion may require—yet sure to explode when thrown by coming in contact with any substance as hard as wood or even by striking a man, and numerous experiments have proved its effects on explosion to be extremely destructive.

Thus with the fullest confidence in the effect of both the explosive ball and hand grenade, we cheerfully ascribe to Mr. Ketchum the honor and ability of having invented and constructed two of the most formidable and destructive missiles of war ever exhibited to the world.

JONATHAN H. FORD,
A. L. ALLEN,
June 16, 1842. F. D. SPALDING.

AMISTAD AFRICANS. Intelligence from Sierra Leone to April 20 informs that the missionary, the rev. William Raymond with his wife and child continued in good health. The rev. James Steele had returned from his visit down the coast, with Cinque and a few of the other Mendians—after an absence of twenty days—and found no location where they could advantageously establish the mission. Soon after his return he had a violent fever, three weeks. He was convalescing, but his physician had advised him to return, for some months, to the United States, before the rain season should commence, to recruit his health. Mr. Raymond has taken a farm at York, near Sierra Leone, where part of the Mendians are occupied with study and agriculture. Meantime a letter from Dr. Ferguson, the late acting governor, Lewis Tappan, esq states that the Mendians remained in Freetown, (Sierra Leone). "Having had unrestricted intercourse with hundreds of their country people, they gradually relapsed from the desire of their friends and patrons in America, that they should continue to live together. One by one they dropped off, and even Cinque himself has procured an investment of goods with which he has gone to the Sherbro country to purchase produce for the Sierra Leone market.

I believe that the females and ten of the men are still together with Mr. Raymond.

I am no longer in administration of the government of this colony, but I shall, nevertheless, continue to regard the future proceedings of the Mendians with great interest, and I can, with satisfactory, tn you to know that Col. Macdonald, our present governor, is readily disposed to render them whatever aid or protection they may require, or it may be in his power to grant.

I will feel greatly obliged if you would send me the pleadings in the case of the Amistad, by Mr. Adams and Mr. Baldwin."

THE SANTA FE EXPEDITION. *List of those who were killed or died upon the road.* For the information of those who had friends upon the Texan Santa Fe expedition, we publish the following list, believing it to be nearly correct.

A. J. Davis, accidently shot on the Brushy.
Lockridge, accidently shot on Little River.
Flint, died of cholic on the march.
Dr. Brashear, died of consumption on the march.
Johnson, sergeant, died at Puebla, in Mexico.
Major Sturgess, died of liver complaint on the Palo Duro.
Ernest, died of fatigue, want of food, and exposure in New Mexico.
Gates died near Paso del Norte, of inflammation of the lungs, contracted by exposure.
J. Walker, died of small pox at Guanajuato.
Harris, also died of small pox at Guanajuato.
Dagbert, died of small pox at Guanajuato.
It is supposed that others left behind at San Luis Potosi and Guanajuato, with the small pox, died; but their names we have been unable to learn.
Larrabee, died in a waggon between Paso del Norte and Chihuahua.
Lieut. G. R. Hull, killed by Indians on the Palo Duro.
S. W. Howland, shot by order of governor Armijo, at San Miguel.
Wm. Maybee or Mayby, killed by Indians on the Palo Duro, a river on which the expedition encamped some three weeks.
John McAlister, shot by order of Salazar, on the march from San Miguel to Paso.
James Dunn, killed by Indians on the Palo Duro.
Francis D. Woodson, killed at same time by Indians.
Captain Baker, shot by order of Armijo at San Miguel.
Rosenbury, shot by Mexicans in endeavoring to make his escape.
Dr. Bell, killed by Indians on the Grand Prairie.
Manuel, a Mexican servant, shot by a drummer in New Mexico.
Washington Wilkins, killed by Indians on the Grand Prairie.
Griffith, brains knocked out by order of Salazar on the road from San Miguel to Paso.
Ramon, a Mexican servant, killed by Indians near the Palo Duro.
Mercer, died in camp from a wound received by Indians.
Glenn, killed by Indians on the route.
Golphin, shot on the road from San Miguel to Paso by order of Capt. Salazar.
Donovan, killed by Indians on the Grand Prairie.
Glasse, killed by Indians in the vicinity of the Palo Duro.
Robert C. Todd, killed by Indians on the Grand Prairie.
Snow, killed by Indians on the route.
Fletcher, killed also by the Indians.
Samuel Flenner, killed by Indians in vicinity of the Palo Duro.
F. Keenan, killed by Indians on the route.
The above is as complete a list as we can gather, and is believed to be nearly correct. It will be seen that no less than 35 were lost in all.

[*N. O. Picayune.*

EMPLOYMENT OF WOMEN AND CHILDREN IN COAL MINES. We have just received two huge blue books, being parts I and II of the "Appendix" to the parliamentary "*Commission on Children's Employments.*" Each "part" consists of nearly 600 full pages. Part I is illustrated by some lithographic sketches of men, of women, of children, employed in what we may term "brute labor" and "mechanical transport." Here are women harnessed to coal carts, and dragging them through seams of coal from 22 to 28 *inches*, in height,—working their burdens, some backward, and some forward, over the coarse pieces of coal, rubbed from roads, with a girth of 1 foot in 3, to 1 foot in 6. This infamous, this disgusting, this unsexing employment is exacted, *at this day*, of wretched, but miserably poor and unirrigated industrious women (!) in some of the mines of Scotland, and the north of England, under circumstances to which at present we cannot trust ourselves further to allude. We will speedily recur to the subject, however, more at large. In mines in Lancashire, boys are employed, some in pushing, others in dragging loaded coal trucks through those miserable seams of coal—the "*brute labor*" of the "*mechanical*" from the friction of their heads against the trucks; the draggers maimed from hauling it on their hands and knees—and both these employments are *habitual!* In mines in Rochdale and in the vicinity of Preston and Macclesfield, miners work at the coal in positions and under restraints and confinement, as to space for their exertions, which shock belief, but are terribly represented in the twelve fine lithographs at p. 158, &c. of part I. One of the men shown (and of all represented in the cuts it is said (p. 159) that "they generally work 'naked'"—is as destitute of all habiliments as almost forty years ago, in the islands. He was found working "in a mine not more than 18 to 20 inches in thickness. He still was brought down so as almost to rest upon the thigh, and the head bent down almost to the knee!" How strange that 420,000,000 of money should have been heaped upon the fetters of negro slaves in the West Indies in order to break them, and that not one indignant tongue should have yet been heard within the walls of parliament, to denounce a legalized, or at least permitted system of physical degradation to men, of moral ruin and bodily torture to women, of barbarous captivity and toil to children, for which the bondage of Egyptian taskmasters, the tyranny of European "overseers," and the humiliations of Moorish slavery have supplied no parallel, and can suggest no type! *London Morning Herald.*

CALICO PRINTING. A discovery has lately been made in calico printing which will probably cause a reduction in the price of that article; it has heretofore been necessary to put on each color from a different block, for which purpose several impressions were necessary. The invention alluded to obviates this difficulty; the whole figure is engraved upon one block; the different parts consisting of different colors are separated, by a peculiar kind of ink, the secret mode of preparing which has not transpired, is then placed uniformly over the metallic surface, and a stream of electricity being directed momentarily upon it, the color of the ink is changed instantly from a very beautiful green to a variety of colors; differing according to the metal upon which it is placed, that on the portions of the figure which are engraved on wood, retaining its original color; an impression is taken immediately, and the various colors then transferred to the calico. The expense of the block and ink is something more than that of the old plan, but the labor which is rendered unnecessary by the invention much more than compensates for it. [*Pittsburg Chronicle.*

NATIONAL INSTITUTION.

Washington, *June 13, 1842.*

DEAR SIR: Having recently received from abroad

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some articles which may be of interest to some of the members or correspondents of the institution, I take great pleasure in presenting the following:

Seed beans from Chili, for table use.
Watermelon seed from Chili,
Custard apple seed from Chili, } very superior.
Nectarine & Damascus seed from Chili,
Nankeen cotton seed from Ecuador.

Mineral earth from Chili, which my correspondent describes thus:

"The mineral earth is called *Humo*, and is much esteemed in England for fertilizing the soil. This is a Chilian product, lately discovered. The last price of this article in England was $22 per ton. Apply it to your flower pots and gardens in small quantity to each plant, say a pinch with three fingers, and fifteen days after, you will be astonished at the effect."

The seed beans I can safely recommend, having used them at my table for several deep years, and found them very far superior to any thing of the kind raised in this country.

The cotton is of remarkably deep color, but the staple is short; this would probably be improved by careful cultivation.

I am gratified to find that the institution has opened its doors to the whole people of our country and to the world at large. Under such a system it cannot fail to flourish, and to that end every citizen would cheerfully contribute his mite. With much respect your most obedient servant,

JAMES H. CAUSTEN.

FRANCIS MARBEZ, jr.
Cor. sec'ry National Institution.

TARIFF ARGUMENTS. There is some amusement to be had in looking over the recent arguments of the protectionist men, of which we have not deprive our readers—though full aware that to the great majority of them, indignant at the flagrant outrage upon their rights and all good faith, which the whig party is bent on perpetrating, it would be an infliction, did we occupy our columns with any long and formal discussion of the inexpediency and unconstitutionality of taxing other classes to enrich the manufacturers. To reason with the latter who carry their reason, patriotism, conscience and religion in their purses, and who know no other voice but that of Mammon, would be not only useless, but a violation of the ground which the south has long occupied and is bound to maintain, if true to her own honor and to posterity, that this discussion is closed for us, and we have no more than to stand by and behold a revival of the odious tyranny. It were like wasting time in piling truisms and working out the proof of axioms to encounter the protectionists as, unabashed by refutation, they return again and again to knitting up the ravelled sleeve of sophistry and falsehood; and it is hard to keep one's temper to see the impudence that persists in urging their selfish projects in the self-same garb of hypocrisy, in which they have been so often met, detected and spurned. They believe they can make money by a protective tariff, and they will have it if possible; and unless they are voted down in congress, or vetoed by the president, or nullified by the states, to think of checking them by anything less potent, is as preposterous as if Archimedes had sought to move the earth without a fulcrum: for whereupon shall we rest our lever? On established principles of political economy? They recite at the beginning of every, and call them the dreams of theorists! On facts certified by public documents? They turn their backs upon the national archives, and fly to falsification of their own. On the constitution? They have declared war upon it in a formal *manifesto*; and deride as "abstractionists" all who hold it in any sort of reverence. On justice, patriotism, conscience? They God is Mammon. They have determined to effect their purpose "at every cost and any hazard" as the ruin they have wrought in the revenues and credit of the government bears witness. Why should the south do more than then silently and calmly abide in the unalterable resolve to resist them?

We have seen the whig party proceed from one measure to another in succitating the people to capitalists, and giving the public chest into the hands of stock gamblers. Follow on the bank question, they have nevertheless divided the land revenue, and are pressing the assumption of state debts, that foreign brokers and their agents here may be billeted upon the American laborer, and now boldly proposing the double perfidy of breaking the compromise, and the pledge to it in the proviso of the distribution act; they have concentrated all their energies and identified their existence as a party for and with a tariff of protection; and hereafter word should be named in the south only as *the tariff party!*

Is the spirit of our people less resolute because they are silent and calm in the view of those abominable things? Have they been so broken and humbled by the iron tyranny of the bank, and the fungus aristocracy of rag brokers, that they will submit to any thing? No!—They are not roused and hotly vexated, because nothing base from the whig party is new or strange. It is no surprising thing to find the manufacturers unprincipled and greedy for spoil, nor that they should ask a violation of the compromise at the hoods of the whigs, who have proved that their force and vocation lie in the breaking of pledges. But the south is not the less resolved to insist on the compromise, because convinced of the dishonesty of the other parties to it. The war is over, and our rights secured; the question is, yet, not be supposed, because we abide in quiet, beneath our own vine and fig tree, and do not saw the air brandishing defiance at the enemy, that we are not ready, again to strike, should the tyranny we have stricken down again erect itself. While the tariffites have multiplied petitions for authority to plunder us, we deemed it neither politic nor dignified, to recognize by counter petitions any congressional discretion in such a question. We had supposed that the significance of such quietude was not to be misdeemed, our silence was even eloquent. But with characteristic tariff effrontery it is boastfully inferred in congress, that as the southern people no longer counter tariff petitions, they no longer deprecate a protective tariff, but are prepared not only to tolerate but to welcome it! We were to take it for granted, it seems, that we were dealing with villains and knaves, and that we are ready to countenance them in deliberate perfidy, because we do not insult congress with files of petitions, beseeching them not to be perfidious! Why this honorable member would have contended that filial piety was at a discount, and parricide no crime, had he lived among those who named not parricide in their list of heinous crimes, because they deemed it an unheard of and impossible atrocity.

We shall take up some other arguments equally sound, in another article.

[*Charleston (S. C.) Mercury, of June 30th.*

MR. WEBSTER'S LETTER to the Tyrolites at Philadelphia, is just what expected from him—noble, dignified, patriotic, and free from party allusions or electioneering appeals. He speaks of the fourth of July—its patriotic associations, and the duty we all owe to our country and to ourselves to reverence the principles which make it illustrious.

[*Mer. Gaz.*

Washington, July 2d, 1842.

Gentlemen: It would give me great pleasure, if public duties permitted, to join in the celebration of the approaching anniversary. But I am unable to leave the seat of government. I tender you my best wishes, and would fain hope, that all who may assemble on Monday to commemorate our national epoch, in any part of the country, would feel, in full measure, the influence of that spirit, which brought about the great event they celebrate—a spirit of union, and of pure and elevated patriotism. May this spirit, which animated our fathers dwell with us, and descend to our children!

In the contention of parties, let us remember that we are all American; and in the conflict of opposing opinions let us bear in mind that popular governments can only be maintained by yielding to the will of the majority, constitutionally expressed. In regard to highly important national measures, let us recollect that they are to operate over almost half a continent, and to effect the business and interests of men engaged in almost all the varieties of human pursuits: and that for the establishment of such measures, moderation, prudence, comprehensiveness, and stern impartiality and justice, are essential qualities in those on whom they depend. Happy the rulers, who shall bring these qualities into the public services of a country the like of which, for extent and fertility, salubrity of climate, and means of intercourse and improvement and especially for civil and religious liberty, competent institutions, and extent of general knowledge, among the people, is without precedent or parallel in the history of mankind! I am, gentlemen, with true regard, yours,

DANIEL WEBSTER.

Sandy Harris, esq. of Philadelphia, and other gentlemen of the committee.

GEN. MURPHY'S MISSION TO CENTRAL AMERICA.

From the New York Commercial Advertiser.

Washington, June 19. There is a subject intimately connected with our national commerce, to which I desire to call attention through the medium of your journal. Not being acquainted with your Washington correspondent, I address myself directly to you.

It will be remembered by those who feel interested in public movements, that about the middle of last November, Gen. William S. Murphy, left your city in the brig Florida Blanca, for Belize, British Honduras; and though the precise object of his voyage was not known, it was generally understood that he had an important mission from our general government to Central America.

Several gentlemen had been previously despatched by the government to that interesting country, but Mr. Stephens and Mr. Stephens looked among the dead rather than the living, and was unable, as it appears from his book, to find any government whatever. Gen. Murphy has been more fortunate, as he has not only found a regular general government, but the most friendly feelings toward the U. States, which that distinguished gentleman was enabled to cherish and increase.

The British government obtained some years since a foothold on a colony at Belize, which has increased until British Honduras extends some two hundred miles into the interior, and a regular colonial government has been formed under the English crown. In 1834, the "Eastern Coast of Central America Company," obtained a grant of the entire state of Verapaz, embracing 14,000,000 acres of the best land in the world. This company is also under the British crown, and John Bull seems determined to monopolize the whole country of the Cordilleras from ocean to ocean. This same company had received a grant by which the port and town of Santo Thomas, in the Golfo Dolce, was secured on certain conditions. These conditions never having been complied with, the Central Americans again have possession of the port, and refuse to allow any further negotiation with Great Britain on the subject.

The "Eastern Coast of Central America Company," finding they could not themselves renew their grant for Santo Thomas, entered into a bargain to sell 100,000 acres in Texas to a Belgian company, provided the Belgian government could get possession of the town and country lost by forfeiture.

The negotiation now became a subject in which government heads openly took part, and King Leopold sent a brig of war to Santo Thomas, to Gen. Col. De Ruydt, for the express purpose of assisting his Belgian subjects. The colonel proceeded at once to Guatemala, and succeeded in procuring the passage of a grant, about the time of the arrival in that city of Gen. Murphy, but the grant had not yet been approved by president Lopez.

By the terms of the grant the Belgians were to colonize forty miles in Texas, they were also to erect a custom house at Santo Thomas, and for twenty years establish such import duties as they thought proper, half of which was to be paid to the government of Guatemala, while Belgian vessels were to be admitted free.

As soon as Gen'l Murphy arrived he was waited upon, and his opinion asked respecting this very grant, which still remained without the signature of the president. Gen. Murphy was afterward consulted by president Lopez and Gen. Carrera, the commander-in-chief of the Guatemalan army. Our envoy did not think that represent the injustice of opening the country to one or two nations, and closing it to all others; and succeeded in convincing president Lopez, that he would be bartering away the people themselves by giving King Leopold sole jurisdiction over Santo Thomas.

In this emergency an extraordinary council was called, and the legislature directed to recall the grant, which recall was put into effect immediately.

Having entered into this statement at some length, let me request you to copy the following article from the Honduras Gazette of the 21st of April last.

[This article has already appeared in the Adviser. It alleges that offers of military assistance had been made to the Central American government by Gen. Murphy, provided the grant to the Belgian company were annulled, and Santo Thomas declared a free port.]

First, to correct the mis-statements in the article:

Gen Murphy did not offer the mediation of his government to settle the dispute respecting the territory of Nicaragua.

The conditions respecting the grant of Santo Thomas were never fulfilled.

Gen. Murphy did not offer munitions of war and assistance on the part of his government, provided Santo Thomas should be made a free port.

All that our envoy did, I have already stated, and

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it may not be amiss to mention a few facts respecting the country, that the attention of commercial men may be drawn to it, and that the importance of the prompt action of General Murphy may be fully understood.

There is now no custom house at Santo Thomas though it is a noble harbor, well protected and capable of sheltering half the British navy. The government custom house is at Isabal or Yzabal, on the Golfo Dolce, above the Pulichick river. The Pulichick in consequence of a bar of two miles at its mouth, can only be entered by small vessels of 30 or 35 tons, and drawing three or four feet water. The object in securing Santo Thomas was to prevent all vessels excepting English and Belgian from landing there.

Most of the goods now imported into that country are taken out at Belize, where they pay duty to the British Honduras company, and are then sent round in light vessels to Isabal, where another duty is to be paid. Thus two duties must be paid by every article entering, and this accounts for the falling off in the imports for the last five or six years. Seven to ten years since the annual import duties amounted to about $500,000. The following table of the last three years will show the decline:

Years.	*No. of vessels.*	*Tonnage.*	*Imports.*	*Exports.*
1839,	12	1,315	$51,224	$63,232
1840,	14	1,508	71,760	240,886*
1841,	14	3,560	192,000	202,559†

The exports are mahogany, logwood, cochineal, indigo, sarsaparilla, ox hides and horns, cocoa, tortoise shell and rosewood.

The imports are pork, flour, dried beef, hams, tongues, butter, cheese, onions, potatoes, apples, fish, mahogany, cutters' axes, hoes, all kinds of farming and the cheaper kinds of mechanics' tools, all kinds of cotton and woollen goods, but more particularly the coarser kinds.

Santo Thomas is the only port now open on the coast, and but for the timely appearance of Commodore Murphy, by this time all the world, excepting Belgium and Great Britain, would have been shut out from even that.

General Murphy was attacked two days before reaching Santo Thomas with a severe fever that invariably seizes foreigners, and of which more than three fourths have died. He was confined to his room a long time, surrounded by strangers, and yet it was his ambition, that although scarcely able to see or move, he exerted all his strength to arrest the unjust disposal of Santo Thomas. By his timely efforts, and at the solicitation of president Lopez, he succeeded in keeping open this important point to the commerce of the United States. Yet all his proceedings were so extremely just and so highly honorable, that he received even from the English, who were interested in closing Santo Thomas, the most marked and cordial attention.

The next point to be considered is, how did Gen. Murphy happen to be sent there, and how did he happen to arrive so opportunely?

Although information had reached the state department that there was no government in Central America, to which an envoy could treat, it was ascertained that several European powers were endeavoring to secure the commerce of that interesting country. England was increasing her territory in Honduras, and the Belgians were forcing their way farther south. This could not be for the mere name of enlarging colonial possessions, and while the question of presidential succession was the bantling nature among politicians, the security and extension of our commerce were agitating the minds of our statesman president and his secretary of state.

Mr. Webster having learned that King Leopold was about to despatch, or had despatched, a vessel of war to Santo Thomas, it was at once determined to send a diplomatist to Guatemala, to ascertain the precise condition of the country and the nature of its products and commerce. As you have already seen, Gen. Murphy arrived just in time, and was quite successful in arresting the grant of Santo Thomas. Mr. Webster was in New York just prior to the departure of Gen. Murphy, and urged him not to delay a single hour in reaching his destination.

The whole expenses of this mission will not exceed two thousand dollars, and yet congress would cut off the contingent funds of the government. It has cost less than two thousand dollars to save a trade worth half a million a year to this country.

"Let the gilled jade wince"—but such acts as these will soon prove where and what the president is; and while others boast of their anxiety for the welfare of the country, he is quietly exercise every faculty to benefit the whole people of the United States.

*$50,000 of this shipped to Havana.
†$1,000 of this shipped to Havana.

POLITICS OF THE DAY.

The *Madisonian* being generally recognised as the organ of the present executive of the United States, is looked to of course for something like official announcements, and as conveying at least the impression entertained in the circles of *that* department.—It is this position which induces us to insert from its columns the following articles, with one or two notices which have appeared in other papers in relation to them.

The leading article under the editorial head appeared in the Madisonian of Friday the 8th instant; it was as follows:

CONSPIRACY AGAINST THE PRESIDENT.

"To-morrow we purpose giving the details of the conspiracy to tear down the executive branch of the government. The constitution is in danger—our freedom is in jeopardy—but still we hope and believe the dastard plotters will be defeated. We believe that Mangum will not obtain possession of the government even for an hour. He lacks two many of the qualities of a Cromwell. But there are others, not members of congress, of better intellect than the avowed *impeachers*, who will be astonished to find that we are familiar with all their secret, selfish, movements, for months past. It is our intention to give the *particulars* to-morrow. In the meantime, let all true men be prepared to stand by the constitution."

The *U. S. Gazette* notices the above under the caption "LOOK OUT FOR TREASON" and after quoting it in full exclaims:

"Now, of course, we are to have the real thunder and earthquakes. Hitherto all has been merely curds and whey, and Sancho Panza was wont to declare, look to your constitution, gentlemen—look to the president—look to the Madisonian—all are in danger. Look to your freedom—even that is in jeopardy. The executive is to be "torn down." We want the horrid disclosure."

The *National Intelligencer* noticing the article in the Madisonian, calls it a "most absurd and preposterous story, the mere coinage of some disordered brain."—and adds,—

"It can hardly be necessary to say, for the information of any intelligent reader, that this story, with all its circumstances, is altogether destitute of foundation, unless it be perchance in some spertive remark in familiar conversation, which has been mistaken for a serious suggestion. Certain it is, that no design in anywise resembling that imputed to the whigs in congress is entertained by them as a party, if by any individual belonging to that party. Out of what material the story hath been woven would be an inquiry more curious than valuable. The whole story, from the beginning to the end, is, the reader may be assured, but "such stuff as dreams are made of."

In the Madisonian of Saturday the 9th, the subject is thus resumed:

We have been prevailed on to withhold, for a short time a few *names* vitally connected with the revolutionary movement about to be made to suspend the president of the United States, and substitute a wild, furious anarchy, in the place of our revered republican form of government.

Before we proceed to divulge the plan of operations laid down by the conspirators, [which has fortunately fallen into our hands] we would dwell for a moment on the events of the past which first roused our suspicion that a fatal blow was meditated against our glorious institutions.

The first indication was the dictatorial bearing of Mr. Clay at the extra session. The contemptuous thrusting aside of Mr. Ewing's currency bill [who, after whining under the lash, subsequently submitted to the indignity put upon him, and crouched in humility at the feet of his master] and substituting one of his own.

The next was the jacobinical manifesto. Contrary to, and in violation of, the constitution and laws, these adherents of the self-constituted dictator, assumed the power of declaring to the nation what should be done, and what should *not* be done by the government.

Next, the Clay abolition postmaster general, and the other heads of the departments, proceeded in the sanguinary business of expatiating all republican office holders, and substituting rank federal incumbants in their places—men who, it was well ascertained, would not hesitate to obey any extraordinary mandate of their supreme master.

Next, as it was now fully ascertained that the constitutional veto would be interposed by the firm, honest, undaunted Virginia president, to arrest their federal encroachments, the chain of federal presses, extending from Maine to Georgia, were ordered to fire broadside after broadside of denunciation at the *lawful* head of the government, and never to cease until he was completely annihilated, and the reins were securely grasped in federal hands.

Next, the nominations of the president were all to be *rejected*, unless the nominees should make a secret recantation of friendship for the executive, and pledge themselves (sometimes before, sometimes after in Baltimore) to exert their influence in favor of his enemies! We will give names and dates hereafter. Men, who have often made hypocritical professions of friendship to the executive, will find themselves exposed in this category, when the curtain is lifted.

Next, the Madisonian was to be assailed and crushed by the Clay editors, and their confederates out of congress, and the president was to be denounced as the imbodiment of a Nero and Cataline, to the senate and house of representatives. Mr. Clay's villifying letter to Alexandria was the example set his mousers.

Next, the idea of a *forced* resignation was broited about, for the purpose of gradually familiarizing the public mind with the startling event in contemplation.

Next, having secured the adherence of the federal whig party and the federal whig presses, it was attempted to bully politicians in and out of congress (with specious professions of friendship) to inveigle the president into the sanctioning of certain measures, which would render him irreconcilably obnoxious to the democratic party, and thus effectually prevent him from being defended on one side while he was savagely assailed on the other. But they will find to their cost they reckon without their host.

When all these things were so far accomplished, they paused at this stage o moment, and frightened, in their midnight caucus assembled, they resolved to do what should be done by threats and intimidation, before they proceeded to overt acts.

The twelve line bill was passed, presented, and *promptly* vetoed.

The democratic fury reigned supreme. What trick and artifice failed to accomplish, must now be compassed by *force*. INFLEXIBILITY, which had often been whispered in secret conclave, was to be immediately sounded in the public ear. We were made acquainted with all their proceedings as fast as they transpired. Repeatedly we sounded the alarm.—The honest their own party could not be brought to believe that such a conspiracy existed. Even yet, some of them are incredulous. Here is an extract from a Whig Whig journal, the Kanawha Republican, printed a day or two since:

"The Madisonian and Richmond Enquirer are talking about a conspiracy in congress to impeach the president. We don't believe a word of such a plot."

By this time the unconscious editor has seen the congressional letters published in New York. The country has likewise beheld *Betts*, the instrument used by the Jacobinical caucus, rise in his seat and declare that such an event was resolved on.

Now for the *particulars*.

As soon as the tariff distribution bill passes the house, perhaps on Saturday next, JOHN MEREDITH BETTS, (if he be not in the meantime frightened from his purpose by the *Madisonian*,) will rise in his place and prefer articles of impeachment against the chief magistrate of our country. Immediately a resolution will be adopted by the Clay whig caucus majority, declaring the president's *legal* "inability" to discharge the duties and powers of his office while his trial shall be pending in the senate.

It will not be a joint resolution—for that, by the constitution, [which they would not appear to overthrow at the onset], would have to be approved by the president. But they will regard it as law. They will *consider* the president suspended. The tariff distribution bill will then be rushed through the senate and signed by *Mangum*. Mangum must retire to his boarding house, if the White House is not surrendered to him, and act as president of the United States. He will be regarded as such by the federalists, and obeyed accordingly.

In the mean time, the CONSTITUTIONAL PRESIDENT (always conforming to the provisions of that sacred

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instrument) will retain his seat, although not recognized as the chief magistrate by the federal Clay whig majority.

Mangum may require the office-holders to also bind, and insinuate as most of the important offices are filled by the minions and sycophants of Clay, it is probable they will yield obedience. Those who do not, ran be easily *removed*.

The session will be prolonged. The sweets of supreme command will not be relinquished by the powers that be, until the last possible moment. The trial will be purposely continued for months.

In the meantime a *duplicate* cabinet may be appointed, should the old one prove refractory. There may be a struggle for the possession of the archives. Some of the cabinet ministers have their marble tenements pretty well garrisoned, and will doubtless be found to have hearts bold enough to defend them.

Thus the reign of terror commences. *He* will be among the first of its victims. And we pray heaven that we may not live to witness the utter, hopeless, complete prostration of LIBERTY!

It is said that most of the army and navy officers are the partisans of the dictator—but, thank God! we have reason to believe that the *rank and file* are not. If any of the officers should be found willing to obey the mandates of the royal dictator, we have full confidence in the sterling patriotism of the *bone and sinew* of the land.

May the Almighty God who watched over us, and protected us in the gloom of the revolution, not forsake us in the present crisis! He who now occupies the presidential chair was called thither by the voice of our Heavenly Father. We place our trust in HIM. He will not forsake us. HE will still guard our glorious constitution, and shield our constitutional president against the wicked assaults of all political blackleg and bankrupt faction.

Our country cannot be doomed to fall thus ignobly. The republic cannot be thus sacrificed to appease the ambition of a few reckless, unprincipled demagogues, who could never obtain the power they seek by means of the ballot-box.

An impeachment was once meditated and moved against THOMAS JEFFERSON, the apostle of democracy. Then, Henry Clay was a democrat. When this Bottonian prototype rose to prefer his charges, Mr. Clay sprang to the floor, and exclaimed *Mr. Speaker, the gentleman sells the floor upon which he stands!!*

Is it any wonder, then, that the ardent and zealous disciple of Jeffersonian democracy should seize the fate of his illustrious predecessor? But Mr. Clay is not there to rebuke the mover. And were he present, would he do it? He is no longer a democrat! But if the mover of the resolution in the case of Jefferson deserved the rebuke which he received, and which in our opinion he eminently merited, what ought to be said of the man unworthy being who has avowed his determination to impeach president Tyler?

We fear not the result. We know that the president is as spotless as Washington, in his official capacity. What "treason, high crime, or misdemeanor," has he committed? None! and his accusers know it. But they are resolved to suspend him, that they may, in the interval, fix upon the country the fangs of their federal measures!

He will be acquitted, triumphantly acquitted, and confirmed and sustained, by the unanimous voice of the nation!

But the reign of terror, however short, may fix a stigma upon our republican institutions forever! But the usurpers will be punished. Their reign will be brief as it will be inglorious, and the penalty will be adequate to the offence.

The *National Intelligencer* of the 14th contains a report of the speech made by Mr. Borrs in the house of representatives on the 10th inst., in which he avows his intention to prefer charges against the president. Upon this topic he remarks:

"But there were great difficulties in the way of impeachment. There were some his friends (Mr. B. was understood to say) who concurred with him, but he disclaimed for his party any participation in the design of impeachment, or the midnight caucuses that had at any time been held, as had been rumored. As the secretary of the navy had claimed to be the first to raise the flag of disunion in Virginia, so Mr. B. claimed to be the first to raise the flag of impeachment in this house. He was alone in it. As an American citizen, independent of being a representative of a free people, he would resist this executive assumption of power as long as he had a voice to raise against. Difficulties were in the way, and the fear that they could not succeed, was an argument with gentlemen. All that he proposed to do when the proper time arrived, was to prefer charges against the president—to ask this house to appoint a committee with power to send for persons and papers, to inquire into the truth of those charges, and to let the testimony collected be sent before the senate. If these charges were sustained, he would trust to the senate to perform their duty. For thirteen years the president of the United States had been rioting in lawless power. It was time to arrest it. He would not give the snap of his finger for the government if it were not arrested.

The following are the charges which Mr. Borrs proposes to prefer against the president, and which were intended to be used for information in connection with his remarks, of which a copy has been furnished to the reporter for publication:

1st. I charge John Tyler with a gross usurpation of power and violation of law, in attempting to exercise a controlling influence over the accounting officers of the treasury department, by ordering the payment of accounts that have been by them rejected, and threatening them with expulsion from office unless his orders were obeyed.

2d. I charge him with being guilty of a high misdemeanor in retaining men in office for months after they have been rejected by the senate as unworthy, incompetent, and unfaithful, to the great detriment of the public interests, and hazard of loss to the public treasury; the government having no security for the faithful application of the public funds passing through their hands, and he thereby defeating that provision of the constitution which requires the advice and consent of the senate to all nominations made by the president.

3d. I charge him with gross official misconduct in attempting, in a spirit of revenge, for a constitutional exercise of power by the senate, in the rejection of one of his nominees to office, to remove a large number of faithful and meritorious government officers from the custom-house of Philadelphia, with whom no fault was found save that of a supposed political preference for another, and he had discharged them in disdain with entire satisfaction to the collector of customs, and for attempting to substitute in their stead men having no other recommendation than that of political sycophancy and vile views.

4th. I charge him with the high crime and misdemeanor of endeavoring to excite a disorganizing and revolutionary spirit in the country, by inviting a disregard of, and resistance to, the laws of congress, which law he has himself sworn to see faithfully executed.

5th. I charge him with the high crime and misdemeanor in office of withholding his assent to law indispensable to the operations of the government, improving no constitutional difficulty on his part—of denying to the government all legal sources of revenue—of assuming to himself the whole power of taxation—and of collecting duties from our citizens without the authority or sanction of law.

6th. I charge him with the high crime and misdemeanor of open prostitution and profligacy in a willingness to barter away the offices of government, and the principles he professed, to obtain the support of one of the parties in congress to which he has heretofore been opposed.

7th. I charge him with gross official misconduct, in having been guilty of a shameless duplicity, equivocation, and falsehood with his late cabinet and congress, such as has brought him into disgrace and contempt with the whole American people, which has desquilified him from administering this government with advantage, honor, or virtue.

8th. I charge him with an arbitrary and despotic abuse of the veto power, in a spirit of revenge and political resentment, with such evident marks of inconsistency and duplicity as leave no room to doubt his total disregard of the interests of the people and of his duty to the country.

9th. I charge him with the high misdemeanor of arraying himself in open hostility to the legislative department of the government, by the publication of slanderous and libellous letters under his own signature, with a view of creating a false and unmerited sympathy for himself, and bringing congress into disrepute and odium with the people, by which means that harmony between the executive and legislative departments so essential to good government and the welfare of the people has been utterly destroyed.

10th. I charge him with an abandonment of an acknowledged constitutional duty, in refusing to render such aid to the constituted authorities of Rhode Island, when called on, as he had himself previously promised in his letter to Gov. King, as a sacred constitutional obligation resting upon him.

11. I charge him with pursuing such a course of vacillation, weakness and folly, as must, if he is permitted to remain longer at the head of the government, bring the country into dishonor and disgrace abroad, and force the people into a state of abject misery and distress at home.

12. I charge him with being utterly unworthy and unfit to have the destinies of this nation in his hands as chief magistrate, and with having brought upon the representatives of the people the imperious necessity of exercising their constitutional prerogative of impeachment, or of surrendering the government to him to be used as a plaything and a toy, for his sport on the one hand and his malignity on the other.

COMMERCE AND NAVIGATION.

House of representatives, May 28, 1842.—Read and laid upon the table.

Mr. J. P. KENNEDY, from the committee on commerce, made the following

REPORT:

The committee on commerce, to whom were referred:

1. The petition of sundry citizens of Ontario county, in the state of New York, praying for the protection of American labor and the promotion of reciprocal commerce;

2. The memorial of sundry importing and other merchants of the city of New York, praying congress to allow a drawback on goods exported to Canada and other northern colonies of Great Britain contiguous to the United States;

3. The resolution that the committee on commerce be instructed to inquire into the expediency of excluding from our ports vessels coming from British ports on plates where American vessels are not permitted to enter;

4. The resolution that the committee on commerce be directed to inquire into and report what effect our late revenue laws have produced on our commerce with foreign countries; also, to inquire into and report on the past and present condition of our navigation, and to recommend such measures as may be necessary to enlarge our commercial marine!

5. The resolution that the committee on commerce be instructed to inquire into the expediency of allowing the benefit of drawback on cotton imported inland from the republic of Texas, and on foreign goods exported inland to Texas and Mexico, and of establishing a port of entry either at Natchitoches or Shreveport;

6. The resolution that the committee on commerce be instructed to inquire into the expediency of a law allowing drawback on the exportation of flour manufactured from foreign wheat!

7. The memorial of the inhabitants of Portland, praying congress to take into consideration the propriety of so changing the existing arrangements respecting the commercial intercourse of the United States with British colonies, as may secure to American vessels a just and fair proportion of the trade between these parties!

8. The memorial of the general assembly of Missouri praying the interposition of Congress to procure the removal of the restrictions of foreign nations upon the introduction of tobacco!

9. Such parts of the memorial of the citizens of Baltimore as relate to the protection of American shipping by discriminating duties, and to the enactment of countervailing restrictions against the policy of foreign nations; and

Sundry other petitions, memorials, and resolutions touching the same subjects—

Submit the following report:

The topics presented by these several resolutions and memorials impose upon the committee the necessity of submitting a general review of our commerce and navigation, and the consideration of such circumstances, whether produced by our legislation or extrinsic causes, as may be supposed to influence the prosperity of this great department of our national economy. They suggest an inquiry—

1. Into the effect of our revenue laws upon our foreign commerce!

2. Into the value of a system of duties adapted to the protection of domestic labor!

3. Into such conditions of intercourse with other nations as are best calculated to promote reciprocal commerce; and, connected with this inquiry, a consideration of the policy of countervailing duties against foreign restrictions!

4. Into the state of our navigation, and a notice of such measures as may be necessary to enlarge our commercial marine!

5. Into the nature and effect of the commercial arrangements existing between the United States and the colonial possessions of Great Britain! and

6. Into the expediency of regulating our inland commerce with contiguous countries, by the allowance of drawbacks.

These inquiries occupy a large field, and would, at any period, attract the attention of the country—They possess a peculiar importance at the present time. The near approach of that term to which the

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operation of the duty system of the last ten years was limited, with the consequent necessity of new legislation for its adjustment, and the general consequence of public opinion in the propriety of reviewing and reforming our policy, in regard to the business pursuits of the people, have drawn a more than ordinary observation towards the action of congress upon these subjects.

The country at this time presents a remarkable spectacle. With every physical resource of wealth unimpaired; with fertile fields, favorable seasons, abundant crops to enrich our agriculture; with an extensive commerce sustained by a competent marine; with a vast accumulation of manufacturing power and machinery, skilful, intelligent and industrious community of mechanics; and an increasing population endowed with all the qualities to secure to themselves the largest amount of prosperity, a universal complaint is brought to the ear of congress of deep suffering in every department of industry.

It is not drawing too strong a picture of the present depression in the business of the people to say, that agriculture enjoys no fair equivalent for its toil; that commerce, though seeking every sea, returns unrequited; that manufacturing labor has been heaping up its products without purchasers. Our artisans have been doomed to reduced wages and diminished employment; our foreign trade has been overmatched by foreign competition, and loaded with the burden of a constantly accumulating balance against us; our home trade has been crushed by bankruptcy. The credit of the country, national, state, and individual, has been shaken—much of it irretrievably destroyed. All around us are seen the evidences of a great nation struck by a sudden palsy—prostrated in the midst of the abundance that ought to have given it health and vigor.

The committee feel that they cannot satisfactorily acquit themselves of the task allotted to them, without referring to the causes of this depression in the internal affairs of the country. Probably conceived that the present state of the nation is alone to be attributed to some most unhappy mistakes in the policy of the government, and that no permanent prosperity can be established in the various departments of national industry, whether of agriculture, commerce, or mechanical employment, until that policy be changed, they deem it to be an important portion of their duty to point out the mistake to which they allude, and to show the influence these have had upon the welfare of the community.

Such an exposition, in their opinion, would appropriately precede that more specific review of our system of commerce and navigation which it is the design of the committee to submit.

In the administration both of our domestic and our foreign commerce we have adopted a system which has prevented a fair and profitable exchange of values. Our foreign commerce has exhausted the country of its wealth by crowding it with foreign products; our home trade has been broken down by the wretched currency which the foreign had brought upon it.

The series of governmental measures which brought about these results began in 1832. The history of the past will show us that the administration of our affairs was directed, from that date, towards the establishment of a vast paper money system, whose the effect of which, it was doubtless supposed, would be to expand the resources of the country and increase the activity of its industry to the accomplishment of great and beneficent ends. That the effect of such a system should accomplish such ends, the experience of every commercial country has shown. Indeed, it would seem to be necessary to the enlightenment of nations that each should make this experiment for itself, and thus learn, from its own trial, rather than from the admonition of others, the deceitfulness of that illusion—wealth which is created by an excessive use of credit.

In reviewing the last ten years we are not to be deceived by the indications they offered to apparent prosperity. Aggregates of national wealth and industry are always sufficiently striking; but they are especially to be distrusted when their great increase is referred to as proof of vigor in a period of unusually excited activity. They are, in such cases, under such circumstances, proof of the disease of the body politic, rather than its health. The advances of a successful nation in wealth are better characterized by steady than rapid increase. Fluctuations in trade and internal industry—though, in one extreme, exhibiting the most flattering activity and abundance—are to be regarded as signs of a disturbed and, therefore, not the most prosperous economy. We have seldom seen an epoch of peculiar disaster in trade that the statistics of the preceding years did not furnish warning of the evil by remarkable fluctuations of quantities and amounts. These observations will be found to be particularly applicable to the state of the country from the date we have referred to above.

On the 10th of July, 1832, the executive veto put an end to the only system by which the federal government have ever been able to regulate or restrain the eminent of paper money through the authority of state banks. The existence of a central control over the paper currency of the country had been, until that date, with the exception of a short interval, not only theoretically but practically held to be essential to the useful exercise of the power to collect and disburse the revenues, and to maintain a uniformity of value in the currency of the several states. The interval in which it had been suspended was distinguished for such disorders of the currency, as to lead the public mind irresistably back to the system it had for the time interrupted.

The indulgement to the veto was alleged to be a conviction, on the part of the executive, that the paper currency, under the control of the central banking power, was not as good as it might be made.—That central banking power was accordingly removed, in order to supply a better currency, and in a less objectionable manner.

This better currency and less objectionable mode of supplying it, in the opinion of the executive of 1832, and of those who controlled the legislation of that period, was to be procured by encouraging an increase of banking under the authority of the several state governments.

This led to the adoption of what was generally known as the state bank system, which was designed to take the place, in its relation to the treasury, which had, until the date of this substitution, been held by a national bank.

The prominent features in this state bank system were—

A distribution of the government deposites amongst certain chosen banks in every state.

A requirement of these banks to loan out the public moneys in the way of accommodation to merchants and others engaged in speculative enterprise.

To encourage the free issue of paper money by these banks, commensurate with the increase in their deposites; and

To take this money every where in payment of public dues.

The safety of these deposites was supposed to be assured by a requisition from each banks of some special security, which was rendered necessary in each case.

Upon this foundation the executive and a large portion of the people of the United States indulged in the hope of that better currency which had been promised, and were thus reconciled to the withdrawal from our political system, of an institution which had, for forty years, been the chief instrument of the government in the administration of its fiscal affairs. There were, however, many who doubted the capacity of the state banks to maintain a sound currency. These expressed their fears that the newly modeled system would lead to excessive banking operations, to redundancy of paper issues, and a consequent overtrading in the community; that it might excite and, by encouraging the unsound, produce bankruptcy; that it might stimulate rash undertakings in the way of internal improvements; that it might multiply impositions beyond the resources of the country to pay for them; and that the commotion of all might be, through an overwhelming increase of paper money, to plunge the nation into the abyss of suspended specie payments.

These apprehensions were expressed by many distinguished citizens; they were not, however, entertained by the executive and its friends in congress, and the state bank scheme was consequently brought into full action.

It is sufficient now to advert to the fact, that the instant effect of this measure was to fill the land with new banks from one extremity of the union to the other; and to bring, with this increase, a multiplication of paper money unexampled since the days of the continental emissions of the revolution,—or exampled only in the disastrous interval between the close of the first national bank and the beginning of the second.

This new device for regulating the currency combined its operations with three more where there were hundred and fifty banks in the union, with a capital scarcely exceeding $150,000,000.

It succeeded in creating upwards of seven hundred banks, with a capital of more than $350,000,000.

It found a paper circulation but little above $60,000,000; it furnished one of $149,600,000

It found the discount facilities afforded to the country not much beyond $200,000,000; it raised them above $525,000,000.

It doubled and trebled the prices of land; it greatly increased the money value of all produce; it raised the rate of interest, opened new sources of apparent wealth, and threw the whole country into a paroxysm of speculation. It increased all kinds of mechanical employment, extended commerce, attracted the rapidity of foreign enterprise, and brought amongst us thousands from other countries to participate in enhanced prosperity and to stimulate our adventure.—It is true to this extraordinary impulse to say, also, that it settled the wilderness, built towns, constructed roads and canals, deepened rivers, and cut through mountains,—working the wonders of fable with the magic of paper money. With the same power that it wrought these results, it was also driving the community into bankruptcy. The phantom of wealth flitted before the people, and beckoned them to follow. Bewildered by the illusion, the nation suffered itself to be led on to the precipice, upon which this deceptive guide surely and swiftly glided.

This national progression of events, foretold in the beginning by many, was nevertheless unperceived or unheeded by those at the head of affairs, until the experience of present disaster forced it upon the attention of the whole country. It is now universally acknowledged because its effects have been universally felt.

Concurrently with the action of the government upon the banking system, another cause was at work to the same end, impelling to the multiplication of paper money and the consequent increase of speculation. The extinguishment of the national debt had placed public lands from the power of sale which, up to that period, had been laid upon them. A new element of wealth, derived from the sales of these lands, was thus thrown into the revenues of the nation—productive of infinite mischief. The sagacity of the president discerned the highly mischievous effect which was certain to result from such a valuable and rich supply of money being added to the ordinary resources of the government. He saw that it would lead to extravagance and excess, and most injuriously disturb the orderly action of the government upon the country. He consequently invited the attention of congress to the subject, in the following terms:

"It seems to me to be our true policy that the public lands shall cease, as soon as practicable, to be a source of revenue, and that they be sold to settlers in limited parcels, at a price barely sufficient to reimburse the United States the expense of the present system and cost arising under our Indian compacts. The advantages of accurate surveys and undoubted title, now secured to purchasers, seem to forbid the abolition of the present system, because none can be substituted which will more perfectly accomplish these important ends. It is desirable, however, that, in convenient time, this machinery be withdrawn from the states, and that the right of soil and the future disposition of it be surrendered to the states respectively in which it lies."—*See president Jackson's annual message, 1832.*

Congress adopting the opinion of the executive, so far as related to the impolicy of allowing the proceeds of the public lands to be brought into the ordinary expenditures of the government, passed, by a large majority of both houses, the act for distributing the proceeds of these lands, under certain conditions, amongst the several states. This act unhappily, fell under executive displeasure,—perhaps because it did not conform to that portion of the executive recommendation, which proposed the surrender of the whole to the few states in which the lands were situated. It was denied the president's signature.

This unfortunate difference of opinion between congress and the executive threw the proceeds of the lands into the revenues, and thus contributed a remarkable addition to the mischief working materials which were then administering and strengthening the economy. Paper money, under the stimulus of the new system, were active in furnishing the means for speculation in the lands; the lands were equally effective in supplying the proceeds to the banks. These deposits were sent off in new issues and new accommodations, for additional purchases of lands. These two forces acted reciprocally upon each other, augmenting, almost in geometrical proportion, their injurious power at each rebound. The sales of the lands began, in this process, at about $2,000,000 a year; they rose to $6,000,000—then to $16,000,000, and finally to $28,000,000, in the year 1836. The deposites, of course, increased in these proportions; and the banks loaned upon them issues of paper of five, six, even ten dollars for one.

It was a very notable fact belonging to this money excitement, that the chief interests which fell within its influence were these speculations in the public domain, and that branch of industry connected with the cultivation and production of cotton. The export of cotton was singularly stimulated during the period referred to, whilst no other domestic product appears to have been specially affected by these measures.

An examination of the exports from 1832 to 1836 will show that those of flour, rice, pork, fish, and many other articles of domestic production actually

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declined, in amount after the year 1833; that tobacco and timber experienced some increase, but not be-yond that assignable to the proportion due to the increase of population; but that the export of cotton advanced by degrees equal to and still exceeding the former history. The committee will refer to a few facts connected with this subject.

The export of cotton from the state of

Georgia in the five years beginning with 1829, and ending with 1833, was valued at about	$25,000,000
In the five years from 1834 to 1838 inclusive it was	$14,000,000
Shewing an increase of near 70 per cent.	
From South Carolina the export in the first term of five years, was valued at	$38,000,000
In the second at	58,000,000
An increase over 50 per cent.	
From Alabama in the first period it was	14,000,000
In the second	43,000,000
An increase of 200 per cent.	
From Louisiana in the first period it was	80,000,000
In the second it was	166,000,000
An increase exceeding 100 per cent.	

The export of northern and western products, it will be found upon inspection, generally declined, or, at least, did not advance in the ratio of population, whilst the great southern export increased in the manner as have stated.

This difference would seem to manifest how unreal was the foundation upon which this seeming prosperity was placed; and will suggest the true cause—the greater pressure of the evil of a bad currency which is now felt in the south with a weight much more intolerable than in the other sections of the union.

The committee have yet to notice another misnomination of the government which brought great aggravation to the evil of that day. This was the free importation system, established by the acts of July, 1832, and March, 1833.

Reflecting upon the policy of the government, as exhibited in the two measures, to which we have already adverted, it is scarcely possible to conceive a more ingenious addition to their power to do harm than that presented by the system of free importation.

The enactments relating to the banks and the public domain opened every resource for the creation of paper money and easy accommodations thereon—the portentous expedient furnished not only a convenient facility by the employment of those accommodations, but a most importunate invitation to the whole world to transmit the specie imported with unrestrained prodigality. It not only provoked our own merchants to indulge in the seductions and ruinous allurements of excessive trade, but it set the merchants and manufacturers of all Europe to the busy employment of their wits to invent devices by which the last dollar of the precious metals handed up in secret depositories, might be drawn away.

We agreed to admit free of duty (or, in regard to some commodities, it not absolutely free, yet virtually so) silks, linens, worsteds, wines, teas, coffee, fruits, and sundry other articles, which, together, have constituted about one-half of our imports.

The first impulse which this gave to our trade was to render the United States the chief depository of the surplus stock of European work-shops; and, by the augmentation of the supply, much more than by the reduction of the duty, to furnish us with that greatly extolled blessing of cheap goods.

This next effect of it was to stimulate a variety of new investments in foreign manufacture, by which a supply of attractive household goods, at less cost than usual from duty, might be furnished to our population; and, as for as these fabrics could be brought into use, to supersede the manufactures made from that long-fostered and valued staple of export,—our own cotton. The result of this measure has been, after eight years' experiment, to clothe a large portion of our own people in cheap manufactures de laine, and other fabrics of the same material; and in silks and linens, to the exclusion of just so much cotton cloth, which all our previous modifications of good policy had taught us to believe it was an important object to bring into the most extensive consumption.

From the date of the free importation acts, our trade has, to a certain extent, ceased to be regulated by our own merchants. A great amount has fallen into the hands of foreigners, under a system of foreign consignment, and is disposed of through the agency of auction sales. The credits on the sales have furnished a capital for these foreign traders, and given a most destructive vigor to the mode of supplying or rather of glutting our markets. The duties are evaded through the very circumstance that the owners of imported goods are not within the jurisdiction of our laws; and trades are consequently practised by persons over whom we can exert no vigilance. The tariff which protected coarse cotton goods has had an operation upon the *fine*, and we have, therefore, found large amounts of the coarsest cotton fabrics of France, Germany, and England,—articles of luxury and convenience—multiplied in our use, under lower rates of duty than have been imposed on several cases upon the necessaries of life.

The trade with China has partaken of the same overtrading, as also that with Brazil—which latter has been maintained under circumstances entitling it to higher favor, both on account of its increasing importance to the agricultural and manufacturing interests of the United States, to which it has hitherto afforded one of our best foreign markets, and of its value in the supply to our population of coffee, which the habits of the country are bringing into still more extended use.

In illustration of the effect of these measures upon the commerce and nationality, upon the habits of the union, the committee refer to the following view of the import and consumption of foreign goods from the year 1830 to 1840, both inclusive:

	An'l imported.	Retained for consumption.
1830,	$70,876,920	$36,489,441
1831,	103,191,124	83,137,389
1832,	101,029,266	76,998,793
1833,	108,118,311	88,295,576
1834,	126,521,332	103,208,521
1835,	149,895,742	129,291,247
1836,	189,980,035	168,233,875
1837,	140,989,217	119,134,255
1838,	113,717,406	101,264,611
1839,	162,092,132	151,597,807
1840,	107,141,519	88,951,207

From this statement it will be perceived that, for the six years following the passage of the act of 1833, the importations increased with extraordinary rapidity; that the amount of those not re-exported, but retained for domestic consumption, were, at one period almost doubled; and that not until the country was shattered in the financial embarrassments of 1840 was there any return to that more moderate course of trade from which it had been led away by the fatal influence of the paper money system.

There are other facts connected with this era worthy of observation. In a comparative view of the gross amount of imports in two succeeding terms of ten years each,—that is to say, from the year 1821 to the year 1830, both inclusive, and from the year 1831 to 1840, it will be seen, estimating the amount in millions and tenths, that

That the amount imported in the first term was	$ 798,500,000
In the second	1,802,500,000
Showing an increase of importations in the latter period $304,000,000.	

The amount retained for domestic consumption during the first period was $568,900,000

During the second it was	1,103,100,000
Making an increase of domestic consumption in the country during the last term of $534,200,000; and showing a consumption of foreign goods nearly double that of the former term.	

A further examination will show that this great increase in the consumption of imported goods chiefly took place in that class of commodities which are ranked amongst luxuries; and that we are indebted for our excessive importations almost altogether to the appetite for the superfluous expense and costly indulgence which it would seem to have been the central effort of the government to create.

A reference to a few of the most conspicuous articles of import, during the two periods of ten years above dis-guised, will exhibit this fact in a light deserving of attention.

We present the following aggregates of importations during three terms:

The importations of silks.

During the first term, from 1821 to 1830, amounted to	$71,400,000
During the second, from 1831 to 1840	133,400,000
Being an increase of $67,000,000.	

Of wines.

During the first term	15,900,000
During the second	29,700,000
Being an increase of $13,800,000.	

Of worsted goods.

During the first term	*15,800,000
During the second	48,100,000
Being an increase of $29,300,000.	

Of linens.

During the first term	32,400,000
During the second	42,000,000
Being an increase of $10,200,000.	

Of teas.

During the first term	21,400,000
During the second	42,900,000
Being an increase of $18,500,000.	

Of coffee.

During the first term	50,300,000
During the second	89,600,000
Being an increase of $39,300,000	

These constitute the principal commodities which, since the acts of 1832 and 1833, with the exception of wines, have been admitted free of duty; and in regard to wines, the reductions of duty under the act of 1832—which took effect on the 4th of March 1833,—were established at so low a rate as to, in effect, equivalent to free importation. The above statement of these importations shows that silks and wines have been increased in our consumption nearly one hundred per cent; that the introduction of linens, teas, and coffee, has been greatly enlarged; and that the worsted goods of France, England, and Germany, which, in so many towns, have been manufactured to supplant the use of cotton, and now are largely enter into the consumption of the country, have been multiplied nearly three hundred per cent. since the adoption of the importation act.

Connected with this view of the extension of our trade through the medium of free goods, an examination of the principal imports would show that, in the dutiable articles retained in the tariff since 1832, the increase of importation has preserved a tal o nearer to that of population; and although these importations were undoubtedly somewhat enlarged by the stimulus of the general measures upon the revenue, yet the difference between them and the free goods is sufficiently obvious to demonstrate the pernicious effect of reducing the duties, especially at a time when a certain extravagance was growing to us that the currency was suffering under the drain of a constantly accumulating foreign debt, which had its origin in the excessive influx of foreign goods into our ports.

A reference to a few articles of importation, subject to duty, in the two periods presented in the last statement, will afford an illustration of this fact:

The total value of *woollen goods* (excluding worsteds) imported between 1821 and 1830 is estimated at	$63,400,000
Do. from 1831 to 1840	92,400,000
Increase $19,000,000	
Value of *cotton goods* imported in the 1st term	98,900,000
Do. 2nd term	116,400,000
Increase $22,600,000.	
Value of *iron and steel* imported in the 1st term	54,800,000
Do. 2nd term	92,200,000
Increase $37,300,000.	
Value of *earthen & stone ware* imported 1st term	10,800,000
Do. 2nd term	17,700,000
Increase $6,900,000.	
Value of *hemp manufactures* imported 1st term	6,000,000
Do. 2nd term	5,600,000
Decrease $400,000.	
Value of *molasses* imported 1st term	22,600,000
Do. 2nd term	82,400,000
Increase $59,800,000.	
Value of *sugar* imported 1st term	42,900,000
Do. 2nd term	65,600,000
Increase $25,700,000.	
Value of *salt* imported 1st term	6,100,000
Do. 2nd term	8,000,000
Increase $1,900,000.	

It is proper to observe, in reference to a portion of these importations, that the decaying scale of duties, as provided in the act of 1833, has had a manifest effect to quicken importation in proportion as the reduction of duty lessened the amount of protection afforded, and brought the American manufacture more directly within the range of foreign competition. This is strikingly the case in some branches of the iron business, in the importation of glass ware,* and some other foreign manufactures. In regard to the fine cotton goods, which have never been manufactured in the United States, the successive reductions under the act of 1833 have very visibly stimulated the yearly importations from France and England, and have so far served to counteract the effects of failures in the embarrassments produced by overtrading, but to lead that taste for foreign luxuries which has become so conspicuous amongst the classes which have drained the wealth and enervated the morals of the community.

In this summary review of the policy of the government displayed in the three most prominent and significant measures of the last ten years,—the relating to the bank, the lands, and the free importations

* The importations of glass ware have been as follows: Aggregate value of imports from 1826 to 1830 both inclusive, $3,200,000
Do. 1831 to 1835 do. 2,000,000
Do. 1836 to 1840 do. 4,300,000

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—the committee believe they have presented the most ample evidence of the origin of the disorders which have affected the general industry of the country. It is impossible, in their judgment, to do justice to the several inquiries, submitted to them, without bringing these topics into view, in order that the proper weight might be attributed to causes of such active influence upon the pursuits of the country. Commerce, navigation, domestic industry in all its dry arteries, have equally suffered under the pressure of these causes. The great source of derangement in the business of the country has, for years past, been attributed to the condition of the currency. That condition was itself but the consequence of the policy of the government; and whilst our whole population look with intense anxiety to a reform of the currency, it cannot be too deeply impressed upon them that that reform is only to be permanently secured through a change in the system of measures which, we have endeavored to show, has been the parent of the whole broad of ills.

It it were possible to restore the banking system to what it was in 1829, making allowance only for such increase as would properly follow an increase of population—to withdraw the millions of excessive bank capital, and shut up the hundreds of unnecessary banks which the government invited into life, to restore an effective, well-regulated central National Bank, which should control, as the country has since been and at intervals continue, the banking establishments of the several States, o.e great step would be taken towards the revival of national prosperity.

That wholesome suggestion which seems to have been a favorite principle in the early stages of the administration to which the committee have alluded, but which, without assignable motive or possible justification given for it, was unhappily repudiated by its own patrons at a later day,—the importance, namely, of withdrawing the proceeds of the public lands from the sphere of the ordinary revenue and placing them at the government—has already been adopted by congress. If this wise and beneficent measure shall be permanent, the congratulations of the country will find not only that these proceeds, justly the property of the States, may become the means of redeeming the faith of the States, and thus of invigorating the credit of the Union itself, but that this appropriation of the land will insure a greater steadiness in the financial action of the government, and impart the same character to the currency.

A revision of the tariffs of 1832 and 1833, conducted with a view to the restoration of duties upon a large class of merchandise, until lately admitted free, and to the establishment of such discriminations as shall afford all the protection to our industry which is necessary to secure to our own artisans whatever they are capable of supplying to the consumption of our own country, must be reached as the third great step—and, in the opinion of the committee, above all others in importance,—in the effort to repositate the trade and restore the business of the country.

Having thus completed that preliminary survey of the measures which have, to so large an extent, influenced and depressed the occupations of the people in every branch of employment, the committee now proceed to examine the state of our commerce and navigation. They propose, without entering into a very minute detail of the manifold interests connected with this question, to present a general view of the system by which our commercial relations are regulated, and to furnish such evidence as may be within their reach, of the operation that system upon the prosperity of this department of our public economy.

They think that an examination of this subject will convince the house of the importance of some very decisive change in the conditions upon which our commerce and navigation are sustained with foreign States; and that although the interest may possess inherent vigor to rise above all the embarrassments which an injudicious policy may have placed in its way, and under that impulse to exert a new growth in strength, yet that its great value to the country entitles it to a more efficient protection than it now receives.

In framing a system of laws for the regulation of the shipping of the United States, our policy has always professed to keep in view three leading objects:

First. To protect and encourage the construction and employment of our own vessels to the greatest extent which our intercourse with other nations would allow:

Second. To reserve the coasting trade exclusively for our own occupation; and—

Third. To nurture with the utmost care a numerous body of skillful and hardy seamen, not only as the necessary resource of our commercial marine in time of peace, but as the indispensable support of an efficient navy in time of war.

Early after the adoption of the constitution, acts were passed for the promotion of these objects, which were moulded chiefly upon the model of those navigation laws of Great Britain, by the efficacy of which that nation, in a career of more than a century and a half, had attained to an almost undisputed supremacy upon the ocean.

The system was avowedly and distinctively *protective* in the interest it had in charge. It was a system of restrictions upon the commerce and shipping of foreign nations for the benefit of our own. The American ship owner was guarded and protected against the competition of the whole world, by discriminations in his favor in the duties both on merchandise and tonnage, as well as in the port charges and other expenses of his business. Every one was for the encouragement of American seamen; and the system was administered with a strict and jealous regard to the privileges which it conferred. If the severity of the system was occasionally relaxed, in favor of particular nations, it was never with out a specific equivalent; and the subject was left at all times, subject to the discretion of the government, to be controlled by the legislation of congress, as the occasion might demand.

Our government treaties, whilst this policy prevailed, seldom extended beyond a stipulation to place the friendly power upon the footing of "the most favored nations," in regard to commercial advantages. They were thus made subsidiary to the provisions and might be found necessary to the promotion of our own trade, further than an agreement that such discriminations should not be applied to the party with whom the negotiation was made, without also applying it to all other nations.

The most prominent point which was to be observed in this scheme of legislation was the peculiar commercial conditions, was that the whole subject of trade and navigation was always kept within the control of congress, and might be altered, relaxed, or enforced in the circumstances of the times and the case might render expedient.

The system was rigidly maintained from the foundation of the government, and continued until the year 1815, from which year we are to date the inception and progress of a new policy.

During the whole of the term referred to, from 1790 to 1815—the period of the exclusive system—excluding from it only the interval of the war and the embarrassments that immediately preceded that event, we grow with the growth of our country and nurtures one of the most striking facts in the history of the country.

The general pacification of Europe in 1815 brought about a new order of things. It converted belligerent nations into commercial rivals. It was foreseen that the maritime States would devote their means to the employment of their shipping, and that the energy and resources which had been expended in war must produce a very visible result in the cultivation of the arts of peace. Great solicitude was therefore naturally felt in the consideration of such a system as should be most likely to secure, on a permanent foundation, our commerce and navigation against the rivalry that was anticipated.

Our chief customer in trade was Great Britain—An agreement for reciprocal privileges, or rather of freedom from discriminations in the ports of the two countries, was regarded as a matter of great interest to both; and as an opinion prevailed in the United States that we could navigate the ocean on terms at least as favorable as Great Britain, Great Britain, a treaty was proposed which should establish certain privileges of trade and navigation upon a basis of reciprocity. The proposition was accepted by Great Britain, but with a necessary exclusion of her colonies and other foreign possessions. The result was the convention of London, which was signed on the 3d of July, 1815. This is the first reciprocity treaty known in the history of the two nations. It was originally limited in duration to four years; was extended, in 1818, for ten more, with an indefinite continuance, subject to the option of the desire of either party to annul it—and upon this footing is now in force.

The reciprocal stipulations of this convention were—

First. That no higher or other duties or prohibitions upon the imports or exports, respectively the growth, produce, or manufacture of the British territories in Europe or the East Indies, or of the United States on the other, should be laid by either party against the other, than should be laid on the like articles, the growth, produce, or manufacture of other nations:

Second. That the vessels of each nation should be admitted into the ports of the other on the same terms as regards tonnage duties and charges, as their own:

Third. That the same duties were to be paid in the ports of each upon importations the growth produce, or manufacture of the other, whether imported in the vessels of the one party or the other.

Such were the limitations of what was understood to be the *reciprocal privileges* of the two countries.

This treaty was regarded as an experiment in the intercourse between the parties. The restriction of its operation, on the British side, to the British territories in Europe, the rigid exclusion from it of any arrangement for trade with her colonies; and the limitation of the privileges to commodities the growth, produce, and manufacture of the contracting parties, all show with what caution, and even distrust, this first departure from the old system of international commercial regulation was adopted.

The progress of this experiment has been observed with different and conflicting opinions of its value — On the British side it is claimed as a measure which has been productive of unequivocal good to that nation, and a measure highly advantageous to her navigation in the American trade. A similar claim has been made for it on our side. The committee, in the course of this report, will endeavor to present some facts touching this question which may and in the decision of it. It is sufficient now to say that, for ten years after this convention, no treaty was made by this country upon the same basis; that, in 1815, a treaty with Sweden, and, in 1825, another with Colombia, were ratified, which were negotiated upon the principle of the treaty of London, with respect to each other, upon the footing of "the most favored nations."

The year 1824 was memorable both in this country and in England, for a very spirited excitement upon the two opposite theories of free trade and protection. It seemed to be an object of high concern to Great Britain, at least to spread abroad an opinion of her faith in the principle of free trade. Some few reductions were made, in the following year, in her impolitic—rebuse from a very high standard of protection, to a moderate degree of protection. The duties on many raw materials employed in her manufacture were removed or placed at so low a rate as to be equivalent almost to free importation; and a very strident tone was assumed in her tariff. It was made by some striking discriminations in favor of her colonies. Great emphasis was given to these discriminations as the commencement of a new principle of commerce which was to bring all nations into the enjoyment of a perfect equality of privileges; and these concessions were urged as an argument to induce the United States to follow the lead and to set impediments their legislation might have opposed to the introduction of British manufactures into every remote of the world. As a part of this liberal plan, Great Britain also entered into negotiations with foreign powers for the exchange of reciprocity treaties. Her accordingly, in the years 1824 and 1825, concluded treaties on this footing with Prussia, Hanover, Denmark, Oldenburg, Mecklenburg, the Hanse towns, the states of Rio del Plata and Colombia.

Whilst this new fervor prevailed in England, its influence became active in the United States. The tariff discussions of 1824 are full of evidences of the conviction of this transatlantic influence. And the issue of a few years has shown how rapidly we can imitate her policy, or at least adopt the maxims of our commercial rival and teacher.

Following immediately upon the footsteps of Great Britain and borrowing, almost verbatim, the language of her diplomacy, we concluded reciprocity treaties with Central America in 1826, with Denmark in 1826, with Sweden and Norway, Hanse towns in 1827, with Prussia and Brazil in 1828, and the republic, and, in rapid succession, with Austria, Mexico, Russia, Venezuela, Greece, Sardinia, the Netherlands, Hanover, and Portugal.

By this course of negotiation the reciprocity system has been extended over a very large field of our trade. The exceptions will be noticed hereafter.

These treaties contained a class of clauses, more or less restricting the natural privilege of trade. They may, however, without regarding some less important modifications, be described under two classes.

The first class stipulates—

1. For the privilege of importing from, and exporting to, either nation respectively, articles *the growth, produce, or manufacture of either, without discrimination* in duties or tonnage, in the *vessels* of either.

2. Not to lay duties on the productions of either, which are not laid on similar productions of all other nations; and—

3. For an equality of port charges, &c., on the vessels of each in the ports of each.

The second class may be briefly described as differing from this, mainly in the important feature of extending the privilege of mutual import and export beyond commodities the growth, produce, or manufacture of each nation, *to the productions of all other nations* which by the laws of each country might be imported in its own vessels; and that such importa-

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tions and exportations might be made directly from and to all such other nations, in the vessels of each of the contracting parties.

In both of these forms of treaty all interference in the coasting trade of each party is forbidden to the other.

In examining these two classes of stipulations it will be perceived that, under the first, the parties are left at liberty to discriminate against each other in regard to imports or exports of the growth, produce, or manufacture of either. In a few instances this privilege is qualified by a special designation of the countries, the growth, produce, or manufacture of which may be imported or exported within the provisions of the treaty, and generally the parties have colonies these are either excepted, or made the subject of particular regulation. To this class of treaties, without stopping to indicate some minor peculiarities in each, we may refer those at present subsisting with England, Mexico, Hanover, and Portugal.

Under the second class, no discrimination is allowed to be made in reference to importation or exportation from or to any part of the world, with which the parties carry on trade; or in reference to any kind of merchandise, without respect to the port, which either party has not prohibited to itself. In this class is to be ranked all the other reciprocity treaties heretofore enumerated. A modification of this principle, however, is to be found in the 1st, will be found in the treaty with the Netherlands, which confirms the privilege of importation and exportation on equal terms, to merchandise imported from and exported to the ports of either nation, but without any restriction as to the origin of the commodity.

The extension of the privilege of reciprocal trade, as defined in this latter class of treaties, is a very significant fact in the present policy of this government, and certainly manifests a desire on our part to test the principle of free trade, as regards our navigation, by experiment on the broadest grounds.

Before leaving this survey of the foundations upon which our commerce and navigation have been placed, by treaties established on the principle of reciprocity, as that term is now understood, it may be proper to notice the relations which subsist between this government and France, which, though not strictly brought within either of the classes we have described, are yet maintained by a freely securing a limited reciprocity.

A commercial treaty with that nation was signed on the 24th of June, 1822, which was to continue in force for two years from the 1st of October in that year, or until one of the parties should, six months' notice, have declared its intention to renounce it.

It provided that articles the growth, produce, or manufacture of the United States, imported into France in American vessels, should pay a discriminating duty of twenty francs per ton of merchandise, more than if imported in the vessels of France.

And, on the other hand, that articles the growth, produce, or manufacture of France, imported into the United States in French vessels, should pay a like discriminating duty of three dollars and seventy-five cents per ton. It was further stipulated that if the treaty should be continued beyond the two years, those discriminating duties should be gradually reduced, after that term, by an abatement of one-tenth the amount in each year thereafter. The treaty having been continued, these reductions were accordingly made, until the whole duty on each side was removed.

The same treaty forbids any discriminating duty to be levied on the exports of the other in regard to goods imported for transit or re-exportation.

It is also provided that the vessels of the United States shall pay in the ports of France, for light money, tonnage, and port charges, over and above those paid by French vessels, five francs per ton, and that French vessels in the United States shall, in like manner, pay, over and above what is paid by American vessels, ninety-four cents per ton.

These are the existing treaty arrangements with this nation. So far as regards discrimination in the duties on cargo, they confine each party to a permission to ship, in its own vessels, to the ports of the other, articles the growth, produce, or manufacture of the country from which the shipment is made.

The discrimination still exists on tonnage. And either party is at liberty to impose such duties as it may think proper, even to absolute exclusion, on all imports by the other, from *foreign nations* or on *the produce of foreign nations*. Either party may discriminate in favor of foreign nations against the other; and as our own government has no power to lay at all export duty, this treaty so far gives the advantage to France in leaving a restriction upon her exports to the United States, at her own discretion. France has fully availed herself of these reservations of privilege in the variety of discriminations with which her tariff abounds.

The government of the United States, from an early date, has evinced a liberal desire to enlarge the privileges of foreign trade. In the year 1815, previous to the convention of London, this inclination was embodied in the act, approved on the 24 of March of that year, which proffered a release of discriminating duties to all nations which should reciprocate that policy—the act having respect to goods the produce of the country from which they were imported, in the vessels of the country. Other acts of Congress of the same character, having reference to particular nations, have been subsequently passed since. Under these acts, variously modified, and the treaties to which we have alluded, this reciprocity has been established in our intercourse with nearly all the commercial states with which we are accustomed to trade.

Thus it may be said that our commerce has been proffered to the world upon terms dictated by the most friendly disposition, and with a sincere desire to give the utmost scope to the expansion of commercial adventure. How far this policy has been reciprocated, and what has been the success of the experiment where the reciprocation has been most prompt and active, are questions worthy of earnest attention. The commercial treaties have made no reference to the distinctive features of our reciprocity treaties, and to the legislation which has, independent of treaty, placed our commerce upon a reciprocal footing, from a desire to present intelligibly some considerations upon this policy which they think it important to exhibit. In addition to the treaty with Colombia before referred to, they have omitted to enumerate the treaties with Chili and Peru Bolivia in 1833 and 1836 respectively, because these treaties, like that of Colombia, stipulate to place the commerce of the contracting parties upon the basis of "the most favored nations," do not strictly embrace the reciprocity principle as understood in modern diplomacy.

Before dismissing this branch of their subject, the committee would remark, in regard to the colonial possessions and dependencies of the principal powers of Europe, that the commercial and navigation regulations under which they are placed would show that, with few exceptions, they are maintained under a rigid system of discriminations, and in many cases of an total prohibition of intercourse, except with the countries to which they belong. The policy of bringing them within the scope of the reciprocity system, with the exceptions referred to, has been constantly denied; and in the generality of cases whatever relaxation has been allowed in favor of particular countries, has been so sparingly applied, so much encumbered with restrictions and conditions, and made so dependant upon occasional and temporary legislation, as to justify the remark that the ancient system of restriction still exists in regard to them, notwithstanding all the benefactions which are claimed for the supposed liberality of modern commerce. The committee abstain from presenting a view of the restrictions and prohibitions attached to these regulations, only because they do not deem it indispensable to their survey of our navigation, and would therefore avoid the risk of too largely increasing the volume of this report.

Having presented this outline of the most prominent conditions upon which our commerce and navigation are maintained in their relations to the chief maritime states of Europe and America, we propose to inquire into the effect which these arrangements have exerted to have promoted upon the interests they were intended to promote.

(To be continued.)

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

JULY 7. Mr. *Preston* presented a memorial from citizens of South Carolina praying that the United States mail may be transported on the Charleston and Columbia rail road.

Mr. *Archer* presented from the committee on naval affairs "The bill to reorganize the navy of the United States, with an amendment.

The resolution offered by Mr. *Bagby*, instituting an inquiry into the source of money paid to John Ross for removing the Cherokees, was taken up and adopted.

On motion of Mr. *Bayard*, the bill to erect an insane hospital at the city of Washington was taken up and ordered to be engrossed.

The bill to provide further remedial justice in the in the courts of the United States was then taken into further consideration.

Mr. *Berrien* rose and replied to the arguments urged against the bill.

Mr. *Conrad* and Mr. *Walker* followed. The question on the first amendment was then put, and it was carried, and the bill was ordered to be engrossed for a third reading by yeas 17 nays 25.

The senate adjourned.

JULY 8. Mr. *Phelps* moved to take up the motion of leave, (which was laid on the table a day or two ago), to introduce two bills by the senator from New Hampshire, (Mr. *Woodbury*), the one relating to the collection of the revenue and the other regarding the home valuation.

The motion led to considerable debate. On motion of Mr. *Phelps*, the motion of leave was again laid the table, by yeas 21, nays 17.

The bill to incorporate the National Institute for the promotion of science was read a third time; when Mr. *Buchanan* asked the yeas and nays on the passage of the bill, which having been ordered, the vote stood as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clayton, Conrad, Crafts, Crittenden, Cuthbert, Dayton, Evans, Fulton, Graham, Huntington, Linn, Mangum, Merrick, Miller, Morehead, Porter, Preston, Simmons, Smith, of Ind. Sprague, Sturgeon, Tallmadge, Tappan, Woodbridge, Woodbury—26.

NAYS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, King, McRoberts, Sevier, White, Wilcox, Wright, Young—12.

The bill to establish an insane hospital in the District of Columbia was read a third time and passed.

The bill further to extend remedial justice in the courts of the United States having been read a third time, on the question "Shall this bill pass" the yeas and nays were demanded; when a protracted debate ensued, in which Messrs. *Bagby*, *Wright*, *Cuthbert*, and *Buchanan* severally spoke at some length against the passage of the bill.

Mr. *Berrien* replied to the arguments of each senator opposed to the bill.

The question having been put on the passage of the bill, the vote stood as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clayton, Conrad, Crafts, Crittenden, Dayton, Evans, Graham, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind. Sprague, Tallmadge, White, Woodbridge—27.

NAYS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Cuthbert, Fulton, King, Linn, Sevier, Smith, of Conn. Sturgeon, Tappan, Wilcox, Woodbury, Wright, Young—17.

On motion of Mr. *Merrick*, the senate went into executive session, and after some time spent therein, the senate adjourned.

JULY 9. After the consideration of private bills, the senate went into executive session, and after the transaction thereof, adjourned.

JULY 11. The *president* of the senate laid before that body a communication containing the resolutions passed by a democratic whig meeting at the Broadway house, New York, on the 5th July, 1842, approving the acts of the majority in congress. After discussion, they were referred to the committee on printing.

Mr. *Preston* submitted the following resolution:

Resolved, That the president of the United States be required, if it be not inconsistent with the public interest, to communicate to the senate the recent correspondence between the republic of Mexico and this government in relation to Texas.

Mr. P. read an extract from a letter published in the Intelligencer this morning, signed *J. Maria de Bonnegre*, purporting to have been addressed by him to Mr. Webster.

This led to a somewhat animated debate, in which Messrs. *Allen*, *Sevier*, *Walker* and *Preston* participated, after which the resolution was adopted.

The senate then proceeded to consider, as in committee of the whole, the bill making appropriations for the Indian department for the year 1842. And no amendment having been made thereto, the bill was ordered to a second reading, and was subsequently read a third time and passed.

The senate then went into executive session, and remained there until 5 P. M., and then adjourned.

JULY 12. The bill changing the time of holding the circuit court of the United States in the western district of Pennsylvania was considered and passed.

The senate then took up the bill for the settlement of the accounts of the late general Hull, and after an animated discussion it was laid on the table for the present.

After the transaction of executive business, the senate adjourned.

JULY 13. After the transaction of private bills the senate went into executive session and thereafter adjourned.

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HOUSE OF REPRESENTATIVES.

Tuesday, July 7. The consideration of the tariff bill was resumed on motion of Mr. *Fillmore*, in committee of the whole, Mr. *McKennan*, of Pa., in the chair.

Mr. *John T. Mason*, of Md. addressed the committee.

Mr. *W. C. Johnson*, of Md. followed. His remarks had much reference to the assumption of state debts by the general government.

Mr. *Gamble*, of Ga. followed and replied to the remarks of Mr. *M. A. Cooper* against the bill.

Mr. *Payne* next addressed the committee, and the discussion was continued further by Messrs. *Everett*, *Irwin*, *Black* and *M. Brown*, after which the committee rose and the house adjourned.

Friday, July 8. Mr. *Fillmore* said that a communication had been referred to the committee of ways and means in relation to circulars issued to collectors of the revenue, and as the question presented was clearly one of a legal character, he proposed that it should go to the committee on the judiciary, that it might be ascertained whether further legislation was necessary or not.

So, on motion of Mr. F., the committee of ways and means were discharged from the further consideration of the said document, and it was referred to the committee on the judiciary.

Mr. *Stanly*, from the committee on military affairs, as he was given, reported back with an amendment the bill in relation to the reorganization of the army, and for other purposes.

The bill, with the amendment, was ordered to be printed, and was referred to the committee of the whole on the state of the union.

The farther consideration of the tariff or revenue bill was then renewed in committee of the whole house.

Mr. *Gwin* arose and replied to the arguments of Mr. *Kennedy*, and advocated the doctrine of nonlegislation in reference to subjects of industry.

Mr. *Stuart*, of Va. next addressed the committee.

Mr. *Brewster*, of New York, rose, for the purpose of submitting an amendment to the second section of the bill, which proposed a duty of 25 cents per bushel on wheat by adding thereto a proviso that drawbacks should be allowed on the exportation of flour manufactured from foreign wheat, under such directions as the secretary of the treasury should prescribe.

With a view to make the propriety and justice of this amendment fully understood, it was his intention, he said, briefly to present to the consideration of the house the situation of our colonial trade. This he should do with the more confidence in the statements he might make, as he was himself personally interested in it. And what he could say would tend more to reference so much to the bill under consideration as to the colonial trade. He examined, with a view to controvert as erroneous, certain positions assumed in the report of the chairman of the committee on commerce, (Mr. *Kennedy*, of Md.) on the same subject, especially with reference to foreign tonnage, or commodities carried by foreign tonnage, as between this country and the British colonies. The object of the remarks was to show that it was a duty which congress owed to the milling interest along the frontier of the country to allow the drawback on the exportation of flour manufactured from foreign wheat, that a great deal of benefit would result from such a provision, without injury could.

Messrs. *Morris*, of Ohio, *Davis*, of New York, *Stanly*, of North Carolina, *Saunders*, (in explanation), and *Stanly*, (in rejoinder,) *Weller*, *Mathiot* and *Gordon* continued the debate.

At a quarter before six, Mr. G. having concluded, the floor was obtained by Mr. *Daniels*, of North Carolina; and the debate was continued. Mr. D. having concluded,

Mr. *Burke*, of New Hampshire, obtained the floor and read a speech from a manuscript before him.

After which the committee rose, and the house adjourned.

Saturday, July 9. Mr. *W. C. Johnson*, of Md. submitted, in reference to the assumption of the state debts, the following preamble and resolution:

Whereas, the derangement of the currency and the commerce throughout the nation have seriously affected the operations of the government, and embarrassed in some degree all, and in an eminent manner a large majority of the states, and in their general consequences have depressed the value of property, impoverished the people, transmitted the energies, and interrupted the business relations of the whole people, of every pursuit and of every calling, in all the states of the union: *And wherein*, these disastrous consequences have, in a greater or less degree, resulted from the general legislation of congress, which has augmented the expenditures of the government beyond the receipts into the treasury, and yet diminished the prospects by lessening the duties on foreign fabrics—which has authorised an unlimited importation of foreign articles, either free of duty or only charged with a nominal amount, even from nations who refuse to receive, or receive only with duties so high as to amount almost to a prohibition, the products of our farmers, planters, manufacturers and laborers—thereby denying not only to our own citizens all the advantages of a reciprocal trade in the productions of their fields, their mines and their workshops, but, by leaving a vast surplus in our own country, reducing the value of our products, lessening the price of wages in every branch of labor, and depreciating all kinds of property, while at the same time this want of reciprocity in trade and fair interchange of productions has caused a continual drain of specie, for the purchase of those necessary articles which can alone be obtained from abroad, besides the large amount required for interest on an existing and an accumulating foreign debt. *And wherein*, the states, not foreseeing the embarrassments which now beset them, have, with a laudable desire to advance their interest, to develop their resources, and, by supplying the means and facilities of intercommunication, to bring into active operation and value much of their otherwise dormant wealth, have involved their credit and incurred heavy debts in the prosecution of works which are calculated to strengthen the bonds of union, and not only multiply the avenues of commerce, but augment the defences against foreign aggression, yet such states now find that the debts contracted in times of prosperity, when capital was more plenty and confidence more stable, while obligatory upon them as states, and necessary for their credit, and must be met by direct taxation, which will still more depreciate the value of real and personal property, and, by lessening the means of the tax payer, will diminish the demand for the products of our own industry as well as the importation of necessaries from abroad, so long as those debts are unliquidated and the people are taxed for their payment. *And wherein*, the obligations which have been incurred, however improvident some of them may have been, are not the less binding, and the idea of legal and honorable debts being paid, is inculcated from infancy to every people who have been schooled to moral and Christian duties, and with a foreknowledge of their responsibility, yet, when they assumed the powers in the exercise of which those very debts have been incurred, and embarrassing as may be the discharge of their liabilities, any and every incendiary insinuation that it ought to diminish that a nation's or a state's honor should be tarnished; since while providential calamities may for a time afflict a people, and weep away millions of her wealth, well-directed industry will soon repair the loss; yet, but a stain upon a state's or a nation's honor will attach to every individual belonging to such state or nation, and wherever they may subsequently reside. *And whereas*, the present calamitous condition of affairs has been brought upon the nation, the states and the people, by the joint action of law makers in state and general state councils, convened at a greater or less degree of both of the political parties of the times, and albeit equally in the general result perpetuated by all parties therein, a sense of common interest, of common duty, directed by an intelligent patriotism, demands that those who possess the power and the means should, with as little delay as practicable, adopt such measures as, with the least inconvenience to the people, while based on principles of sound policy and liberal equity, will restore public and private confidence; and will maintain the credit of the people of these states and of this union in its wonted high character and standing: Therefore,

Resolved, That a select committee of —— members be appointed to consider the causes of the embarrassment of the government, the states, and the people, and to report by bill or otherwise such measures of speedy and permanent relief as they may deem salutary, expedient, and required to meet the exigencies of the country.

Mr. *Johnson* moved that the rules be suspended, to enable him to offer the resolution.

Mr. *Kennedy*, of Indiana, asked the yeas and nays on that motion, which were ordered, and, being taken resulted as follows: yeas 7, nays 132.

So the rules were *not* suspended, and the resolution was not received.

The consideration of the revenue or tariff bill was then resumed in committee and

Mr. *Samuels*, of Va. continued the discussion.

Mr. S. was followed by Messrs. *Smith*, of Virginia, *Stuart*, of Illinois, *Reynolds*, *Underwood*, *Wallace*, *Brown*, *Goode*, of Ohio, *Hastings*, *Randall*, of Maine, and *Read*. And then the committee rose and

The house adjourned.

Monday, July 11. Mr. *McKennan*, of Penn. moved a suspension of the rules of the house for the purpose of having conveyed the proceedings of some of his constituents in relation to the late exercise of the veto power. The house refused; and they were referred to the committee on printing.

The consideration of the tariff or revenue bill was resumed in committee of the whole on motion of Mr. *Briggs* and the committee was successively addressed by Messrs. *Holmes*, of S. C. *Lewis*, *Botts*, *Allen*, (only 20 members present), *Dean*, of Ohio, *Irwin*, *Clifford*, *Cooper*, *Gamble*, *Marshall*, *Caldwell*, *J. C. Edmonds* and *W. B. Campbell*, after which the committee rose, and the house adjourned.

Tuesday, July 12. Mr. *Adams* offered the following resolution:

Resolved, That the president of the United States be requested to cause to be communicated to this house, so far as may be compatible with the public interest, copies of the correspondence between the government of the United States and Mexico since the appointment of the present envoy extraordinary and minister plenipotentiary of the United States to Mexico; of the instructions given to the minister at and since his departure upon his mission, and of the despatches to the government, and particularly of any complaint of the government of Mexico, alluding to the toleration by the government of the United States of hostile interference by their citizens in the war between the United States and Texas, and of any answer on the part of this government to such complaint.

Also, copies of all correspondence between the government of the United States and of Texas, since the last resignation of the president to congress relating to that republic; and of any proclamation of the president thereof declaring his determination to invade the Mexican republic, and inviting the cooperation of the citizens of the United States in such intended invasion; and the president is requested to inform the house whether any, and if any, what notice has been taken by the executive of the United States of the said proclamation of the president of Texas.

The first paragraph of the resolution was adopted; and the latter paragraph being objected to by Mr. *Pickens* lies over for debate.

Mr. *Fillmore* submitted a motion to postpone the special orders of Thursday, Friday and Saturday to Monday next, which was adopted. The amendment was adopted.

Mr. *Fillmore* then submitted the following

Resolved, That the time fixed for closing the debate on the revenue bill be extended from this day at 12 o'clock until Friday at 12 o'clock, and the amendments shall sooner be disposed of. From Tuesday until Friday, all debate upon amendments shall be upon the following limitations:—Any member moving an amendment may have give a brief explanation not exceeding 15 minutes, and any one member may answer such explanation not exceeding ten minutes, when the vote upon such amendment shall be taken, without further delay, and the next amendment shall be considered in like manner until all are disposed of, and the time limited for closing the debate, when if not disposed of, the amendments proposed shall be voted upon without debate, and the bill reported to the house.

The resolution was read and under the operation of the previous question agreed to.

Mr. *Fillmore* then moved that the house go into committee of the whole on the state of the union.—The motion prevailed.

Mr. *Thompson*, of Mississippi, addressed the committee in favor of the doctrine of free trade.

Mr. *Curry*, of Virginia, followed on the same side, until the hour arrived for the termination, (by previous resolution), of further debate.

The committee then proceeded to vote upon the various amendments which might be offered, of which many were offered and acted upon, until the committee rose and the house adjourned.

Wednesday, July 13. Mr. *Adams* moved to take up the second resolution or second paragraph of the resolution offered by him yesterday in relative to Mexican and Texas negotiations.

Mr. *Pickens* said that if no member of the committee of foreign affairs objected he would withdraw his objection.

Mr. *Cushing* objected and moved that the house resolve itself into committee of the whole.

Mr. *Adams* expressed his indignation at the suppression of information intended by the motion and called for the yeas and nays.

The house by a vote of 99 to 74, went into committee of the whole and resumed the consideration of the tariff or revenue bill, (Mr. *McKennan*, of Pa. in the chair,) and after considering the various amendments proposed and rejecting the most of them, rose and reported progress.

Mr. *Adams* then renewed the question on the resolution he had proposed, and on its being taken, it was adopted, and the house then adjourned.

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CHRONICLE.

AGRICULTURE. At a meeting of the Royal Agricultural society of England on the 18th of May—On motion of the duke of Richmond, seconded by Earl Spencer, Professor Liebig of the University of Giessen in the grand Duchy of Hesse Darmstadt, and Mr. Hemy Coleman, commissioner for the agricultural survey of Massachusetts, the former one of the most distinguished and accomplished chemists of Europe, and the latter one of the best practical writers on agricultural subjects in the United States of America, were unanimously elected honorary members of the society.

AMERICAN MANUFACTORIES. We understand that at the annual meeting of the stockholders of the Cocheco Manufacturing company, held in this town on the 20th ult. it was voted to suspend the operations of the establishment entirely on the 1st of October unless the action of congress in the meantime should be such as to promote a revival of business. *Dover Enq.*

ASHES. Receipts at N. York, by the N. York canals from the opening of navigation to the 9th July, 20,801 bbls. Stock on the 9th, 4,671 bbls. Pots, 800. Pearl, 640, uninspected. Price—Pot 5 1-4, Pearl 5½.

BANK TRUSTS. *Tennessee banks.* The Nashville Whig of the 30th ult. announces that the banks of the state will resume specie payments on the 1st August, instead of the 1st July, as before promised.

Average amount of promissory notes in circulation in the United Kingdom and of the average specie held in the bank of England, during the four weeks ending the 25th of May, 1842: England—Bank of England, £17,948,000; private banks, £3,000,000; joint stock banks, £3,101,510. Scotland—chartered private and joint stock banks, £2,965,263. Ireland—Bank of Ireland, £3,039,946; private and joint stock banks, £1,963,152: total £34,366,629. Billion in the Bank of England £7,353,000.

The Bank of Missouri on the 23d ult. resolved that it would hereafter receive and pay out nothing but specie and its own notes.

The Shawneetown (Ill.) bank has not yet resumed specie payments.

The Evansville and Bedford branches of the Bank of Indiana refuse to redeem with specie their own notes, if they belong to persons residing out of the state.

The Miners' bank at Dubuque, Iowa territory, was to resume specie payments on the 1st inst.

Statement of the N. Orleans banks. Made to the board of currency on the 25th ult.

	Cash liabilities.	*Cash assets.*
Bank of Louisiana	459,374 25	636,061 64
Canal and Banking company	390,948 00	94,27 72
Carrollton R. R. & Bank'g Co	107 698 09	21 256 45
Citizens' bank	1 316,913 41	724 277 20
City bank	1,016,135 25	689 202 83
Commercial bank	445,241 95	304 464 68
Consolidated association	753,416 00	346 157 49
Crescent city bank	809 620 38	657 066 40
Mechanics' & Traders' bank	325,777 78	350 723 57
Union bank	1,289,873 41	1,186 000 00
Total of cash liabilities	$6 817 781 92	
do. cash assets		4,949,646 67
do. specie		2,868,135 25

The N. Orleans banks which by the last accounts continued to pay specie, are the Union, the Mechanics and Traders', the Bank of Louisiana, and the City bank. They however have but few bills in circulation.

The monetary condition of the city is deplorable beyond description. Some notion of it may be formed by the following notes from the Advertiser of June 30.

City bank 20 to 25 per cent. discount; Bank 20 to 25 do.; Carrollton 25 to 30 do.; Canal 30 to 35 do.; Citizens' 30 to 35 do.; Commercial 30 to 35 do.; Consolidated 30 to 35 do.; Crescent 35 to 40 do.; Union 1st Municipality 12 to 15 do.; Bank 2d do. 12 to 15 do.; Bank 3d do. 20 do.

A note drawn in the name of the Gas bank of New Orleans, and signed by its then president, Thomas Urquhart, payable at the Bank of the Union, was presented to Mr. Jaudon, and now overdue, was sold by auction the 24th inst. at the St. Louis Exchange, by the sheriff of the district court. Its amount was $650 000. It was set up at $50, and the bidding went on till it was finally knocked down for $7700.

The Bank of Virginia sent deputations to a convention which assembled at Richmond on the 11th inst. at which we understand it was resolved that they would resume specie payments on the 15th September next. The Farmers' bank of Virginia, divided two, and the Exchange bank of Virginia, three and a half per cent. for the last six months.

The Bank of America has been designated by the secretary of the treasury as a depository of the revenue, in New York.

BROKERS. The Charleston Mercury says: The country is there and have just reason to complain of the present state of things by banishing the Brokers—on the same philosophic principle that one should go about to cool the weather by breaking all the thermometers. They have proposed a tax amounting to prohibition on the brokers. The same thing has been done in St. Louis. The same thing has been done in Maryland. The same thing was once by the inadvertence of our legislature, done in S Carolina, and to such and every case the banks were at the bottom of it. One reason for the hostility of banks to brokers, is that the latter act as a check upon their monopoly of exchange. Another is that brokers are a public convenience, and their experience, by subjecting it continually to the test of the true standard of value."

BANKRUPT APPLICATIONS. The number of persons who have applied for the benefit of the bankrupt law in Connecticut is 858. In Illinois, 756.

BEQUESTS. The late John Hopkins, esq. of Northampton, Mass. bequeathed $7,000 to benevolent societies, as follows: to the home missionary society, $3,000; to the American board of commissioners for foreign missions, $2,000; to the American Bible society, $1,000; to the American tract society, $500.

CROPS. There has seldom, if ever, a larger or finer crop of wheat been harvested in this country than the one just cut or now being cut. Throughout the country, from every wheat growing section, we had accounts of most promising appearance, and we have now accounts that the crop generally has not been injured, by the exception of the disaster of country lying along the Susquehanna. But from the Tuscarora to its mouth, embracing the Eastern shore, and some portions of Western shore. Within this region the finest prospects which they have had for a large crop for many years, was blighted by the rains which fell from the 10th to the 24 h of June, delaying the land and indeeing the disease called the rust to sweep wheat fields. The product of the section to which we allude will probably fall below half an average crop. All the rest of the wheat region will yield a full crop or an average crop; we shall then, for have not only abundance for ourselves, but a very large surplus, which if we could but find a market for, would go far towards relieving the country. *Union Enq.*

COTTON. The intelligence of a decline of prices brought by the Caledonia, has had the effect of depressing prices 1c. in the New York market.

The Liverpool Chronicle of the 8th March, contains an advertisement of cotton for sale, issued on that business quality stated to be superior, and the return from the land alone.

CANAL STEAMBOATS. Capt R. F. Stockton of the navy, in building at New York, four iron steamboats, intended to ply between that city and Philadelphia by way of the Delaware and Raritan canal, and the Bordentown, Black Diamond and Volcano, are already completed. They are fitted up with Erickson's propellers, and are said to work exceedingly well. The Philadelphia Journal says: "Their capacity is equal to two hundred and thirty tons of coal. In the Raritan river the speed of these boats is nearly one mile per hour, and the canal six miles the hour. We consider that the name of canal navigation has now been reached by the performance of these boats."

Capt. Stockton is superintending at the navy yard in Philadelphia, the building of a frigate that is to be propelled in the same way.

The Philadelphia Evening Journal, says: "One of the iron steamers left for New York yesterday via the Raritan canal, with 300 tons coal on board. She drew but five feet of water."

COAL MINERS. The operatives of the mines, near Pottsville, Pa., on the 10th inst. to the number of about 1500 terminated a strike against the reduction of the wages that would have remained at work. The volunteer companies of Pottsville, Minersville and Orwigsburg, promptly assembled at the summons of the chief Burgess. The miners took possession of a hill and talked of fortifying, but at the last dates they had dispersed.

COAL TRADE AT PITTSB. The number of vessels entered in the port of Pittsb to May 22, the present year, was 110, last year to the same date, 77; in 1840, to the same date, 46.

PROF. COPETRIET, formerly of West Point, has been appointed Professor of Mathematics at the University, Virginia.

DEATH OF GOV. VEAZEY. The death of the honorable Thomas W. Veazey, formerly governor of Maryland, at his residence in Cecil county, on the 1st inst. is an event that may well call forth a general expression of regret. After filling various public stations in the state with honor and usefulness, Gov. Veazey was elected to the gubernatorial office in 1836. It was during his term of service in 1838, that the revolutionary attempt was made by a party in Maryland to overthrow the existing government through the instrumentality of the celebrated seven peculiar elections. The firm and decided course of Gov. Veazey on that occasion, sustained by the good sense and patriotism of the people, saved the commonwealth from dangerous commotions and vindicated the majesty of the laws.

For this, every friend of life exhibited no other service the grateful acknowledgements of his fellow-citizens would be due in the form of a respectful veneration now, as he lies in death surrounded by the sincere offerings of regard and high esteem. But no very public station to which he was called, Gov. Veazey fulfilled less fidelity and honor than in his retirement repaired in him. His death, occurring in his sixty-ninth year, closed a useful and an honorable life; and in the example which he has left of steady devotion to duty the best compensation is to be found for the loss of his living worth. [*American.*

EARTHQUAKE. On the 25th of June a smart shock, was felt at the island of St. Christopher. The inhabitants, greatly alarmed, ran out of their houses and down to the sea shore; but no lives were lost, nor was any damage done to the houses. A stone wall was thrown down.

ELECTION. *Louisiana.* The first election of representatives to the 28th congress, under the new system, and whose term of service commences on the 4th of March, 1843 commenced in Louisiana on the 6th inst. In the city of New Orleans the election terminates in one day, in the rest of the state the polls are held open three days. We have received returns of the city election, which terminated in a signal triumph of the whig party—every candidate on their ticket having been elected.

The vote for governor stood, for H. Johnson (whig) 1,225; A. Moulton (V. B.) 977—whig majority 251.

For governor—D. B. Pitchlynn (whig) 1,590—Miles Taylor (V. B.)—(withdrawn)

For senate—N. Ilon (whig) 1,206—J. R. Grymes (V. B.) 917.

For the house—who take—W. C. C. Claiborne, 1,197; G. Mouton, 1,111; J. P. Benjamin, 1,093; S. D. Moore, 1,088; J. Slidell, 1,046; G. A. Breazeale, 1,045; N. Osden, 1,161; A. Ledoux, 1,136; R. Hunt, 1,067, J. Colberson,* 1,185.

Van Buren ticket—J. D. Peire, 1,025; S. Barton, 956; W. Stone, 739; C. F. Dunbar, 913; J. Sidell, 961; R. Marbury, 933; D. Aucoinin 962; J. S McFarlane, 723; J. L. Lewis, 1,031; J. B. Vignie, 926.

The New Orleans Bee of the 8th instant, says: "Never have we taken up our pen with such enormous thanksgiving and joy as we now do on announcing the complete, thorough, and overwhelming victory of the whig party upon the glorious anniversary of our national independence. Under circumstances of the most discouraging, we have elected our entire legislative ticket—our senator and ten representatives. The whigs of New Orleans have stopped the hall of revolution that has overwhelmed other cities and states, and now set against epithets for epithets, a patriotic and generous party."

FLOUR. The inspections for the week ending on the 2d ult. 3,251 bbls. and 124 half bbls. Prices $5,87½ $6,00. The stock very low.

In Cincinnati, on the 11 inst. flour is quoted at $5,75 $4,00. During the month of June there arrived at Cincinnati, from the interior of Ohio, by way of the canal, 1,000 barrels of flour, and 1,000 barrels of beef and flour. The number of vessels that arrived at the port of Cincinnati in the same month was 200, and the number leaving 207.

MITCHELL, the forger was arrested on the 4th instant at Zanesville, Ohio, by Mr. Coulson, of the Albany police, who took him back to New York, in a sort further proceedings in his case. He had given bail for his appearance, and then dodged.

NAVAL. The U S frigate *Brandywine*, Capt. Gesner, arrived at Hampton Roads on the 12th inst. in 41 days from Gibraltar.

The new frigate *Congress*, Capt. Voorhees, will probably sail from Portsmouth, N H. on Monday next for the Mediterranean.

PACKET SHIPS. The Patrick Henry, for Liverpool, the Cayuga, for Havre, and the ship Emory, all sailed from New York on the 9th inst.

The Argo carries out Mr. Christopher Hughes, chargé d'affaires to Turkey, and daughter; Mrs. Dr. Reese, the wife of the Prussian minister and family, and over a dozen other passengers.

STOCKS continue exceedingly depressed. Maryland 6's have been sold at 40; Illinois bonds 19; Indiana bonds 22.

STEAMERS. The Acadia was to leave Liverpool for Boston on the 9th inst. The British Queen, Antwerp, 7th inst. and Southampton 10th, for New York. The Great Western, Bristol, 16th, for New York.

Loss of a Boat by Disaster. The steam boat Essex having on board a number of German emigrants bound from the Caledonia a few days before, bound up the Monongahela, and when near the mouth of the river on the morning of the 8th instant, some three or four persons were wounded, of which number very many cannot survive.

Another. The steamer Shamrock, a high pressure boat, left Montreal on the 8th inst. with a hundred and twenty passengers, Irish, Scotch, but principally English emigrants, most of them in good circumstances seeking new homes. Within five miles of Lachine the boiler exploded, and the boat immediately sunk. The steamer Dalphin, half a mile astern of her, on reaching the spot found those that still survived, floating upon the fragments of the wreck, or holding on to the sides of two barges the Shamrock had had in tow. Sixty were picked up of which at least half are more or less injured by the explosion—many of them cannot survive. Upwards of sixty must have perished!!

SURVEY. The British government have ordered the steam ship Avon, captain W. F. W. Owen, to the Bay of Fundy, for the purpose of making a thorough survey of its coasts, harbors, &c.

TOBACCO. Fair sales of the better qualities, Maryland were made at former quotations until the arrival of the Caledonia, of the intelligence of the depressed price. Inferior qualities had declined before her arrival. Inferior red remained as many quoted at $2 50@3 50; middlings to $4 00@6 00; good $6 50@8 00; fine $8 00@12 00. The finer qualities of Ohio have been in demand during the week—inferior in no demand.

The inspections of last week at Baltimore, consisted of 459 hogsheads Maryland and 562 Ohio—total 1,021.

WHEAT. The quality of the new grain so yet brought to market, is very good. At Cincinnati millers continue cautiously at 47 cents a bushel.

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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CONTENTS OF NO. 21, VOL. 12.

Foreign—release of Santa Fe prisoners by Santa Anna. Expedition up the Niger repeated.

National affairs—appointments. Navy.

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Miscellaneous—collection of revenue. Classification of census. Slave trade.

Politics—speech of Mr. Mathias.

Gen. Jackson's letter in relation to his fine by Judge Hall.

Diplomatic—correspondence of Secretary of state with minister to Mexico.

Mr. Adam's report on the president's approval of the appropriation bill

Mr. Botts's speech—impeachment.

Congressional proceedings.

Chronicle

CONGRESS. The new tariff bill, which passed the house of representatives on Saturday last, and which in the Senate was on Monday referred to the committee on finance, was on Thursday reported back from that committee, with certain amendments proposed thereto. It is made the special order of the day for Monday next.

FOREIGN ARTICLES.

MEXICO.

Release of all the Santa Fe Prisoners. The schr. Laura Virginia, in 7 days from Tampico, brings to the editors of the New Orleans Bulletin dates from the city of Mexico to the 18th ult.

The most interesting item of news is that of the release from imprisonment of all the prisoners taken in the unfortunate Santa Fe expedition. General Santa Anna celebrated his birth day by this act of grace. A letter from the American minister states that they will all be sent home in the first American vessel of war that touches at Vera Cruz. The prisoners were released on condition if taken again in arms against Mexico they shall suffer death.

The speech of Santa Anna, at the opening of the congress, represents the country as recovering from the late unfortunate events. The same bold language is used towards Texas as formerly, but the release of the Santa Fe prisoners is considered as an indication that all hope of the conquest of Texas is abandoned. The prisoners at Xalapa were to be released on the solemnization of his birth day the 18th June. At Perote, 47 were released on the 12th, 3 remained sick in the hospital. At Mexico, 110 were released on the 13th, 9 remained in hospital.

The New Orleans Courier gives the following extracts from Santa Anna's speech, delivered on June 10, 1842.

"In America, particularly, the masses (of the people) have received an impulse that it may be proper and possible to guide, but impossible to check, because its tendency is to create and improve. The institutions of 1824 had placed the nation in an extreme to that from which it was driven in 1836. The seductive example of liberty, to that time always on the increase in the United States of America, led us to the compromising adoption of a system of government, that suited only that singular people. Transcendental as was the error, we imagined that the United States owed their prosperity to their institutions, and not to the character of their people.

"We imagined, that by writing down for ourselves the same laws, and by adopting the same forms, we could effectuate a complete revolution in the habits and customs and national spirit of the Mexicans. Debility and disunion were the consequences, because the action of the government every where proved a nullity. Events have plainly indicated the risks the country ran, and showed that its independence and existence as a nation was threatened. A colossus has set one foot on Texas nor can its advance be checked but by an energetic government, one and indivisible.

"The Mexican republic has proudly raised itself from its late prostrate position. The strength and numbers of the army have been trebled, and the colors of the nation are about to be unfurled on board of its ships of war. Reforms and improvements have been adopted in our revenue system, and care has been taken to make the Mexican people sharers in the progress that distinguishes the age.

"The most frank and cordial relations have been sustained with the powers friendly to Mexico.—Should it appear that any nation has invaded our rights, or practically violated that good faith of which we have set an example, it will be found that my government has acted with a dignity becoming the country over which it presides.

"My attention has been principally fixed on the territory of Texas, which has been usurped but as a preliminary to further usurpations. The struggle now going on must be a vital one for the Mexican republic, and if we wish to preserve an honorable name among civilized nations, it is necessary that we should employ all our energies and resources in combating without ceasing, and at any sacrifice and at all hazards, until our arms and our pretensions shall triumph."

TEXAS.

President Houston's Message. The steam boat New York, arrived at New Orleans on the 8th bringing Galveston papers to the 3d instant. The New Orleans Bee says—"The Civilian contains President Houston's message, delivered at the extra session of congress. It is an interesting document. After giving a sketch of the events which transpired immediately after the declaration of war against Texas by Mexico, the president says:—If it be within the power of the nation, it is indispensable that protection be given to the frontier. With regard to hostilities against Mexico, congress must decide the question before the 20th of July, as between that time and the 20th, the general rendezvous of emigrants on the frontiers takes place.

The naval force of the republic is prepared for active and efficient service. The president urges the attention of congress to the preservation of this great arm of national defence.

The finances of Texas are in deplorable condition, and can only be bettered by energetic measures.—The president recommends a reserve of the direct tax, and the hypothecation of a portion of the Cherokee country, as a guarantee for the ultimate absorption and redemption of exchequer bills—a measure which was negatived at the last session.

Congress is appealed to, to devise some plan for the regular transportation of the mails, which have been and continue to be lamentably irregular and infrequent.

The message closes with earnest injunctions upon congress to act wisely, promptly and efficiently in the crisis.

A battalion of volunteers from the United States, left this city for Corpus Christi, on Thursday, under the command of lieutenant colonel Clements. There were five companies—one from St. Louis under capt. Stevens; one from Natchez, under captain Hickey; one from Tuscaloosa, under capt. Symmes; one from Huntsville, under captain Clements; and one from Perry.

One of the Alabama volunteers, belonging to capt. Clements' company, named Gill, was shot on Wednesday last, in this city, by a member of the St. Louis volunteers, named Rufus Goodenow. Goodenow was examined before the Mayor, and discharged. It appearing in evidence that Gill had attacked him, and was a dangerous and desperate character, and Goodenow acted in self-defence.

Congress organized and received the president's message on Wednesday evening—ten members of the senate and thirty of the house of representatives being present. The Telegraph says a general disposition appears to despatch the business submitted by the president and adjourn as soon as possible.

[*Civilian.*

Corpus Christi. A gentleman arrived from this place yesterday, but brought no important intelligence. The troops are under excellent discipline, and have become much more contented since they learned that a draft has been ordered by the president to carry on offensive war. Col. C. L. Owen has raised large supplies of cattle and other stock and forwarded to them. The late rains that have fallen in such abundance in this section, have not extended west of the Colorado. The crops on the San Antonio and other western streams are almost entirely destroyed. In one field on that river, containing near four hundred acres, scarcely a peck of corn could be gleaned

[*Star.*

The Charleston Mercury, noticing the above intelligence from Texas, says "it will be seen that president Houston does not take the responsibility of recommending an invasion of Mexico. We suspect that a lively sense of empty pockets has taken the place of the war fever: Never mind—when Gen. Thompson declares war upon Santa Anna, we can all march together in brotherly hatred."

AFRICA.

By the brk Adairo, from Gambia, we receive intelligence, through the politeness of the first mate, to the 13th of June. The second Niger expedition started from Accra up the river on the 1st of April. We learn also that the captain of the English brig of war Rolla, had granted to a Spaniard at Cape Mount, a certificate to enable him to buy slaves and keep them on his own plantation.

One of the officers of the British steamer Pluto went ashore at Rio Nunez, and went to the house of a Mr. Curtis, the family all being absent except his daughter. The officer ransacked the house and threatened to take her on board the steamer. He even went so far as to drag her from the house—when hearing a noise he abandoned his brutal purpose, left the girl and walked to the beach—when he took a pistol from his belt and shot her dead. Mr. Curtis is known to be a free trader.

Trade is very dull on the coast, which is lined with vessels from all parts of the world. The boats of the brig Rolla came in contact with the Spanish slaver Presidentia. The latter beat off the Rolla's boats, wounding a seaman and two officers. Two days after, the British frigate Madagascar fell in with her when a fight ensued. The Madagascar, with five boats, captured her enemy after a severe fight. We could not learn the number killed, though some of the frigate's officers were wounded, and some of her man killed. The slaver had not a big gun on board—nothing but small arms—blunderbusses and muskets. [*Tribune.*

The extraordinary nature of this statement, respecting the alleged murder of Miss Curtis, induced us to make inquiries of the captain of the Adairo, and he assures us that the account is substantially correct. Mr. Curtis is well known to all seafaring men resorting to the coast of Africa; he trades with the natives and with ships that arrive, but has nothing to do with slaves or the slave trade.

The party from the Pluto which visited his house accused him of slave trading, and insisted on searching the premises; his daughter, who was alone, her father having gone on a short journey, resisted the search and was undoubtedly shot in the melee, but it was not known by whom—whether by the officer or by some other of the party. [*N. Y. Com.*

HAYTI.

PROCLAMATION.

Jean Pierre Boyer, president of Hayti.

Haytiens: A disastrous and horrific event has thrown into mourning thousands of families. On the 17th instant, an earthquake was experienced in almost every part of the Island, whose violence was particularly felt in the north east, north and northwest districts, where the effects have proved most disastrous. The city of Cape Hayti, which had been long exposed to the injurious effects of tyrannical rule, which had commenced to revive and recover its prosperity, has been destroyed, and more than half of the population have perished. Those who have escaped this melancholy catastrophe, remain without an asylum, exposed to all the sufferings, the inevitable results of the affliction by which they have been visited. At Port au Paix the effects have not been so severe in proportion to the extent of the town and the number of the inhabitants. At Mole, Gonaives, Saint Louis on the north, Port au Plate, and in the other towns, where the shocks have been severe, we have to lament but a small number of victims.

My heart bleeds at this immense calamity. Why must I also deplore those excesses which render the measures of *no complete!*

Haytiens, you have partaken of my indignation in hearing that there are men so depraved in character, so inhuman, as to abandon themselves to plunder amidst the convulsions of nature, who attempt to wrest from distracted families the scanty resources remaining with them in their misfortunes, when reli-

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gion and humanity prescribe to every one to fly to their succour. But if these atrocious excesses entail upon the guilty perpetrators a public stigma and condemnation, how satisfactory to witness the lively expression of sympathy, which the fate of the victims and sufferers inspires in the native at large!

The manifestation of these noble sentiments will undoubtedly soothe and relieve their misfortunes.

And you who have survived the loss of your parents, your properties, I address myself to you; bring forth the courage and resignation to meet those afflictions which no human power could foresee, nor human foresight avert. Your afflictions are great, but do not suffer yourselves to be prostrated. The ever watchful and guardian care of the republic will not forsake you in your distress, and if it is not in the power of the state to restore to you what you may have lost, it will at least exert its utmost efforts to relieve the evil of your situation. Given at the National palace, Port au Prince, 19th of May, 1842, and 39 of Independence. BOYER.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Collectors of the customs—Amos S. Tryon, district of Niagara, N. Y. vice S. Scovell, whose commission has expired.

William Milford, district of Cuyehoga, Ohio, vice S. B. Merwin.

Archer Gifford, district of Newark, N. J. reappointed.

Surveyor general—Wm. Johnson, for Ohio, Indiana and Michigan.

Surveyors—William Willard, Saybrook, Conn. reappointed. Augustine Owen, Urbanna, Va. reappointed.

Naval officer—Robert Mackay, Savannah, Georgia, reappointed.

Land officers—Registers—J. T. Bradford, Lebanon, Alabama, reappointed.

Cyril C. Cody, Palmyra, Missouri, vice William Wright, whose commission has expired.

Peter Hebrard, Opelousas, Louisiana, vice G. A. Bryant, resigned.

Benjamin R. Cowherd, at Jackson, Mississippi, vice James M. Hartford, resigned.

Receiver—John Tucker, Natchitoches, Louisiana, vice J. B. C. Rachel, declined accepting the appointment.

Attorneys of the United States—Thomas Douglass, for the Eastern District of Florida, reappointed.

George S. Hawkins, for the Apalachicola District in Florida, in the place of Wm. H. Brockenbrough, resigned.

Caleb L. Swayne, Western District of Louisiana.

Marshal of the United States—Benjamin Hawley, for the Apalachicola District of Florida.

Judge—Dillon Jordon, jr. Western District of Florida.

Justice of the peace—Thos. Courtney Dona, Washington county, in the District of Columbia.

Deputy postmasters—Charles H. Read, Troy, New York.

William C. Bettineourt, Wilmington, N. Carolina.

Isaac J. M. Landsay, Greenboro, North Caroline.

THE ARMY.

Promotions in the army by the president, and with the advice and consent of the senate.

Brevet colonel J. B. Walbach, to be colonel of the 4th regiment of artillery, March 19, 1842, vice Fenwick, deceased.

Brevet lieutenant colonel B. K. Pierce, to be lieut. colonel of the 1st regiment of artillery, March 19, 1842, vice Walbach, promoted.

Brevet major Levi Whiting, to be major of the 1st regiment of artillery, March 19, 1842, vice Pierce, promoted.

First lieutenant W. P. Bainbridge, to be captain of the 4th regiment of artillery, March 19, 1842, vice Whiting, promoted.

Second lieutenant J. C. Pemberton, to be 1st lieut. of the 4th regiment of artillery, March 19, 1842, vice Bainbridge, promoted.

First lieut. James R. Irwin, to be captain of the 1st regiment of artillery, May 16, 1842, vice F. Whiting, deceased.

Second lieut. Henry C. Wayne, to be 1st lieut. of the 1st regiment of artillery, May 16, 1842, vice Irwin, promoted.

Brevet 2d lieut. John M. Brannan, to be 2d lieut. of the 1st regiment of artillery, May 16, 1842, vice Wayne, promoted.

Second lieut. Charles F. Wooster, to be 1st lieut. 4th regiment artillery, June 10, 1842 vice Jones, resigned.

George Buist, of the state of South Carolina, to be assistant surgeon, July 19, 1842.

Charles C. Keeney, of the state of Michigan, to be assistant surgeon, July 12, 1842

THE NAVY.

Commodore F. P. Kennedy has been appointed to the command of the United States vessels afloat in Norfolk harbor.

A GENERAL NAVAL COURT MARTIAL will meet at New York on the 25th instant, for the trial of lieut. Pinckney, lieutenant Johnson, assistant surgeon Gillum, passed midshipman May, lieutenant comd't. Reynolds, captain Walker, and others, on recriminating charges. Lieut. commandant Wilkes will be tried, by the same court, on charges preferred by some of his late officers. Commodore Ballard is also to be tried. The court to consist of the following officers: com's. Barron, Stewart, Biddle, Downes, Reed, captain Bolton, captain Turner, commander Tattnall, and five lieutenants.

The New York Journal of Commerce says—The court has been ordered, by the special request of lieut. Wilkes, to investigate the causes of some misunderstanding which arose between lieut. Wilkes and some of his officers, during the exploring expedition.

The United States brig Somers, commander A. S. Mackenzie, sailed on the 11th instant from N. York, on a cruise.

The United States frigate Congress, capt. Voorhees, sailed on the 13th instant from Portsmouth, N. H. for the Mediterranean.

The United States frigate Columbia, captain E. R. Shubrick, sailed on the 17th instant for the Brazil station, to replace the Potomac already on her way homewards.

Officers—Captain Edward R. Shubrick. Lieuts Nathaniel W. Duke, 1st; Samuel Mann, 2d; J. B. Cutting, 3d; J. F. Green 4th; Charles Thomas, 5th; J. Shubrick, 6th. Master—Theodore B. Barrett. Surgeon—Solomon Sharp; assistant surgeon, S. R. Addison. Lieutenant Z. Zenlen, comd't. marines. Midshipmen—F. G. Dallas, &c.

The New York American says that the U. States steam frigate Mississippi, captain Salter now in that harbor, is understood to be under immediate orders for the Gulf of Mexico. It is added, however, that the cash to get her off is yet wanting.

The Madisonian states that the war steamer Union, built upon lieutenant Hunter's plan and under his supervision, measures one thousand and forty tons, and that her hull has been completed in all respects for the sum of sixty-four thousand dollars. This includes hull, masts, spars, rigging, sails, boats and water works. Nautical men of the greatest experience and skill admit that this vessel promises to be as efficient as any other that has ever been built.—With her machinery on board and every thing ready for service, except her armament, her cost will not exceed one hundred and ten thousand dollars. This is without doubt the cheapest vessel of war that has ever been built.

ARRIVAL OF U. S. VESSELS FROM FLORIDA. The brigantine and three schooners which sailed from Indian Key on the 10th instant, arrived in Hampton Roads on Monday night, and came up on Tuesday about three o'clock, and anchored off the naval hospital. They are:

Schooner Flirt, lieut. com. McLaughlin, senior officer of the squadron.

Brigantine Jefferson, lieut. com. John Rogers.

Schooner Van Buren, lieut. com. Marchand.

Schooner Madison, lieut. com. Herndon.

The schooners Wave and Phenix remain at the station.

The United States steam frigate Missouri, capt. Newton left there last evening for New York. [*Norfolk Herald of July 20.*

THE ENGLISH NAVY. The British board of admiralty, in order to preserve the efficiency of their line of battle ships, and remove any advantages that the modern armed steam frigates may possess over them, have determined at once to fortify their bows and sterns with long Paixhans, or sixty eight pounders. This measure, it is expected, will not only enable them to keep the steamers at a respectable distance, but also to approach the harbors and towns on an enemy's coast at pleasure, without being exposed to injury from battery cannon. [*Phila. Sent.*

We understand that a splendid war steamer, to be named the Colombus, is now upon the stocks at Kingston. Her burthen is 700 tons, and she will carry two long 8's and four 32 pounders. She is being built under the superintendance of Mr Tucker, the able naval architect by whose the building of the Sycoshan was superintended. [*Montreal Her.*

STATES OF THE UNION.

MAINE.

REPRESENTATIVES IN CONGRESS. The Boston papers say that state will be without a representation in the next congress, governor Fairfield having decreed not to order elections this year. No provision was made, at the extra session, for districting the state according to the new apportionment bill, and the governor probably awaits the action of a new legislature.

VERMONT.

WHIG CONVENTION. A convention of whigs was held at Middlebury on the 6th, nearly eight hundred delegates being present. HORATIO SEYMOUR, of Middebury, presided. CHARLES PAINE, the present governor, was re-nominated, as were also the lieutenant and treasurer; so that the entire whig ticket of last year is again in the field. Resolutions were passed strongly condemning the vetoes, &c. and approving of the course of the whigs in congress.

NEW YORK.

STATE CANALS. Statement showing the progressive increase of business on all the canals of this state, from the commencement of navigation on the Erie canal, 1820, to the close of the year 1841.

Year.	Tolls on all the canals.	Tons arriving at tide water.	Tons going from tide do.
1820,	$ 5 437		
1821,	14 388		
1822,	64,074		
1823,	159,938		
1824,	340 642		34,136
1825,	566,279		33 438
1826,	765 104	302,170	35,436
1827,	859 260		
1828,	838 444		56,792
1829,	813 137		
1830,	1,056 922		70,154
1831,	1,229 201		86 945
1832,	1,229 483		52 621
1833,	1,463,869		119 463
1834,	1,341,326	553 596	114 698
1835,	1,548,986	753 131	128 910
1836,	1,614 336	696,347	133 796
1837,	1,892 623	611,781	122,130
1838,	1,590,911	640,481	142,808
1839,	1,616,382	602 128	142,035
1840,	1,775,747	663 019	129,580
1841,	2,034,882	774,334	162,715
Total tolls,	22,308,943		

Cost of the canals, (per report of the canal board, February 23, 1837.)

		Length.
Erie canal,	$7,143,790	364 miles.
Champlain,	1,257,604	64 "
Oswego,	565,437	38 "
Cayuga and Seneca,	236,905	21 "
Chemung,	331,694	39* "
Crooked Lake,	156,777	8 "
Chenango,	2,270,005	97 "
Total,	11,962,712	631

The Genesee Valley canal is estimated to cost, when completed, (123 miles) about $4,300,000.

The *Erie* canal was commenced July 4, 1817, and first navigated from Utica to Rome, 15 miles, October 23, 1819. Tolls first received in 1820. Navigable over 200 miles, from Albany west, October 1823. Completed from Buffalo to Albany, October 1824.

Champlain canal open to Albany in		1823
Oswego canal, completed		1828
Cayuga and Seneca canal, completed		1829
Chemung canal,	"	1833
Crooked Lake canal,	"	1833
Chenango canal,	"	1837

Genesee Valley canal opened to Mount Morris, 37 miles, in 1840.

The Ohio canal was opened from the Ohio river to Lake Erie in 1832. The great increase of our canal tolls since that period will be noticed.

[*New York Express.*

PENNSYLVANIA.

IMPRISONMENT FOR DEBT ABOLISHED. The act abolishing imprisonment for debt in the state of Pennsylvania has been signed by the governor and is now in force. The penalties against fraud on the part of debtors, in its provisions, are stated to be very severe.

*Including *Feeder*.

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THE LATE JUDGE PORTER. The honorable Robert Porter, formerly president of the 21 judicial district of this state, who died suddenly on his return home on the 28th ultimo, from the western part of the state, was in the 75th year of his age. He was a lieutenant in the revolutionary army for some time before its close, and subsequently graduated at the University of Pennsylvania. He read law under the late Jonathan Dickinson Sergeant, and was admitted to the bar in Philadelphia about the year 1788. He represented Philadelphia in the state legislature in the years 1801 and 1802, and in 1809, on the resignation of judge Spayd, was appointed by Governor Snyder, president of the 3d judicial district, which office he filled for more than 20 years, with the deserved reputation of an honest man, a fine scholar and a sound lawyer.

He was the oldest son of the late general Andrew Porter, and a half brother of the present governor Porter. [*Philadelphia Gazette.*]

STATE DEBT. A communication from the auditor general, present to a resolution of the senate, states the funded debt of the commonwealth, as registered at the Bank of Pennsylvania, to be as follows:

Amount held by the citizens of Pennsylvania,	
	$9 635 613 47
" citizens of other states,	1 640 537 00
" subjects of foreign kingdoms	23 738,206 00
	$34.414,356 47

Reports have been presented to the Pennsylvania legislature from the committee appointed to investigate the charges of bribery and corruption by the United States Bank or its agents, to influence legislation. The report of the majority, presented by Mr. Sharswood, sets forth the fact that money to the amount of $130,000 was drawn from the United States Bank in 1840, by George Hardy, D. M. Brodhead, and George W. Smith, and states that Brodhead, George Reed, and Joseph Sellers, were the agents of the bank to obtain legislative relation. The committee exonerates the executive and members of that legislature from any participation of knowledge of corruption by the bank, its agents or officers, to obtain legislation. Mr. Dayton submitted a long appendix to this report, exculpating the executive from any knowledge of corruption by the bank. Mr. Lowry made a minority report, setting forth that the committee of investigation had thrown open every avenue to obtain information, and even to admitted hearsay testimony, in order to implicate the governor and others, but that not an iota of testimony had been elicited to affect the character of the executive or any member of the legislature. He advises that criminal prosecutions be instituted against George Reed, D. M. Brodhead, and George Hardy.

ALABAMA.

BANK STATEMENTS. The Nashville Banner, says: "We find in the last Huntsville Democrat an exhibit of the condition of the bank of the state of Alabama at Tuscaloosa, (the mother bank), as published by W. Haven, cashier, on the 23 inst. This statement of the cashier exhibits a circulation, including deposites subject to checks, of about $900,000, to meet which, the bank has in its vaults $433,497 in specie, and notes of other banks amounting to $230,250. These compose the principle available fund. It has, besides, notes discounted, 1,862,380 dollars, and bills of exchange to the amount of $1,402,142. The Democrat estimates the circulation of the Huntsville, Montgomery, and Decatur branches, in the aggregate, at about $2 000,000, being something less than $3,000,000 circulation outstanding against these four institutions. To meet which they have not less than $1,500,000 of specie in their vaults, and exchange in New Orleans and New York to more than half that amount. If the estimates of the Democrat are correct, the condition of these banks is far from justifying the ruinous depreciation, which they have permitted their paper to reach; and it will be owing to culpable and wilful mismanagement, if they do not without delay, by concert of action, bring their paper up to the verge of the specie standard, which their condition plainly indicates it is in their power to do."

KENTUCKY.

LOUISVILLE MONEY AFFAIRS. The Louisville Journal of the 9th says: "Our banks are extremely easy, and take all the good paper offered. The resumption, as we anticipated, has placed them in a position to give all the facilities that the business of the country may require. Of the three banks, one has increased her specie, since the resumption, $15,000, one $10,000, and one $4,500. We have now a solid rock foundation in Kentucky, whereon to build a stable superstructure, with ample capital for any business that may promise a reward to enterprise. Eastern exchange, 1: out of doors, par to 1 prem. Indiana paper bought at 3 and sold at 2."

INDIANA.

The London holders of Indiana bonds have addressed a remonstrance dated on 24th March, 1842, and enclosed in a letter dated April 23th, to Samuel Bigger, esq., governor of the state of Indiana, in which they make an urgent appeal to the people of that state to make some provision for the payment of interest on its bonds. The paper is respectfully drawn up and presents the question of state liabilities in a clear point of view.

ILLINOIS.

THE MORMONS. The editor of *The Times and Seasons*, a semi-monthly periodical, devoted to the cause of "The Latter Day Saints"—in one of his last editorials, says: "In regard to moral principles, there is no city either in this state or in the United States, that can compare with the city of Nauvoo. You may live in our city a month and not hear an oath sworn, or see one person intoxicated." And in proof of the allegation, an appeal is made to the records of the state, the county and the city: "Where is there a record of murder committed by any of our people—none: where is a record of a penitentiary crime?—none: where is the record of fine, or county imprisonment, for any breach of law, against any of the Latter Day Saints? None: they have taken away no man's rights—they have infringed no law. The laws have been administered rigorously, even against the appearance of crime, and yet there has been no conviction, no, not one case. Where is there another community of *thirty thousand* in any state, against none of whom there is a record of conviction for crime, for the space of three years?"

After sundry other remarks, and amongst them a broad hint that they may probably send a member to the next legislature from Nauvoo, the writer adds: "who does not know, that to increase the population ten thousand a year with the most industrious people in the world—to pay thousands of dollars of taxes—to bring into the market millions of gold and silver from all countries—to establish the greatest manufacturing city in America, (which Nauvoo will be in a few years), and to create the best produce market in the west, is for the good and prosperity of the community at large, and of the state of Illinois in particular?"

The same paper that contains the above has an article signed by Joseph Smith, Hyram Smith, and William Law, "members of the first presidency of the church of Latter Day Saints," by twelve members of "The Quorum of Twelve," and by N. K. Whitney, V. Knight, and George Miller, "Bishops of the above church,"—officially withdrawing "the hand of fellowship" from Bennett, "as a christian; he having been laboured with from time to time to persuade him to amend his conduct apparently to no good effect."

The Bennett affair appears had been mayor of the city of Nauvoo—and had received from Judge Douglass the appointment of master in chancery for Hancock county. The Burlington (Iowa) *Hawk Eye*, intimates that said appointment was his reward for certain political services contracted for by Smith and himself, prior to the last Illinois election. However, that may be but a scandalous supposition. Smith, in a long statement proceeds to assign reasons for disowning Bennett. In process of this, it appears that said Bennett had left a wife and family to join the community—that he seduced that his wife having proof of his infidelity and ill usage, had left him, and returned with her children to her father's family, at M'Connellville, Ohio. Of this, as well as of his general bad character, Smith seems to have long since provided himself with testimonials.

It appears from the statement that Bennett had not long been in the community before he succeeded in seducing a young lady. Of this, Smith, it seems disapproved and privately admonished him, but his admonitions only induced the greater hypocrisy. He immediately insinuated himself into the affections of the city, and "began to teach them that promiscuous intercourse between the sexes, was a doctrine believed in by the holy saints, and there was no harm in it." Next, "he had recourse to a more influential and desperately wicked course, and that was, to persuade them that myself and others of the authorities of the church not only sanctioned, but practised the same wicked acts"—persuading his dupes to keep all this a secret. "He accomplished his wicked purpose—and seduced an innocent female by his tying. That was not all. Not content with having degraded one female, he made an attempt upon others, and by the same plausible tale, overcame their also."

On being sharply reproved by Smith, the statement goes on, "Dr. Bennett made an attempt at suicide—and was much provoked at his life being saved by the application of antidotes."

"These facts are corroborated by credible witnesses, sworn to, and subscribed, &c. Besides, which "we also ascertained by the investigation, that others had been led by his conduct to pursue the same pernicious practice," by making use of similar expedients.

To these statements are added, an affidavit of Bennett, sworn to before D. H. Wells, alderman, on the 17th May, 1842, in which he declares that he never was taught any thing in the least contrary to the strictest principles of the gospel, or of virtue, or of the laws of God, or man, under any circumstances, either directly or indirectly, in word or in deed, by Joseph Smith."

And to this again is attached, over the signature of the "Aldermen, Counsellors and Recorder," a statement of a document which took place in the city council, May 13, 1842, which says: "Dr. John C. Bennett, ex-mayor, was then called upon by the mayor to state if he knew aught against him; when Mr. Bennett replied: 'I know what I am about, and the heads of the church know what they are about. I expect I have no difficulty with the heads of the church. I believe never was that any one who has said that I have stated that Gen. Joseph Smith has given me authority to hold illicit intercourse with women is a liar in the face of God, those who have said it are damned, they are the infernal liars. He never, either in public or private, gave me any such authority or license, and any person who states it is a scoundrel and a liar. I have heard it said that I should become a second Avard by rebelling against the church, and that I was at variance with the heads and should use an influence against them, because I refused to do what I knew this is false. I have no difficulty with the heads of the church, and I intend to continue with you, and hope the time may come when I may be restored to full confidence, and fellowship, and my former standing in the church: and that my conduct may be such as to warrant my restoration—and should the time ever come that I may have the opportunity to test my faith it will then be known whether I am a traitor or a true man.'"

In the last Burlington (Iowa) Hawk Eye, we have the following letter to the editor:

Nauvoo, Illinois, June 27, 1842.

MR. EDWARD: In your paper of the 23d, you allude to the "Trouble among the Mormons," and express a desire or hope that the schism is incurable; I know not how it is really to do. He had I seen the consequences of my disclosures, and has threatened to take my life, and has ordered some of his Danite band to effect the murder clandestinely—but he shall be exposed. If he murders me, others will avenge my blood, and expose him; if I live, I will do it to the entire satisfaction of all. Just suspend your judgment a few days until you see my *expose* in the "Sangamo Journal" of next week, or the week following, over my own name.

In haste, yours respectfully,
JOHN C. BENNETT.

MISCELLANEOUS.

TARIFF. COLLECTION OF THE REVENUE. A correspondent of the Boston Atlas of 16th July, says—"President Tyler's desire to carry out the principles of the compromise bill, and his disposition to give the advocates of protection the advantages which the friends of that bill have always contended (and no one more vociferously than Mr. Tyler), would arise from the adoption of the home valuation, is manifested in the instructions which have been issued to the collectors of the various ports. Instead of honestly assessing the duties on the real value, at the place of importation, the rule is, *under instructions from Washington*, to ascertain as near as possible said value, and then to deduct one sixth, and levy the duty on the balance—or, in other words, to levy the duty on the home value with the duty off. Thus, nearly all the advantages which have always been held out as a compensation to the home producers to acquiesce in this arrangement, are wilfully and arbitrarily destroyed.

Under this rule, merchandise which has heretofore paid from 20 to 25 per cent. duty, has been valued at $6 66 the pound sterling, which, after deducting one sixth, leaves but $5 55 on which to lay the duty—making a difference on account of the home valuation of only 21 per cent. on the difference between $1 80 and $5 55, or on 75 cents, or 15 cents on the pound sterling, or about 23 per cent. thus adding by the new mode of valuation the enormous protection

of three per ct. instead of the fifteen or twenty which it has always been contended would be the case.—Woollens are valued at $7 the pound sterling—which, after deducting one sixth, leaves, by the above calculation, a duty of about twenty-four per cent. or five per cent. less than the rate of duty previously to the first of July. The motives by which the executive has been governed in giving these instructions, of course, it is difficult to understand—but certainly no one can suspect the president of being influenced by a desire to propitiate the favor of his free trade friends of the south, or to punish his tariff opponents. Perhaps it is the retrosective principle contained in the bill, of which he spoke in one of his letters, during the presidential canvass.

That there are conflicting opinions regarding the power of the government to collect any duties, under the present law, it is well known—but there can be no doubt that, if it has authority to collect any thing, it is 20 per cent. on the fair value of the article imported, at the place of importation, without any deduction whatever.

THE TARIFF. We compile, says the New York American, from the National Intelligencer an abstract of the duties, on which the vote was taken on the last day in the house. All other duties remain as in the bill originally, except those on tea and coffee, which were stricken out. It is believed, however, that, under the general provision subjecting all non-enumerated articles to 20 per cent. duty ad valorem, teas and coffee are included.

The amendments to the bill on certain articles, agreed to in the house on Saturday, impose duties as follows:

Duty on wool, costing not more than 7 cents per lb. 5 per cent. ad valorem.

On all other wool, 8 cents per lb. and 30 per cent. ad valorem.

Woollen blankets costing not over 75 cents each and of 72 by 93 inches, 15 per cent. ad valorem; on all other 25 per cent.

On woollen and worsted yarn, 30 per cent. ad valorem.

On woollen and worsted suits, gloves, caps and binding, and woollen and worsted hosiery, 30 per ct. ad valorem.

On ready made clothing for men, women or children, of whatever materials, 50 per cent. ad valorem.

On all other articles of clothing made up by hand, 40 per cent. ad valorem.

Thread lace and inserting, 15 per cent. ad valorem.

Cotton lace, insertings, trimming laces, bobbinet laces, &c. 20 per cent. ad valorem.

On gold and silver laces, galloons, embroideries with the needle on cloth, or other fabrics, except silk, 15 per cent. ad valorem.

Raw cotton, 3 cents per lb.

Manufactures of cotton (not otherwise specified), 30 per cent. All plain cottons not dyed or painted, not exceeding 30 cents per square yard in value, to be taken to cost 30 cents; if dyed or painted, not exceeding 30 cents per square yard, to be taken as costing that, except velvets, cords, moleskins, fustians, buffalo cloths, or goods manufactured by napping, or raising, cutting or shearing, not exceeding in value 35 cents per square which shall be taken at 35 cents, and the duties calculated accordingly.

On bar or bolt iron, wholly or in part made by rolling, $27½ per ton.

Raw hides of all kinds, dried or salted, 5 per cent. ad valorem.

The following amendment, intended to apply as retaliatory against those countries which, by high duties, virtually exclude our tobacco, flour, &c. was non-concurred in:

Sec. 12, 13 and 14, which lay an additional duty of 20 per cent. on the duty of certain articles, to cease upon the reduction of the duty in foreign countries upon tobacco, wheat, flour and rice; and also to take off twenty per cent. of the duties, exclusive of the above additional duties, upon certain reductions taking place in foreign countries on tobacco, wheat, flour and rice.

The section introduced by Mr. Saltonstall, for a partial warehouse system was non concurred in.

On foreign sugar, refined in the United States, a drawback on exportation of 3½ cents.

On spirits distilled from molasses, a drawback of five cents per gallon, till 1st January, 1843, and thence to decrease annually one cent, until it ceases wholly.

An amendment to allow on flour exported, when manufactured from foreign wheat, drawback equal to the duty, was non-concurred in—69 to 141, as by the same vote was an amendment to allow on cordage manufactured from Manilla, Sunn, or other India grass, a drawback equal to the duty.

CLASSIFICATION OF THE CENSUS OF 1840.

The number of "free white males" of the age of 20 and under fifty years, is 1,725,429, *being nearly one-ninth of the entire population.* The number between eighteen and forty-five years, within which ages they are generally liable to militia duty, is about 2,759,670.

Official epitome of the whole population of the states and territories of the United States, exhibiting the general aggregate amount of each description of persons, by classes.

FREE WHITE PERSONS—MALES.	
Under five years of age	1,270,790
Of five and under ten	1,024,072
Of ten and under fifteen	879,499
Of fifteen and under twenty	756,022
Of twenty and under thirty	1,392,440
Of thirty and under forty	866,431
Of forty and under fifty	536,568
Of fifty and under sixty	314,565
Of sixty and under seventy	174,926
Of seventy and under eighty	80,051
Of eighty and under ninety	21,679
Of ninety and under one hundred	2,507
Of one hundred and upwards	406
Total number of males	7,249,266
FEMALES.	
Under five years of age	1,203,349
Of five and under ten	986,921
Of ten and under fifteen	836,588
Of fifteen and under twenty	792,168
Of twenty and under thirty	1,353,295
Of thirty and under forty	779,097
Of forty and under fifty	502,143
Of fifty and under sixty	304,610
Of sixty and under seventy	173,299
Of seventy and under eighty	80,562
Of eighty and under ninety	23,964
Of ninety and under one hundred	3,231
Of one hundred and upwards	315
Total number of females	6,939,842
Total number of free white persons	14,189,108
FREE COLORED PERSONS—MALES.	
Under ten years of age	56,323
Of ten and under twenty-four	52,799
Of twenty-four and under thirty-six	35,308
Of thirty-six and under fifty-five	28,258
Of fifty-five and under one hundred	13,493
Of one hundred and upwards	256
Total number of males	186,467
FEMALES.	
Under ten years of age	55,069
Of ten and under twenty-four	56,562
Of twenty-four and under thirty-six	41,673
Of thirty-six and under fifty-five	30,385
Of fifty five and under one hundred	15,728
Of one hundred and upwards	361
Total number of females	199,778
Total number of free colored persons	386,245
SLAVES—MALES.	
Under ten years of age	492,599
Of ten and under twenty-four	391,131
Of twenty-four and under thirty-six	235,373
Of thirty-six and under fifty-five	145,264
Of fifty-five and under one hundred	54,288
Of one hundred and upwards	753
Total number of males	1,246,408
FEMALES.	
Under ten years of age	421,470
Of ten and under twenty-four	390,075
Of twenty-four and under thirty-six	239,787
Of thirty-six and under fifty-five	139,201
Of fifty-five and under one hundred	49,692
Of one hundred and upwards	580
Total number of females	1,240,805
Total number of slaves	2,487,213
*Total aggregate	17,062,566
White persons included in the foregoing who are deaf and dumb, under fourteen years of age	1,919
Of fourteen and under twenty-five	2,056
Over twenty-five	2,707
White persons who are included in the foregoing who are blind	5,024
Who are insane and idiots at public charge	4,329
Who are insane and idiots at private charge	10,179
In agriculture	3,717,756
Total number of free persons employed as miners	15,303
In commerce	117,575
In manufactures and trade	791,545
In navigation of the ocean	56,025
In navigation of canals, lakes and rivers	33,067
In learned professions	65,236
Slaves and colored persons included in the foregoing who are deaf and dumb	977
Who are blind	1,692
Who are insane and idiots at private charge	2,093
Who are insane and idiots at public charge	633
Total number of pensioners for revolutionary or military services,	20,797
Of universities or colleges,	173
Of students in universities or colleges,	16,223
Of academies and grammar schools,	3,242
Of students in academies and grammar schools,	164,159
Of primary and common schools,	47,309
Of scholars in common schools,	1,845,244
Of scholars at public charge,	468,264
Of white persons over 20 years of age who cannot read and write,	549,693

* Total number of persons on board of vessels of war in the United States naval service, June 1, 1840, 6,100: making the total aggregate population of the United States 17,068,666.

THE SLAVE TRADE. The following startling account of the extent to which the slave trade is still prosecuted, is from the New Bedford Mercury:

Captain Borden, of the whale ship Sally Ann, who arrived at this port on Saturday last, from St. Helena, has furnished us with a list, carefully compiled by a friend at that place, of the slave vessels and number of slaves captured by H. B. M. vessels of war on the west coast of Africa, and taken to the island of St. Helena for adjudication, and condemned at that place during the period from July 3, 1840, to May 6, 1842. It cannot but excite surprise and indignation among our readers in learning of the great extent to which this nefarious practice is still carried on. The list before us includes thirty-two vessels, having on board at the time of their capture not less than *five thousand one hundred and thirty-nine slaves.* Of these, 1,736 have died; 1,332 have been conveyed to the Cape of Good Hope, 542 to Demarara, 198 to Jamaica, 301 to Trinidad, 198 have been apprenticed at St. Helena, and 1,010 remain to be sent, in accordance with their own choice, to the British colonies. Of the thirty-four slavers, 28 were captured under Portuguese colors, 2 Brazilians, 1 Monte Video, and 3 English. Among the latter, is the brig Cypher, formerly of Salem, Mass.

The number of vessels successfully engaged in the trade, the slaves kept by, of course, far greater than the number of captures. The unfortunate Africans who thus fell into the hands of these inhuman monsters, are found crowded together in a most deplorable condition. Such of them as have the good fortune to be recaptured are landed at St. Helena, where they are placed in suitable depots provided for their reception by the British government, and humanely provided for; or in case of disease existing among them, those infected are placed on board a roomy vessel lying at anchor at the leeward of the principal anchorage, and placed under proper medical treatment. Those who may choose to go to service as laborers on the island, are permitted to do so for a term of from three to seven years, under the approbation of the collector of the customs, with all the rights and immunities of British subjects. Our correspondent says:

"These captures are made, and the negroes declared free in virtue of a late order in council of Her Britannic majesty. But it must be very questionable whether the present mode of disposing of these people is a strictly just one. No doubt Great Britain means well. Would it not be a more consistent plan to restore these poor wretches to their own native homes, to burn the vessels they are found in, then to put on shore in Africa those piratical villains who would thus entrap and enslave them? Hence would the liberated African in name, be liberated in *reality*—a just retribution would fall on the heads of his enemies, who would now in turn be in the negro's power, and Great Britain would be saved the enormous expense of thus maintaining them.

"At present the captains, officers and crews, are permitted to go at large, and until they can find ships to take them from St. Helena, are allowed by government 84 cents per diem. Instead of this, would it not accord more with strict justice to award corporeal punishment and seven years confinement with hard labor at the public works, to these monsters of iniquity? If this was done, it is presumed it would have a salutary effect in preventing such diabolical and fiendish proceedings being repeated. One of these brutal captains has been taken three times in different vessels."

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HERCULEAN POWER. The most stupendous effort of human strength and endurance ever exhibited or that ever may be again, was witnessed by a large auditory on Monday evening at the Bowery theatre. It was announced in the bills that Mons. Paul was to resist the power of two of the strongest horses to be found in New York, on a weight of one thousand dollars. The animals selected to pull against him were a pair of large sized Pennsylvania bred horses, that are in the daily habit of drawing from two to three tons of granite at a load, supposed from an enormous truck used for that purpose.—Paul, after fixing the cannon, weighing 400 pounds, from his shoulders, and ascending the gentleman's rope feet upermost to the floor, by means of his hands alone, and other Herculean feats, proceeded to place himself horizontally upon a strong oak ladder, made for the purpose, in order to make the experiment.—The horses were led on by their regular driver, and harnessed to a rope fastened to Paul's feet. To this rope were attached three broad ribbons, or girths, one of which was drawn tightly over the chest, and the others over each shoulder. The brace afforded by his feat against the step of the ladder, the divided power of the girths and his hold with both hands upon the upper part of the ladder, constituted his only resistance to the immense power he had to contend against.

Paul's, when thus disposed, resembled that of a malefactor upon the inquisitorial rack, preparatory to being torn to pieces. When the colossal horses were brought upon the stage, and attached to the feet of the intrepid performer, a suspense was seemed to pervade every part of the house. It was deemed certain by those having charge of the horses, that he would be drawn off the ladder. The word was given—the harness straightened—the ladder creaked and strained—the two ropes by which one end of it was secured to the stage, stretched and threatened to break; the horses, aided by a platform on the stage with cleats to brace their feet, strained every muscle and vein,—the well known voice of the driver—the whip repeated—and yet, a fatal blow, to the whole endurance champion from his hold. The shouts of the audience—the waving of handkerchiefs, and the withdrawal of the horses, proclaimed his triumph.—Paul offered to repeat the performance, but was said with one hand and one foot, but the manager very properly would not permit it. The audience were satisfied with what they had seen, that Paul is beyond all question the most powerful man in existence.

In order to convince the public, that there was no trick or deception in this extraordinary exhibition, Mr. Hamblin invited a portion of the audience behind the scenes to witness the preparations, and to examine every thing connected with the performance.

Mr. Paul takes his benefit this evening, and pulls against four horses, besides introducing a variety of other new feats.

Mons. Paul attained his *eighteenth* year in March last. [*N. Y. Courier & Enq.*

POLITICS OF THE DAY.

During the discussion on the tariff subject in the house of representatives on July 8th, Mr. Wetmore, (V. B.) of Ohio, called on his colleague, Mr. Mathiot, to substantiate certain charges which the latter had previously made against president Tyler. Mr. Mathiot thereupon rose to address the house. The National Intelligencer has a report of what was said by him in proof of his charge, from which the following extracts are made:

Mr. Mathiot proceeded to say—The fact transpired during the extra session, and while the first bank bill was pending, just before it had received the executive veto. As soon as it was ascertained that the president was about to veto the bill, the whigs retired from the white house. The president complained of this, and said he was left in the hands of the locofocos, and was anxious to see his whig friends. When the members of the Ohio delegation ascertained this to be the case, they held a meeting for the purpose of consulting on the propriety of visiting the president. Strong objections were urged by some, especially by an aged and venerable member, (understood to be Mr. Morrow,) on the ground that while so important a bill was pending before him, it was indelicate in members of congress to intrude upon the chief magistrate. The executive and legislative branches of the government were distinct and independent, and the president ought to be left to the dictates of his own judgment in the case. But these objections were overruled, and it was determined by the majority that the visit should be paid, and they appointed a committee of two, to wait on the president. They called and inquired when the president could be seen? The answer was, that he was not only willing but anxious to see them, and would receive them at five o'clock that afternoon, (Friday.) They went accordingly; the president met them at the door, and gave them a most polite reception; and Mr. M. would now give to the committee, if not the very language of the president, the substance at least of what he said.

The president told them he was extremely glad to see them there; that he understood the object of their visit; they were there to have a free and frank interchange of opinions, and he desired there should be no concealment, but that he would tell him frankly all their mind. He had once made up his mind to return the bank bill to congress: but he was willing to reconsider that determination. He would accompany members the next day on a visit to the ship Delaware (then lying off Annapolis,) he would dismiss the subject from his mind, and suffer no gentleman to approach him on it; but on Sunday morning he would go to church and say his prayers: and in the afternoon he would retire to his chamber—shut out the world—and seek the Lord on the subject in the course of grace and ask direction from on high; and if after that he could bring his conscience to let him sign the bill, he would sign it, and if not, he prayed heaven—(here Mr. M's voice became low and broken; he put his hands to his eyes, and what he said was lost to the reporter. While, however, Mr. M. seemed thus deeply affected, there was a general sympathetic manifestation in house.)

Mr. M. proceeded to say that he had then felt satisfied the president intended to return the bill, yet when he saw the tear standing in his eye, and heard him speak of his mental anguish, no power on earth would have induced him to doubt his sincerity. He then believed him to be perfectly honest. But when the members of the delegation saw the tears, the delegation gave him to understand that they had not come there to embarrass him on the matter. They came there to tell him frankly what they had heard, and what they thought of the fate of the bill upon the country generally, and upon their own state in particular: which they accordingly did, and perhaps forth the injurious consequences which would not fail to follow.

The president heard them patiently; and then said "gentlemen you are mistaken—you are entirely mistaken. The only effect it can have will be that the opposition, the locofocos, will raise a shout of triumph; but that cannot deter me from doing my duty. But, if I do return this bill, you can immediately report the bill in the house, and Mr. Ewing in the senate, and can pass it in three days: let me have that bill and I will promptly give it my signature." Mr. M. understood him clearly to signify that that was the bill he was in favor of—and if it were passed he would promptly sign it. Mr. M. told him that that bill had one feature in it which would prevent the whigs from voting for it—which was, that branches could not be extended into the states without the assent of the states: the practical result of which would be that none but whig states would receive the bank, and the opposition would be general benefit to the country. His reply was, "why, you cannot have examined that bill: it is not possible you can have made yourself acquainted with its provisions." Mr. M. told the president that he had carefully conned the bill over and studied it. The president said it could not be; and that if Mr. M. would examine he would find that the bank was empowered to extend branches into the states with or without their consent, if it was necessary to carry out the constitution. He spoke of the different sections of the bill, and seemed familiar with its details. When the delegation retired he followed them to the door, and said that if they had any regard for him they would, in case this bill should be vetoed, introduce Mr. Bell's bill, pass it, send it to him, and he would sign it. There was other conversation which the president had with other members of the delegation, and which is not material to the matter in issue, and which Mr. M. would not repeat.

This was about six o'clock on Friday evening. On the Monday morning following, Mr. M. was called on from the Montgomery district (Mr. Goode) called at his lodgings, and came and found him preparing his veto. After he had finished his business with the president, the president said to him, I wish you to say to the members of the Ohio delegation that "*when I said to them I would approve and sign Mr. Ewing's bill, I was not then read the bill.*" This, said Mr. M. after having argued with Mr. M. on the Friday evening before on the principles of the bill, and referring to its different sections! Mr. M. regretted that his colleague (Mr. Goode) was not now present; but he had had a conversation with that gentleman not three days since, and he was quite sure he would confirm every word of this statement. He now called on his colleague who had been present to say whether, in their interview with the president the president had not discussed the provisions of Mr. Ewing's bill, in its different sections, and he should call on his other colleague (Mr. Goode) to say whether the president did not afterwards tell him he had not then read the bill. He now appealed to the committee to say whether he had not redressed the pledge he had given to prove the assertion he had made! [Much sensation in the house.]

He said that from the president's language it was obvious he must have read the bill; for he urged on his conscience to several sections. Why was it necessary for him to say that he had not then read the bill? Look at the facts. On the Saturday, instead of accompanying the members of congress in their visit to the ship Delaware, as he said he would, he remained at home. Every body was disappointed that he did not go. Another distinguished gentleman also complained that he was not. Mr. M. now pointedly alludes to Mr. Wise.] Now he would not say that the president was at that time busily engaged with any one in concerting his veto message, but it appeared that the veto was then prepared. Mr. M. thought that when the president spoke to him with the big tears upon his cheeks, he was honest in what he said; and he still believed, (Mr. Ewing's bill had then been presented to him he would have signed it. For, look at the doctrine contained in the first veto message. The president there laid down the doctrine that a bank based upon the assent of the states, whether with or without state assent, is unconstitutional, if those branches have the power of local discount: that was the point on which he placed his disapprobation of the bill; it gave the branch banks the power of local discounts. Mr. Ewing's bill, which he had been so earnest to have sent to him, provided that branches should be established in the states only with their consent; but, when thus admitted, should have the power of local discount. Here the president found himself in difficulty, and, as the only way to get out of the incontinency, he resorted to the assertion that he had not so much as read the bill.

Mr. Snyder inquired whether word had not been sent to the Ohio members by Mr. Slade, on Friday evening, by the president, that he had now read the bill and found he could not sign it?

Mr Mathiot said he had heard of no such thing, nor could it have been so; for the first intimation he received that the president would not sign it was from his colleague (Mr. Goode) on Monday morning.

Mr. Weller inquired whether there had not been a report accompanying Mr. Ewing's bill, and the president's impressions might not have been derived from that report without having read the bill and might he not from that have been prepared to speak about the bill as he had done on Friday evening to the delegation?

Mr. Mathiot said he knew nothing about that; the president had spoken familiarly of the different sections of the bill, as they were well acquainted with it. Was it likely he would pledge himself to sign a bill he had never read?

Mr. M. said he had risen not with any desire to address the committee, but merely to relieve himself from any imputation of having made a false and injurious charge. He believed he had accomplished that object. The house had his assertion on the one side and the president's on the other. Mr. M. was not sustained by his colleagues; and if the facts were as he stated them, who could doubt that, to get out of a difficulty, the president had told a falsehood? Mr. M. said, that having redeemed his pledge, he would now resume his seat.

Much confusion prevailed. There was a contest for the floor. Mr. Gilmer called Mr. Gordon to order. The chair explained, and the debate ceased.

Mr. Gordon having obtained the floor, proceeded to address the committee on the tariff subject.

LETTER FROM GEN. JACKSON.

Hermitage, June 9, 1842.

DEAR SIR: I have received your letter of the 24th of May last, and, since, I have also received the Globe containing the speech of Saxon, editor of Louisiana, on the bill to refund to me the fine, &c. imposed by Judge Hall, who is styled by Mr. Conrad the upright judge.

The feeling and sentiment displayed by Mr. Conrad in his speech truly astonish me. They are the very opposite of those entertained by the patriots who were engaged in the defence of New Orleans, not one of whom considered Judge Hall as performing the part of a good citizen in the proceeding which he instituted against me. They are such as Abner L. Duncan, esq.—under whose patronage Mr. Conrad was raised, and who, with the character of a distinguished jurist, combined that of the fearless sol-

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dier and the good man—would have been ashamed to avow. Although at that time Mr. Conrad was a youth, he cannot have forgotten the leading facts of the case; and the lessons he learned from his patron should have taught him to distrust the motive of those who, in such an emergency as that of New Orleans, obtained applause from those alone who were inimical to the country.

It is a source of the deepest regret to me, that Mr. Conrad has disturbed the sleeping ashes of the judge, for the purpose of throwing unjust imputations on my character. The fault must be his, if, in doing so, truth and justice will compel the public to discredit his statements.

What are the prominent facts?

After intelligence had been received of the embarkment of the British troops at Plymouth, in England, and that their object was the capture of New Orleans, and whilst I was engaged with all exertions in repelling their advance, which was then in possession of Pensacola—it being necessary for me to clear my left flank of the enemy before I could proceed to New Orleans to meet them there—several committees from New Orleans waited upon me at Mobile, (the committee of safety and the committee of vigilance), all giving me similar information to that communicated by Governor Claiborne's letters, which were appended to my advice, and produced before Judge Hall; under his oath, and in consequence of which my attachment should not issue for a contempt, which you have published in the Globe, and to which I refer. Having expelled the British from Pensacola, and made the enemy's retreat secure, for the defence of Mobile, I hastened to New Orleans, and reached there on the morning of the 1st of December—commencing then my arrangements for the defence of that country. When I arrived there, every thing was despondency and alarm at the approach of such an overwhelming force. The traitors to our cause were emboldened, and the friends to our cause even flint—in the arsenal; and the means for defence were in all respects deficient. I had nothing to depend upon but the hope of rousing the citizens to that high feeling of patriotism, which would make them as one man in union and energy. A call was made on the Louisiana militia in mass; plans were formed to prevent the traitors and spies from communicating with the enemy.

Soon after my arrival, I was made acquainted with Judge Hall, who appeared willing to aid in the measures of defence. He was present at many interviews I had with the committee of safety, and safety. The legislature was in session, and had passed a law laying an embargo on all vessels; thus enabling Commodore Patterson to detain the seamen to a man in his flotilla. The Judge had opened the jails, and liberated the prisoners charged with piracy, &c. without bail, and had adjourned the court. The subject was discussed with the judge, in addition to these measures, a real necessity did not exist for the declaration of martial law in New Orleans, which had now become my camp. The judge was present when this question was decided in the affirmative, and, by his gestures he appeared to approve the decision. But as the legislature had assumed the power to pass the embargo law, acting upon the necessity of the case, I appealed to it to exert the same power in suspending the writ of habeas corpus during the invasion. This was opposed by Louallier, and those who wished to surrender the city to the enemy. The application failed. Events, however, soon made it apparent that, without the declaration of martial law, the city could not be defended. I took the responsibility upon myself of making the declaration at time to profit by the additional power it gave to the military arrangements for the defence; and the morning I declared it, Judge Hall was in my office, and heard it read. It was then he exclaimed, *Note the country may be saved! without it, it was lost.*—Application was then made to the legislature to adjourn, in order that all might join in the defence.—This was refused by the majority—the republican members voting for it. A request was then made by the governor to adjourn to Baton Rouge. This was also refused—the republicans voting for it. The enemy had attacked and destroyed our gun boats, which gave new alarm to some, and fresh encouragement to traitors. It gave noble resolution to the true patriot.

One of the details of the order declaring martial law was, "that the lamps be put out at nine o'clock, and all found in the streets after that shall be apprehended, and carried to the provost guard for examination." This proved inconvenient to the judge who was a bachelor, and spent his evenings with the ladies. He applied through the marshal to be exempted from this rule; which I resisted, until it was repeated by the mayor and aldermen, and other gentlemen of high standing, when it was granted with great reluctance. Under this order, he passed my sentinels in the night—fled in the upper country, and did not return until after the battle of the 8th. On his return, he was received with great coldness by all his republican friends, because he had left them and the city, exposed to the attacks of an infuriated soldiery, when he ought to have remained, and by his example, stimulated a noble defence. This reception mortified the judge. He was thrown into a fit of dissipation, and into the hands of Blanc, Lonallier & Co., who made a tool of him to bring about an order for my arrest, in the hopes of my power, under the expectation of exciting the brave Louisianians to some violence, or of subjecting me to the imputation of military tyranny. Mr. Conrad well knows that I prevented the friends of the judge from committing violence on the judge, Louallier, Blanc & Co.

About the time of the judge's return to the city, Louallier published his inflammatory address to the people, intended to create mutiny in our camp, and the desertion of the troops from their posts of defence. He was arrested for exciting mutiny, and a spy for giving intelligence to the enemy; not—as Mr. Conrad asserts in his speech—for a libel. But, before the arrest was made, he secreted himself, until the latter part of the night, when the appearance of a writ of *habeas corpus* was. This being done, he made his appearance at the coffee-house on the morning of March, when he was arrested, and being delivered to the proper guard, Col. Arbuckle commanding, who had instructions to treat him kindly, and to furnish him with pen, ink, and paper, &c. immediately on his being delivered, Louallier thanked him, saying, "I will not be one hour with you." "How so?" inquired Col. A. He replied, "there is a writ of *habeas corpus* out for me." This was communicated to me, I immediately sent to inquire whether it was true that Judge Hall had issued the writ before Louallier was arrested. Being assured that it had issued, I then wrote to Judge Hall's name was subscribed to it, I forthwith issued an order for the arrest of D. A. Hall, for aiding, abetting, and exciting mutiny in my camp. This was on the 5th, before the 6th, when, I then, was marshal; informed me that I was "acting on the belief that the record would prove that Judge Hall had exercised his judicial authority within your camp, thereby interfering with the civil authority, in violation of martial law, and aiding and exciting mutiny within it. In this you will be mistaken. Therefore you will date back the order of arrest, that the date has not been altered from the 5th to the 6th, since the judge has been arrested." I inquired of the clerk by whom the alteration was made. He answered, by Judge Hallett, who had sent for him with the record, and made the alteration. I retained the original, and gave a certified copy to the clerk, as set forth in my defence, and tendered it to the court, for the purpose, of proving the guilt, or subduing the majesty of the law against such flagrant violation of it, and to purify the court.

Judge Hall was liberated, and sent beyond the lines of my encampment, with special orders not to return as long as the enemy should be on our coast. But Mr. Conrad says that the enemy had left our coast at this time; and the necessity of martial law ceased. I regret that it ceased, if it had it intended to the record, he would have found that Mr. Livingston returned from the fleet on the 10th, where he had been to endeavor to effect an exchange of prisoners, and on the 11th Mr. Blanchard was at the Balize, delivering the British prisoners to quartermaster Ledlow, from whom he received the communication that there was no intention to leave New Orleans from whom the British received daily information, and every movement of my troops. Mr. Conrad can say whether Blanc & Co., with his two historians, were not suspected of being part of this clique who corresponded with the enemy. They were not at the lines of defence.

Peace being proclaimed, I, in my proclamation promulgated removing martial law, Judge Hall returned to the city; and when we were all in the midst of joy and pious gratitude to the all-wise Providence that had crowned our exertions with success, he commenced his proceedings against me, requiring me to attend at a named day, and show cause why a writ of attachment should not issue against me. Agreeably to the rule, I attended, and presented my defence, which he refused to hear. The result was, that, deprived of my constitutional right of defence, he fined me one thousand dollars, and supposing a full record of the proceeding, he compelled me to have one made out on the oaths of Abner L. Duncan, esq., Edward Livingston, esq., and Major John Reid, who acted as my counsel.

From these facts, which Mr. Conrad will not dare to deny over his own signature, I have the right to ask him, was it consistent with the character of an upright judge to alter the record, for the base purpose intended—that is to say, to show on the trial of a prosecution against me, that I had arrested him before he had attempted to exercise judicial authority in my camp, then under martial law, the necessity of declaring said law being admitted by him? Was it consistent with the character of an upright judge, after putting me under the rules of his court, on an attachment should not issue against me, and, on my appearance with my defence, to refuse to hear me—particularly as he was sitting in his own cause, and from the proceedings there was no appeal? Lastly: was it not illegal and unjust in him, after he had approved the declaration of martial law, on the ground of that necessity whose office it is to make the law silent when this is indispensable to the republic?—was it not, I say, dishonorable in him to institute proceedings against me, and insult and fine me, for obeying the law, contrary to the manner he approved and applauded, there being no other offence really charged against me? Is there a man, not carried away by party feelings, who, bearing the facts, will not pronounce it one of the most unjust and vindictive decisions ever pronounced by a judge?

But I will not pursue the subject further. My thanks are due to the legislatures of New York, Ohio, and Michigan, for their expressions calculated to induce congress to wipe from my memory the imputation cast upon it by the act of this tyrannical judge, and to the senate of Pennsylvania, for that portion of the senate which has expressed a wish to refund the fine, but not on the principle contended for by those who amended the original bill. I cannot, without regret, see the proviso of Mr. Bayard, adopted by the majority, as intended to insult my feelings. What take from congress money instead of justice? When I apply to congress, it will be to demand justice, not to ask a favor. The patriotic states of New York, Ohio, and Michigan, did not ask congress to extend in me a favor. They wanted the national government to remove an imposition it by Judge Hall, without good reason, wiped away.

With the smiles of Providence, and by the aid of my brave compatriots in arms, after many days of toil and danger, I saved New Orleans, New Orleans was preserved from the hostile tread of a foreign foe, and her amiable females protected from insult and pollution. In the struggle, I lost my health, my fortune, and, what is more than either, my reputation, and, if, the honorable senators from Louisiana, (Messrs. Conrad and Barrow) believe that I ought to be fined, and disgraced for it, I have to beg to enjoy all the satisfaction which so refined a patriotism can bring them. I am, very sincerely and truly, your friend, ANDREW JACKSON.

F. P. Blair, esq. editor of the Globe.

THE UNITED STATES AND MEXICO.

Washington, July 14, 1842.

To the house of representatives of the United States:

In answer to the resolution of the house of representatives of the 12th instant requesting copies of papers upon the subject of the relations between the United States and the Mexican republic, I transmit a report from the secretary of state, and the documents by which it was accompanied.

JOHN TYLER.

Department of state, Washington, July 13, 1842.

Sir: The secretary of state to whom was referred the resolution of the house of representatives of yesterday, requesting the president to cause to be communicated to that house, so far as might be compatible with the public interest, copies of all the correspondence between the governments of the U. States and of Mexico, since the appointment of the present envoy extraordinary and minister plenipotentiary of the United States to Mexico, of the instructions given to that minister at and since his departure upon his mission, and of his despatches to this government, and particularly of any complaint of the government of Mexico, alleging the toleration, by the government of the United States, of hostile interference by their citizens in the war between Mexico and Texas, and of any answer on the part of this government to such complaint, has the honor to lay before the president the papers mentioned in the accompanying list. All which is respectfully submitted.

DANIEL WEBSTER.

To the president of the United States.

[TRANSLATION.]

National palace, Mexico, May 12, 1842.

The undersigned, secretary of state and foreign relations, enjoys the satisfaction of addressing the honorable secretary of state of the United States of America, in the name and by the express order of his excellency the president of the Mexican republic, on the relations of amity and good harmony which have happily subsisted between this and your great

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nation might have been disturbed in a lamentable manner, since the year 1835, when the revolution of Texas broke out, if the Mexican government had not given so many evidences of its forbearance, and had not made so many and so great sacrifices for the sake of peace, in order that the world might not, with pain and amazement, see the two nations which appear to be destined to establish the policy and the interests of the American continent, divided and ravaged by the evils of war.

But, from that truly unfortunate period, the Mexican republic has received many and great injuries and hostilities from the citizens of the United States—the Mexican government speaks only of the citizens of the United States, as it still flatters itself with the belief that is not the government of that country, which has promoted the insurrection in Texas, which has favored the usurpation of its territory, and has supplied the rebels with ammunition, arms, vessels, money, and recruits; but that those aggressions have proceeded from private individuals, who have not respected the solemn engagements which have, together the two nations, for the duties concluded between them, nor the conduct, ostensibly frank, of the cabinet of Washington.

It is, however, notorious that the armed colonists of that integral part of the territory of the Mexican republic would have been unable to maintain their prolonged rebellion without the aid and the daily sympathies of citizens of the U. States, who have publicly raised forces in their cities and towns, have fitted out vessels in their ports, and landed them with munitions of war, and have marched to commit hostilities against a friendly nation, under the eyes and with the knowledge of the authorities to whom are entrusted the fulfilment of the law.

The Mexican government entertains so high an opinion of the force of the government of the United States, and of its power to restrain those of its subjects from violating the religious faith of treaties, is lately considered by the citizens of the U. States, and from committing hostilities against such nations in time of peace, that it cannot easily comprehend how those persons have been able to evade the prohibitions of laws against them, and to arm in the U. States themselves, and to obtain that quiet impunity which incessantly encourages them to continue their attacks. It is still worthy of remark, that no order does the Mexican government, in the exercise of its rights, which it cannot and does not desire to renounce, prepare means to recover a possession usurped from it, than the whole population of the United States, especially in the southern states, is in commotion, and in the most public manner a large portion of them is turned upon Texas, to prevent the rebels from being subjected by the Mexican arms, and brought back to proper obedience.

Could proceedings more hostile on the part of the United States have taken place had Texas actually been at war with the Mexican republic? Could the insurgents of Texas have obtained a co-operation more effective or more favorable to their interests? Certainly not; the civilized world would, with pain and amazement, and the Mexican government is filled with unspeakable regret, as it did hope, and had a right to hope, that, living in peace with the United States, your government would preserve our territory from the invasion of your own subjects. The vicinity of a friend is an advantage rather than an inconvenience; but if one neighbor violates the sacred limits imposed by treaties, and disturbs and harrasses another, it cannot be maintained that the friendship of the former is real, and that much confidence should be placed in it.

The government of the Mexican republic, therefore, which regards the faithful fulfilment of treaties as its highest obligation, which anxiously desires to prevent a rupture between the United States and the people and the government of the United States, finds itself under the necessity of protesting solemnly against the aggressions which the citizens of those states are constantly repeating upon the Mexican territory, and of declaring in a positive manner, that it considers as a violation of the treaty of amity the assistance and the aid which have produced an incomprehensible state of things—a state neither of peace nor war; but inflicting upon the Mexican republic the same injuries and inconveniences as if war had been declared between the two states which are called by Providence to form with each other relations and bonds of extreme and cordial friendship.

And the undersigned, in complying with the order from the most excellent provisional president of the republic of Mexico, assures you, sir, of the high consideration with which he remains.

Your obedient servant,

J. M. DE BOCANEGRA.

To the hon. Daniel Webster, secretary of state of the United States of America.

Mr. Webster to Mr. Thompson.

Department of the state, Washington, July 8, 1842.

Sir: On the 29th of last month, a communication was received at this department from Mr. de Bocanegra, secretary of state and foreign relations of the government of Mexico, having been forwarded through the agency of Mr. Velasquez de Leon, at New York, who informed the department, by a letter accompanying that of Mr. de Bocanegra, that he had been appointed charge d'affaires of the Mexican republic for this government, although he had not yet presented his credentials. Mr. de Bocanegra's letter is addressed to the secretary of state of the United States, and bears date the 12th of May. A copy, together with a copy of the communication from Mr. Velasquez de Leon transmitting it, and of the answer to Mr. Velasquez de Leon on this dispatch, which, will be received herewith. Upon the receipt of this despatch, you will immediately address a note to Mr. Bocanegra in which you will say—

That the secretary of state of the United State has received a letter addressed to him by Mr. de Bocanegra, under date of the 12th May, and transmitted to the department of state at Washington through the agency of Mr. Velasquez de Leon, New York, who informs the government of the United States that he has been appointed charge d'affaires of the Mexican republic, although he has not presented his letter of credence.

The government of the United States sees, with regret, the adoption, on this occasion, of a form of communication quite unusual in diplomatic intercourse, and which, it is necessary to know, an envoy extraordinary and minister plenipotentiary of the United States, fully accredited to the government of Mexico, was at that moment in its capital, in the actual discharge of his functions, and ready to receive, on behalf of his government, any communication which it might be the pleasure of the president of the Mexican republic to make to it; and it is not imperfect to be said, that the government of the United States regret with the government of the United States that while, being animated with a sincere desire at all times to cultivate the most amicable relations with Mexico, it has uniformed to maintain near that government a mission of the highest rank known to its usages, Mexico, for a long time, has had no representative near the government of the United States.

But the manner of the commencement from Mr. de Bocanegra, however novel and extraordinary, is less important than its contents and character, which surprise the government of the United States by a total misapprehension of the nature of its relations. Mr. de Bocanegra, speaking, as he says, by the express order of the president of the Mexican republic, declares that the amicable relations between the two countries ought to have been always disturbed, since the year 1835, when the revolution of Texas broke out, had not Mexico given so many evidences of its forbearance and made such great sacrifices for the sake of peace, in order that the world might not see with pain and amazement two nations which appear destined to establish, the policy and interests of the American continent divided and ravaged by the evils of war.

This language implies that such has been the conduct of the United States towards Mexico that war must have ensued before the present time had not Mexico made great sacrifices to avoid it, and is a result a charge which the government of the United States utterly denies and rejects. It is wholly ignorant of any sacrifices made by Mexico in order to preserve peace, or of any occasion calling on its government to manifest uncommon forbearance. On the contrary, the government of the United States cannot but be of opinion, and if the history of the occurrences between the two governments, the state of things at this moment existing between them, be regarded, both the one and the other will demonstrate that it is the conduct of the government of the United States which has been marked, in an especial manner, by moderation and forbearance. Injuries and wrongs have been sustained by citizens of the United States, not indirectly individual Mexicans, but by the authorities of the government, for which injuries and wrongs numerous as they are, and outrageous as is the character of some of them, and acknowledged to be wrongs by Mexico herself, redress has been sought only by mild and peaceable means, and no indemnity asked but such as the strictest justice imperatively demanded. A desire not to disturb the peace and harmony of the two countries has led the government of the U. States to be content with the lowest measure of reparation. Mexico herself must admit that, in all these transactions, the conduct of the United States towards her has been signalized, not by the infliction of injuries, but by the manifestation of a friendly feeling and a conciliatory spirit.

The government of the United States will not be unjust in its sentiments towards Mexico; it will not impute to its government any desire to disturb the peace; it acquits it of any design to spread the ravages and horrors of war over the two countries; and it leaves it to Mexico herself to avow her own motives for her pacific policy, if she have any other motives than those of expediency and justice, provided, however, this such avowal of her motives carry with it no imputation or reflection upon the good faith and honor of the U. States.

The revolution in Texas, and the events connected with it and springing out of it, are Mr. de Bocanegra's principal topic; and it is in relation to these that his complaint is founded. His government, he says, flatters itself that the government of the United States has not promoted the insurrection in Texas, favored the usurpation of its territory, or supplied the rebels with vessels, ammunition, and money. If Mr. de Bocanegra intends this as a frank admission of the honest and entirous neutrality of the government of the United States in the contest between Mexico and Texas, he does that government injustice, and no more than justice; but if the language be intended to intimate an opposite and a reproachful meaning, that meaning is only the more offensive for being insinuated rather than distinctly avowed. Mr. de Bocanegra would seem to represent, that from 1835 to the present time citizens of the United States, if not the government itself, have been aiding rebels in Texas in arms against the lawful authority of Mexico. This is not a little extraordinary. Mexico may have chosen to consider, and may still choose to consider, Texas as a province at all events, since 1835, and as still continuing, a rebellious province; but the world has been obliged to take a very different view of the matter. From the time of the battle of San Jacinto, in April, 1836, to the present moment, Texas has exhibited the same external signs of national independence as Mexico herself, and with quite as much stability of government. Practically free and independent, acknowledged as a political sovereignty by the principal powers of the world, no hostile foot finding rest within her territory for six or seven years, and Mexico herself refraining for all that period from any further attempt to re-establish her own authority over that territory, it cannot but be surprising to find Mr. de Bocanegra complaining that for that whole period citizens of the United States, or its government, have been favoring the rebels of Texas, and supplying them with vessels, ammunition, and money; as if the war carried for the reduction of the province of Texas had been constantly prosecuted by Mexico, and her success prevented by those influences from abroad.

The general facts appertaining to the settlement of Texas, and the revolution in its government, cannot but be well known to Mr. de Bocanegra. By the treaty of the 22d of February, 1819, between the United States and Spain, the Sabine was adopted as the line of boundary between the two powers. Up to that period no considerable colonization had been effected of Texas; but the territory between the Sabine and the Rio Grande being confirmed to Spain by the treaty, applications were made to that power for grants of land, and such grants, or permissions of settlement, were in fact made by the Spanish authorities in favor of citizens of the United States proposing to emigrate to Texas, in numerous families, before the declaration of independence by Mexico. And these early grants were confirmed, as is well known, by successive acts of the Mexican government after its separation from Spain. In January, 1823, a national colonization law passed, holding out strong inducements to all persons who should incline to undertake the settlement of uncultivated lands, and although the Mexican law prohibited for a time citizens of foreign nations from settling as colonists in territories immediately adjoining such foreign countries, yet even this restriction was afterwards repealed or suspended. So that, in the full, Mexico from the commencement of her political existence held out the most liberal inducements to emigrants into her territories, with full knowledge that those inducements were likely to act, and expecting they would act, with the greatest effect upon citizens of the United States; especially of the southern states, whose agricultural pursuits naturally rendered the rich lands of Texas well suited to their accustomed occupations, objects of desire to them. The early colonists, of the United States, introduced by Moses and Stephen Austin under these inducements and invitations, were persons of most respectable character, and their undertaking was attended with very severe hardships, occasioned, in no small degree, by the successive changes in the government of Mexico. They nevertheless persevered and accomplished a settlement. And, under the encouragements and allurements thus held out by Mexico, other emigrants followed, and many thousand colonists from

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the United States and elsewhere had settled in Texas within ten years from the date of Mexican independence. Having some reason to complain, as they thought, of the government over them, and especially of the aggressions of the Mexican military stationed in Texas, they sought relief by applying to the supreme government for the separation of Texas from Coahuila and for a local government for Texas itself. Nothing having succeeded in this object, in the process of time, in the progress of events, they saw fit to attempt an entire separation from Mexico, to set up a government of their own, and to establish a political sovereignty. War ensued, and the battle of San Jacinto, fought on the 21st of April, 1836, achieved their independence. The war was from that time at an end, and in March following, the independence of Texas was formally acknowledged by the government of the United States.

In the events leading to the actual result of these hostilities, the United States had no agency and took no part. Its government had, from the first, abstained from giving aid or succor to either party. It knew its international obligations and fairly endeavored to fulfil them all. It acknowledged the independence of Texas only when that independence was an apparent and an ascertained fact; and its example in this particular has been followed by several of the most considerable powers of Europe.

It has been sometimes stated, as if for the purpose of giving more reason to the complaint of Mexico, that, of the military force which acted against Mexico with efficiency and success in 1836, a large portion consisted of volunteers from the United States. But this is a great error. It is well ascertained that of those who bore arms in the Texian ranks in the battle of San Jacinto, three fourths at least were colonists, invited thither from the United States and the colonization laws of Mexico, and called to the field by the exigencies of the time in 1836, from their farms and other objects of private pursuit.

Mr. de Bocanegra's complaint is, that, first, that citizens of the United States have supplied the rebels in Texas with ammunition, arms, vessels, money and recruits—have publicly raised forces in their cities, and fitted out vessels in their ports, furnished with the munitions of war, and marched to commit hostilities against a friendly nation, under the eye and with the knowledge of the public authorities. In this, Mr. de Bocanegra appears to forget that while the United States are at peace with Mexico they are also at peace with Texas; that both stand on the same footing of friendly nations; that since 1837 the United States have regarded Texas as an independent sovereignty, as much as Mexico, and that trade and commerce with citizens of a government at war with Mexico cannot, on that account, be regarded as an intercourse by which assistance and succor are given to Mexican rebels. The whole current of Mr. Bocanegra's remarks runs in the same direction as if the independence of Texas had not been acknowledged. It has been acknowledged; it was acknowledged in 1837, against the remonstrance and protest of Mexico, and most of the nations of the world, one of which Mr. de Bocanegra complains flow necessarily from that recognition. He speaks of Texas as still being "an integral part of the territory of the Mexican republic" but he cannot but understand that the United States do not so regard it. The real complaint of Mexico, therefore, is in substance neither more nor less than a complaint against the recognition of Texan independence.

It may be thought rather late to repeat that complaint and not quite just to attribute it to the United States, to the exemption of England, France and Belgium, unless the United States, having been the first to acknowledge the independence of Mexico herself, are to be blamed for setting an example for the recognition of that of Texas. But it is still true that Mr. de Bocanegra's specification of his grounds of complaint and remonstrance, is mainly confined to such transactions and occurrences as were the natural consequence of the political relations existing between Texas and the United States. Acknowledging Texas to be an independent nation, the government of the United States of course allows and encourages lawful trade and commerce between the two countries. If articles contraband of war be found mingled with this commerce, while Mexico and Texas are belligerent states, Mexico has the right to intercept the transit of such articles to her enemy. This is the common right of all belligerents, and belongs to Mexico in the same extent as to other nations. But Mr. de Bocanegra is quite well aware that is it not the practice of nations to undertake to prohibit their own subjects, by previous laws, from trafficking in articles contraband of war. Such trade is carried on at the risk of those engaged in it, under the liabilities and penalties prescribed by the law of nations, or by particular treaties. If it be true, therefore, that citizens of the United States have been engaged in a commerce by which Texas, an enemy of Mexico, has been supplied with arms and munitions of war, the government of the United States, nevertheless, was not bound to prevent it, could not have prevented it, without a marked departure from the principles of neutrality, and is in no way answerable for the consequences. The treaty of the 5th of April, 1831, between the United States and Mexico, itself shows, most clearly, how little foundation there is for the complaint of trading with Texas, if Texas is to be regarded as a public enemy of Mexico. The sixteenth article declares: "It shall likewise be lawful for the aforesaid citizens, respectively, to sail with their vessels and merchandise before mentioned, and to trade with the utmost freedom and security from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of their enemies before mentioned, to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under jurisdiction of the same government or under several."

The 18th article enumerates those commodities which shall be regarded as contraband of war, but declares that such articles are subject to no other and any duty of preventing by previous regulation commerce in such articles. Such commerce is left to its ordinary fate, according to the law of nations. It is not, therefore, by any treaty, that Mr. de Bocanegra does insist, that Texas is still a part of Mexico, that he can maintain any complaint. Let it be repeated, therefore, that if the United States have reason to stretes be wrong, they have their source in the original wrong of the acknowledgement of Texian independence. But that acknowledgement is not likely to be retracted.

There can be no doubt at all that for the last six years the trade in articles contraband of war between the United States and Texas has been greater than between the United States and Texas. It is probably greater at the present moment. Why has not Texas a right to complain of this? For no reason, certainly, but because the government of Texas, in actual trading by the citizens of a government in articles contraband of war, is not a breach of neutrality.

Mr. de Bocanegra professes himself unable to comprehend the principle on which the complaints have been able to evade the punishment decreed against them by the laws of the United States; but he does not appear to have a clear idea of the principles of international law. The duties of neutral nations in time of war are prescribed by the law of nations, which is imperative and binding upon all governments; and nations not unfrequently establish municipal regulations, for the better government of conduct of their subjects or citizens.

This has been done by the United States, in order to maintain with greater certainty a strict and impartial neutrality, regarding our own citizens or subjects. And wherever a violation of neutral duties, as they exist by the law of nations, or any breach of its own laws, has been brought to the notice of the government, attention has always been paid to it.

At an early period of the Texian revolution strict orders were given by the president of the U. States to all officers on the south and southwestern frontier to take every measure in their power to prevent and; and the attention of the government of the United States has not been called to any specific violation of them since the commencement of the war, or to any intention to renew hostilities with Texas, and all officers of the government remain charged with the strict and faithful execution of these laws. On a recent occasion complaint was made by the representatives of Texas that an armament was fitted out in the United States for the service of Mexico against Texas.

Two vessels of war, it was alleged, built or purchased in the United States for the use of the government of Mexico, and well understood as intended to be employed against Texas, were equipped and ready to sail from the waters of New York. The case was carefully inquired into, official examination was made and legal counsel invoked. It appeared to be a case of great doubt, but Mexico was allowed the benefit of that doubt, and the vessels left the United States with the whole or a part of their armament actually on board. The same administration of even-handed justice, the same impartial enforcement of the laws towards all parties, will continue to be observed.

If forces have been raised in the United States, or vessels fitted out in their ports for Texian service, contrary to law, no instance of which has as yet come the knowledge of the government, prompt attention will be paid to the first case, and to all cases which may be made known to it. As to advances, loans, or donations of money or goods, made by individuals to the government of Texas, or its citizens, Mr. de Bocanegra hardly needs to be informed that there is nothing unlawful in this, so long as Texas is at peace with the United States, and that these are things which no government undertakes to restrain. Other citizens are equally at liberty, should they be so inclined, to show their good will towards Mexico by the same means. Still less can the government of the United States be called upon to interfere with opinions uttered in the public assemblages of a free people, accustomed to the independent expression of their sentiments, resulting in no violation of the laws of their country, or of its duties as a neutral state.—Towards the United States, Mexico and Texas stand in the same relation, as independent states at war.—Of the character of that conduct which will focus their own opinions, and in the United States at least the utterance of those opinions cannot be suppressed.

The second part of M. de Bocanegra's complaint is thus stated: "No measure does the Mexican government, in the exercise of its rights, which it cannot and does not desire to renounce, prepare means to recover a possession usurped from it, than the whole population of the United States, especially in the southern states, is in commotion; and, in the most public manner, a large portion of them is directed upon Texas."

And how does Mr. de Bocanegra suppose that the government of the United States can prevent, or is bound to undertake to prevent the people from thus going to Texas? Is it an emigration, the same emigration, though not under the same circumstances, which Mexico invited to Texas before the revolution. Their persons, so far as is known to the government of the United States repair to Texas not as citizens of the United States, but as ceasing to be such citizens, and as changing at the same time their allegiance and their country. Should they return after having entered into the service of a foreign state, still claiming to be citizens of the United States, it will be for the authorities of the United States government to determine how far they have violated the municipal laws of the country, and what penalties they have incurred. The government of the United States does not recognize, and never has recognized, the doctrine of the perpetuity of natural allegiance. And surely Mexico maintains no such doctrine; because her actually existing government, like that of the United States, is founded on the principle that men may throw off the obligation of that allegiance to which they are born.

The government of the United States, from its origin, has maintained the liberal provisions for naturalization of such subjects of foreign states as may choose to come hither and make their home in the country, and renouncing their former allegiance, and fulfilling the conditions of the laws prescribed for take upon themselves the character of citizens of this government. Mexico herself has laws granting equal facilities for naturalization of foreigners.

On the other hand the United States have not passed any law restraining their own citizens, native or naturalized, from leaving the country and forming settlements in other countries. We do offer no arrangements, in modern times, attempt any such thing. It is true that there are governments which assert the principle of perpetual allegiance; yet, even in cases where this is not rather a matter of theory than practice, the duties of this supposed continuing allegiance are left to be demanded of the subject himself, as the government has no power over the former government, and as exigencies may arise, and are not attempted to be enforced by the imposition of previous restraint preventing men from leaving their country.

Upon this subject of the emigration of individuals from neutral to belligerent states, in regard to which Mr. de Bocanegra appears so indignant, we must be allowed to bring Mexico into her own presence, to compare her with herself, and respectfully invite her to judge the matter by her own principles and her own practice. In her great struggle against Spain for her own independence, did she not open her arms wide to receive all who would come to her from any part of the world? And did the multitudes flock to her as to a second standard of liberty from the United States, from England, Ireland, France, and Italy, many of whom distinguished themselves in her service, both by sea and land? She does not appear to have supposed that the governments of these persons, thus coming to unite their fate with hers, were, by allowing the emigration, even pending a civil war, furnishing just cause of offence to Spain. Even in her military operations against Texas, Mexico employed many foreign emigrants; and it may be thought remarkable that in those very operations, not long before the battle of San Jacinto, a native citizen of the United States held high command in her service and performed feats of no mean significance in Texas. Yet that toleration therefore, as she shall

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and which she now so warmly denounces Mexico, in that hour of her emergency, embraced the benefits eagerly, and to the full extent of her power. May we not ask them how she can reconcile her present complaints with her own practice, as well as how she accounts for so long and unbroken a silence upon a subject which her remonstrance is now so loud?

Spain chose to regard Mexico only in the light of a rebellious province for near twenty years after she had asserted her own independence. Does Mexico now admit that, for all that period, notwithstanding her practical emancipation from Spanish power, it was unlawful for the subjects and citizens of other governments to carry on with her the ordinary business of commerce, or to accept her tempting offers to emigrate? Certainly such is not her opinion.

Might it not be asked, then, even if the U. States had not already and long ago acknowledged the independence of Texas, how long they should be expected to wait for the accomplishment of the object now existing only in purpose and intention of the resubjugation of that territory by Mexico?

How long, be it be asked in the judgment of Mexico herself, is the fact of actual independence to be held of no avail against an avowed purpose of future re-conquest?

Mr de Bocanegra is pleased to say, that if war actually existed between the two countries, proceedings more hostile on the part of the United States could not have taken place than have taken place, nor the insurgents of Texas obtained more effectual co-operation than they have obtained.

This opinion, however hazardous to the discernment just estimate of feelings of those who avow it, is yet abstract and theoretical, and so far harmless.

The efficiency of American hostility to Mexico has never yet tried; the experiment has no desire to try it. It would not disturb the peace for the sake of showing how erroneously Mr. de Bocanegra has reasoned; while, on the other hand, it trusts that a just tribunal, he entertained that, he will not act inconsiderately and needlessly hasten into an experiment by which the truth or fallacy of his sentiments may be brought to an actual ascertainment.

Mr. de Bocanegra declares, in conclusion, that his government finds itself under the necessity of protesting solemnly against the aggressions which the citizens of the United States are exhibiting upon the Mexican territory; and of declaring, in a positive manner, that it will consider as a violation of the treaty of amity the toleration of that course of conduct, which he alleges, indicts on the Mexican republic the injuries and inconveniences of war.

The president exceedingly regrets both the sentiment and the manner of this declaration. He can admit but of one answer. The Mexican government appears to require that which could not be granted, in whatever language or whatever tone requested. The government of the United States is a government of law.

The chief executive magistrate, as well as functionaries in every other department, is constrained and guided by the constitution and the law of the land. Neither the constitution nor the law of the land, nor principles known to the usages of modern states, authorises him to interdict lawful trade between the United States and Texas; or to prevent, or attempt to prevent, individuals from leaving the United States for Texas, or any other foreign country.

If such individuals enter into the service of Texas or any other foreign state, the government of the United States no longer holds over them the shield of its protection. They must stand or fall in their newly assumed character, and according to the fortunes which may betide it. But the government of the United States cannot be called upon to prevent these emigration, and it must be admitted that the constitution, public treaties, and the laws oblige the president to regard Texas as an independent state, and as a territory no part of the territory of Mexico. Every provision of law, every principle of neutral obligation, will be sedulously enforced in relation to Mexico, as in relation to other powers, and to the same extent and with the same integrity of purpose. All this belongs to the constitutional power and duty of the government, and it will be fulfilled. But the continuance of the present Mexican course cannot be purchased at any higher rate. If the peace of the two countries is to be disturbed, the responsibility will devolve on Mexico. She must be answerable for consequences. The United States, let it be again repeated, desire peace. It would be with infinite pain that they should find themselves in hostile relations with any of the new governments on this continent. But their government is regulated, instituted, full of the spirit of liberty, but surrounded, nevertheless, with just restraints, and, greatly and fervently as it desires peace with all states, and especially with its more immediate neighbors, yet no fear of a different state of things can be allowed to interrupt its course of equal and exact justice to all nations, nor to justle it out of the constitutional orbit in which it revolves.

I am, sir, your obedient servant,
DANIEL WEBSTER.

To Waddy Thompson, esq. &c.

MR. WEBSTER TO MR. THOMPSON.

Department of state, Washington, July 13, 1842.

Sir: After writing to you on this inst. I received, through the same channel as the former, Mr. de Bocanegra's second letter, and at the same time your despatch of the 6th of June, and your private letter of the 21st. This last letter of Mr. de Bocanegra was written, as you will see, before it was possible for him to expect an answer to his first, which answer is now forwarded, and shows the groundless nature of the complaints of Mexico. The letter itself is highly exceptionable and offensive.

It imputes violations of honor and good faith to the government of the United States, not only in the most unjust, but in the most indecorous manner. You have not spoken of it in terms too strong in your circular to the members of the diplomatic corps.

On the receipt of this, you will write a note to Mr. de Bocanegra, in reply to his letter to the secretary of state of the United States, on the 9th of July, received his letter of the 31st of May: that the president of the United States considers the language and tone of that letter as unbecoming the character of the United States, and highly offensive, as it imputes to their government a direct breach of faith and that he does not think any answer can be given to it than the declaration that the conduct of the government of the United States, in regard to the war between Mexico and Texas, having been always hitherto governed by a strict and impartial regard to its neutral obligations, will not be changed or altered in any respect or in any degree. If for this the government of Mexico shall see fit to change the relations at present existing between the two countries, the responsibility remains with herself.

I am, sir, your obedient servant,
DANIEL WEBSTER.

To Waddy Thompson, esq., envoy extraordinary and minister plenipotentiary of the United States, Mexico.

APPORTIONMENT BILL.

MR. ADAMS' REPORT.

Mr. ADAMS, from the select committee to which the subject had been referred, submitted the following

The select committee to whom was referred the message of the president of the United States on the 25th inst. announcing to the house that he had approved and signed an act, which had passed the house, entitled "An act for an apportionment of representatives among the several states according to the sixth census," and had caused the same to be deposited in the office of the secretary of state, accompanied by an exposition of his reasons for giving to it his sanction," have deemed it their duty to confine their consideration exclusively to the subject referred to them by the house.

Reason, justice, and the religion of holy writ, enjoin with equal and concurring authority upon man and his rulers, the observance of the moral duties composition and faithful custody of the rule of conduct prescribed to him in the form of law—the sacred volume of divine inspiration has given to the moral and lawful of curses upon every man who shall add to or take away from its words. The constitution and laws of the United States manifest a solicitude scarcely less intense for the accuracy and authenticity of the composition of the laws. Without referring to the fact that no proposition for the enactment of a law can be presented to the house, passing through two separate branches of the legislature, and, by the rules for transacting business, without being read six several times, on as many different days, and referring, besides, the decision of the chief executive magistrate, to give it validity, the manner in which the constitution prescribes that executive action, in the provisions of the amendment of opposition evidently intended to exclude the possibility of all intrusion or diminution. By confirming on the president the power of approving and signing the acts of congress before they can acquire the sanctity of law, and the further authority of objecting, for reasons assigned, to their enactment, the constitution, with equal sonorseness and precision, has prescribed three several modes of action, required of the president, in the exercise of this perogative, upon the acts presented to him having passed both houses, been examined carefully, and reported by a joint committee of enrolled bills, signed by the speaker of the house and the president of the senate, in presence of their respective houses—the constitution enjoins, first, "that if he approves, he shall sign it." This act is his power—that is all his duty. No power is given him to alter, to amend, to commend, or to assign reasons for the performance of the act. His signature is the exclusive evidence admitted by the constitution of his approval; and all addition of extraneous matter can, in the opinion of the committee, be regarded in no other light than a defacement of the public records and archives. Secondly, "but if not," that is, if he do not approve the act, "he shall return it, with his objections, to the house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house, respectively." And in this case, the duty of the president is to return the bill to the house where it originated, with his objections to its becoming a law. The bill passes out of his possession, and never returns to it. His reasons form no part of the bill, and no instance has occurred, under the constitution of the United States, of a bill to which the president has objected, becoming a law.

"*Thirdly.* If any bill should not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless congress by their adjournment, prevent its return, in which case it shall not be a law." The same provision, which requires an act, joint resolution, or vote, to which the concurrence of the senate and house of representatives may be necessary, (except on a question of adjournment,) before they shall take effect, "shall be presented to the president," might almost be said the microscope, provisions of the constitution of the United States, to preserve pure and inviolate from all addition or diminution the text of the law; and the same cautious and prudent spirit was equally manifested by the first congress of the United States, in providing for the preservation and safe keeping of the public acts and records which constitute the statute laws of this union.

At the first session of the first congress of the United States, organized under this constitution, a department of the executive branch instituted for the express purpose of providing for the safe-keeping of the acts, records, and seal of the United States. It is so declared expressly in the title of the act instituting the department of state.

Immediately after the organization of congress under the present constitution, one of their first acts was, to institute and establish a department, denominated the department of foreign affairs. Such a department had existed under the old organization of the confederation. But the congress of the confederation had no legislative power, and therefore was to keep and preserve. At the very same session, therefore, of the first congress of the United States, and within two months after the establishment of the department of foreign affairs, without repealing that act, on the 15th September 1789, congress passed another act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes, by the first section of which it was provided that the executive department denominated the department of foreign affairs should thereafter be denominated the department of state, and that the principal officer therein should be called the secretary of state.

And by the 24 section of this act, in addition to the duties required of the secretary by the act establishing the department of foreign affairs it is provided, "that every order, bill, order, resolution, or vote of the senate and house of representatives, having been approved and signed by the president of the United States or, not having been returned by him with his objections, to the house in which it shall have effect, it shall forthwith thereafter be received by the said secretary from the president; and whenever a bill, resolution, order, or vote, shall be returned by the president, with his objections, and shall, on its being reconsidered, be agreed to be passed, and approved by two-thirds of both houses of congress, and thereby become a law, or take effect, it shall in such case be received by the said secretary from the president of the senate or the speaker of the house of representatives, in whichsoever it shall have been so approved; and the said secretary shall as soon as conveniently may be after he shall receive the same, cause every such law, order, resolution, and vote to be published in at least three of the public newspapers printed within

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the United States, and two printed copies, duly authenticated, to be sent in the executive authority of each state; and he shall carefully preserve the original, and shall cause the same to be recorded in books to be provided for the purpose; the latter part of which provisions have since been repealed.

It will be observed that all the provisions of this law are adapted with the most scrupulous accuracy to the three several modes of action prescribed to the president by the constitution of the United States in the enactment of the laws; and they are all equally marked by the constant and unremitted assiduity to exclude from all possible intrusion of extraneous or spurious matter, the composition of the laws.

But in the message of the president to this house, and by the house referred to the committee, he has informed the house not only that he had approved and signed the apportionment bill, but that he had caused the same to be *deposited in the office of the secretary of state*, accompanied by an exposition of his reasons for giving to it his sanction.

It is remarkable that, in this announcation of what he has done with the apportionment act, there is a departure not only from the language used in the substance of the law prescribing to him his duties in this respect. The law requires that if the president *approve* an act presented to him, after having passed both houses of congress, he shall *sign it*, and that, *forthwith*, the secretary of state shall *receive it* from the president; and it is among the duties of the secretary of state thereafter *carefully to preserve* the originals, and to cause the same to be published.—The functions both of the president and secretary of state are *personal*; and the motives of the legislature in making them so are obvious—the security of the purity of the text of the law, and to guard it from all possible interpolation or effacement. The same personal duty is prescribed to the president act which, after having been objected to by the president, shall, notwithstanding his objections, have become a law. In such case, the law requires that the act shall be presented to the house of which he is the president of the senate, or from the speaker of the house of representatives, in whichsoever house it shall be so approved. The principle of such legislation, requiring the composition of the laws, is not to leave the instrument containing the law—no, not one moment—out of the custody of a highly responsible officer of the government.

Now, the president, in causing the apportionment act to be deposited in *the office* of the secretary of state did not perform the duty enjoined upon him by the letter of the law, which was, that the secretary of state should *receive* it from him. The deposite in the office might be made in the absence of the secretary, and weeks might elapse before he could receive it, or be in any manner responsible for its contents During all that time it would be liable to interpolations, additions, diminutions, totally changing its character and perverting its legislative effect, without responsibility of any one individual for the change.

In the ordinary course of the legislation of this Union, perhaps, this circumstance might not require the notice of the house. Perhaps, in the practical administration of the executive power, the usual mode by which the secretary of state *receives* from the president the rolls of parchment on which the laws are engrossed, is by the president's sending them to the office of the department. Such an usage, though not altogether conformable to the spirit of the law, might be overlooked so long as no public inconvenience should have resulted from it. But in this case the president informs the house that, in causing the apportionment act to be deposited in the office of the secretary of state, he has superadded to it an exposition of his reasons for giving to it his sanction; and he is blinded from the house the information what those reasons are. Here, then, is superadded to the law enacted by the sanction of both houses of congress, and the signature of the president *without objection*, an exposition of his reasons for performing an act which the constitution of the United States peremptorily commands him to perform, and for refusing to perform which, approving it as he did, no earthly reason could have justified him. What, then, could have been the motive or purpose of annexing to a law of the land, enacted in all the forms of the constitution an extraneous interpolation of his reasons for performing *his* duty in the enactment of the law? What the motive or purpose of an attempt to make his reasons a part of the law, without even communicating those reasons to the legislature which enacted the law?

The secretary of state is required, among the duties of his office, to cause to be published in the newspapers and in pamphlets, the laws received by him from the president. Is this exposition of reasons, never communicated to congress, to be published with the law which the secretary received with it? Is it to form a part of the law of the land? If it is, what does it differ from the principle that the proclamation of the president supersedes and annuls the laws of congress? If it be not the law of the land, of what possible use can it be; what possible claim can it have to be deposited in the laws in the public archives of the land? What right have the reasons of the president for signing an act of congress to be deposited among the laws, to which the reasons of any member of either house of congress for voting for the same bill are not equally entitled? And if the exposition of the reasons of the president for signing an act of congress are entitled to be deposited with the secretary of state in company with the law, what principle is there which will not apply in every case of a bill signed by the president? The provisions of the president for signing a bill may be various and complicated. They may rest in part or entirely upon a construction of the provisions of the act, peculiar to the president, and directly opposed to that of every member of both houses of congress who passed the act. Then it comes to the principle that the whole statutory powers of congress are subrogated to the clandestine constructive ratiocination of the president.

The committee can find in the constitution and laws of the United States no authority given, to the president, for depositing with the secretary of state an exposition of his reasons for signing an act of congress made by his signature a law, and most especially no authority for depositing such an exposition with the law. No such power is expressly conferred by the constitution; none such is necessary or proper for giving effect to any other power expressly granted to him by the constitution. Anyone, the toleration of which would be one of the most dangerous and pernicious tendency; and they deem it the duty of the house to express their decided disapprobation of exercise it. They have reason to believe that, unless disavowed and discountenanced in this first example, its consequences may contribute to prostrate in the dust the sanctuary of the laws, which the president has approved with the accompaniment of this most extraordinary appendage, and to introduce a practice which would transfer the legislative power of congress itself to the arbitrary will of the executive.

The deposite in the department of state, by the president, of an exposition of his reasons for signing a law, is unprecedented in the history hitherto to without example. One instance has indeed occurred, on the 31st of May, 1830, when president Jackson, within an hour before the close of the session of congress, sent to this house a message informing them that he had approved and signed a bill making appropriations for examinations and surveys, and also for certain objects of internal improvement; but that, as the phraseology of the section which appropriated the sum of eight thousand dollars for the road from Detroit to Chicago, might be *construed* to authorize the application of the appropriation to a road beyond the limits of the territory of Michigan, he desired to be understood as having approved that bill with the understanding that the road authorized by that section was not to be extended beyond the limits of the said territory.

This was a simple message to the house, informing them what construction of a certain section of a law which he had approved and signed; but not informing them that he had added any thing to his signature to the bill; that the road was no part of the transaction was therefore unknown to the house, and they *could* take no action upon it. They laid the message on the table.

It is indeed true that the construction which the president announced to the house he had given, in approving and signing the bill, to that section which appropriated money for a road from Detroit to Chicago, was directly in the teeth of the act of congress, and of the understanding with which it had been passed by both houses of congress. No court of justice, without violating all the rules of construction observed in judicial tribunals, could have sanctioned that construction. But that part of the act was to be executed by the president himself. By the partial and imperfect execution of it, arresting the road at the limits of the territory instead of extending it to Chicago, he defeated the intention of the legislature; but he had a conscientious, constitutional scruple to sustain him. There was no appeal from his arbitrary decision. The completion of the road, directed by the solemn act of the legislature, was prevented by the will of the president, regulated by *his* construction of the law; and the improvement of the country by the power of the national legislature, has from that day been suppressed and nullified.

The real character of the message of president Jackson was an objection to that section of the bill which made the appropriation for the road from Detroit to Chicago; and so it was understood at the time. It was in substance, an objection to one section of the bill, and, in form, an approval of the bill.

The committee are of opinion that this form of proceeding was unwarranted by the constitution; but the president, in that case, set an example far more dangerous and unwarrantable, without giving any notice of it to the house. Immediately over his signature to the bill, he made on the parchment on which the bill was engrossed an interpolation in the following words: "I approve this bill, and ask a reference to my communication to congress of this date in relation therewith." And in this condition, with this extraneous matter entered upon this act, referring to another document not published with the law, and never acted upon by either house of congress, this act was published by the secretary of state, and with this unwarranted statement by the president upon its face, forming, to all appearance, a part of the law.

The exposition of the president's reasons for signing the apportionment bill has hitherto not been published with the law. The precedent alleged in justification of the president's act on this occasion has not, in this case, been followed by him. The law has been published by authority of the secretary of state, without the exposition of the president's reasons for signing it. It has had caused to be deposited in the office of the secretary, with the law. And this fact leaves it open to conjecture still more painful, what lawful and honorable purpose could be secured by the deposite in the archives of state of an *argument* for affixing his signature to an act which he approved.

The *argument* for the performance of an indispensable duty would seem to be, at least, a work of idle supererogation. As well might the president have caused to be deposited in the department of state an exposition of his reasons for performing the most sacred of his obligations as a citizen or as a man, as he could for assigning reasons to record his fulfilment of the obligation which he could not, without violation of his solemn oath, have omitted to do.

A resolution of this house has at length drawn forth from the department of state an authenticated copy of this exposition of reasons; but, the committee are constrained to say, without producing so much as a plausible reason for the deposite of those reasons in the office of the department with the law.

The president, in his message, has approve that his motives for signing it may be misunderstood, or that his opinions may be liable to be misconstrued, or quoted hereafter as precedents; and he, therefore, feels it due to himself to say that, in approving the bill, he proceeded not so much on his own opinion, either of its constitutionality or policy, as from respect to the declared will of the two houses of congress.

The entry upon this bill is, "Approved: John Tyler," and that entry makes it the law of the land; and, by a separate note, deposited with the law in the department of state, the same hand which, under the sacred obligation of an official oath, has written the word "*approved*," and added the sign manual of his name, feels it due to himself to declare that the bill is not approved, that he doubts both its constitutionality and its policy, and that he signs it only in deference to the declared will of both houses of congress, not from assent to their reasons, but in submission to their *will*.

And he feels it due to himself to say this—first, that his motives for signing it may be rightly understood, secondly, that his opinions may not be liable to be misunderstood; or thirdly, quoted hereafter erroneously as precedents. The motives of a president of the United States for signing an act of congress, can be no other than because he approves it, and because, in that event, the constitution enjoins it upon him to sign it as a duty, which he has sworn to perform, and with which he cannot dispense.

But not in the present case the president feels it due to himself to say that his motives for signing the bill were not because he approved, or because it was made by the constitution his duty to sign it, but to prove his submission to the will of congress. He feels it due also to himself to guard against the liabilities of his opinions to misconstruction, or to be quoted hereafter erroneously as a precedent. His signature to the bill, preceded by the word "*approved*," taken in connexion with the duties prescribed to the president of the United States by the constitution, certainly was liable to the construction that his opinions were favorable to the bill. They were indeed liable to no other construction respectful to him, or truthful to his honor and sincerity; nor can there be a doubt that they would have been quoted hereafter as a precedent. No man living could have imagined that the word "*approved*" could be construed to mean either doubt or obsequious submission to

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the will of others; and it is with extreme regret that the committee see, in the president's expulsion of his reasons for signing an act of congress, the open avowal of a plan, his vocabulary, used in the peculiar manner of one of the most solemn and sacred of his duties, the word "*approved*" means not approval, but doubts; not the expression of his concurrence, but a mere obscure notice to the will of congress.

The president alleges that, in yielding his doubts to the matured opinion of congress, he has followed the advice of the first secretary of state to the first president of the United States, and the example set by that illustrious citizen upon a memorable occasion.

But the first secretary of state never advised the first president, in yielding his *doubts* by his signature to *record* them with it in self-contradiction; nor did the first president of the United States ever sanction, by his example, such recorded duplicity.

In adverting to the infinitely dangerous tendency of such an example, the committee perceive that, if once acquiesced in by the legislature, it would countenance and introduce an executive constitution, in their exclusive functions, little short of transferring the legislative power itself from the two houses of congress to the president, and of conferring advised by upon the exclusive functions of the judicial courts.

If the president is justified in assuming to his signature and declared approval of one act of congress, precisely the same authority, the same power, and the same, ostensibly for signing, but really against it, he may do the same with any or every other act of the legislature so presented to him. He may assume an interpretation of any or every section of the bill, directly adverse to the construction given to it by all parties in the legislature who enacted it. Such is believed to have been in the present instance of the case. The reason of the president then become a running commentary upon the law, against its execution according to the intention of the legislature, and foreshadowing the appropriate judicial decision of doubts in expounding it. A new actual expedient for breaking down the constitutional barriers between legislation, executive and judicial authority, could scarcely be devised. Under its operation, the law itself, instead of a rule of conduct prescribed for the obedience of the people, would become a mere record of the discordant opinions and conflicting wills of its makers.

The president states that, while a member of either branch of the legislature, he deemed it his duty to vote against every law of the constitutionality of which he entertained a doubt; but that, as president of the United States, he may yield his doubts in deference to the solemnly announced opinions of the representatives of the people and of the states.

Without inquiring into the soundness of this distinction, the committee approve entirely the principle, that a person of the United States (and of the apology for sacrificing the mere pride of individual opinion, amounting only to a doubt, in deference to the united and deliberate judgment of others, they deem such a sacrifice not only to be his right, but his duty. The bias of a fairly balanced mind may well be turned by the sympathies of congenial restitution and the conscious commendation of a laudable end. But the committee cannot equally approve the principle of yielding the doubt, and yet retaining it; still less can they acquiesce in the integrity of conspiring with the determination of the doubt a record of its continued existence.

The president announces that one of his reasons for withholding his signature was his doubt of the constitutionality of the law which he has approved and signed, in that it purports to be mandatory on the states to form districts for the choice of representatives in single districts.

The committee believe this to be by far the most important and most useful provision of the act. They believe, indeed, the establishment of the principle absolutely indispensable to the perpetuity of the union. The representation of the people by single districts is undoubtedly the only mode by which the principle of representation, in proportion to numbers, can be carried into execution. The provision of the constitution is, that the representatives shall not exceed one for every thirty thousand of federal numbers, and every act of apportionment has necessarily prescribed one member for every fractional portion of the common multiple within each of the several states. A more unequal mode of ascertaining a representation of the people in a confederate body could not easily be contrived than that of one person chosen by a general ticket throughout the state, another portion by single districts, and a third portion partly by single and partly by double, triple, and quadruple districts. This forms, in the mass, a representation of one representative for the common standard number throughout the whole union, but of states, and cities, and sectional divisions, in knots and clusters of population, of different numbers and proportions, more likely to be governed by the spirit of party than of patriotism. At present, six of the smaller states acquire an undue share of legally representated power in the house, by general ticket elections, stifling the voice and smothering the opinions of minorities nearly equal to half the people. If the state should be dominated by the overbearing insolence of a majority, always meager, and as it grows larger growing more irrecoverable and oppressive. The larger states have hitherto passed over with little notice this practical inequity, by which the state of New Hampshire, with five members, preponderates over the state of New York, with forty. But it is to be remembered it is impossible that this should be suffered to continue long. The manner of election for the members of this house must be uniform. The general or the single district must be the common mode for all; and if the smaller states will insist upon sending members to this house all of one mind, New York, or Pennsylvania, or Ohio, or all three together, still, ere long, teach them by other results the arithmetical combination of concentrated numbers.

Should the general ticket system universally prevail, it is obvious that the representation of this house will entirely change its character, from a representation of the people to a representation of states, and transform the constitutional government of the United States into a mere confederacy like that which, fifty-four years ago, fell to pieces for the want of legislators to hold it together.

It is in the spirit of the constitution, and consequently of the union, that the president records his surrendered doubts of the constitutionality of the apportionment act, because it purports to be mandatory on the states in their districts for the choice of representatives to congress in single districts. But what shoulboy does not know that it is the vital property of law to be mandatory—that it is not a mere suggestion of what is right? The very definition of municipal law, by the great jurist of England, is a rule of civil conduct prescribed by the supreme power in the state, commanding what is right, and prohibiting what is wrong. It is equally clear that the existence of liberty herself, in any community of men, is identical with the mandatory character of the law, and that, in the United States, the free and an arbitrary government is, that one is a government of laws and the other a government of men.

In the objection of the president, that this mandatory character of the law is made applicable to the action of the sovereign *state?* But the law derives its mandatory authority from the constitution itself, in which the states are represented by the strongest solemn obligations to obey. The compact and in the constitution, which has in express terms vested in congress the power to make the apportionment act. The president admits that the power of congress, by law, to alter state regulations respecting the manner of holding elections for representatives, is clear; but he has left doubtful whether the power to command the states to make new regulations, or alter their existing regulations.

This objection would invalidate every apportionment act which has been passed by congress during the existence of this government. Every new apportionment act not only annuls the regulations provided for the choice of several states in held districts as of representatives under the preceding apportionment, but is mandatory to the states to provide regulations for holding the elections within the states, conformably to the new apportionment law enacted by congress. In every successive apportionment law, the number of representatives in this house which many of the states have been entitled to send during the preceding ten years is increased or diminished; and the numerous state legislatures which have been so long waiting for the legislation of congress on this time and to be sufficient, the special extraordinary sessions which more than one of those legislatures have been under the necessity of holding, have all been caused by their indispensable duty to provide regulations for giving effect to the mandatory injunctions of the congressional law.

The objection to the mandatory character of the law has so strange, so extraordinary to be somewhat whimsical, when we consider that the power in congress, admitted by the president to be clear, of instructing the state by its own authority, is much heavier and more burdensome in its operation than that which he considers as so questionable. The election of representatives to the national legislature is not a burden, but a precious privilege. The geographical division of the territory of the state, according to the number of the representatives allowed to the state in this house, is an operation obtaining better suited to the action of the local legislature than to that of the assembly representing the whole union. The assignment of that operation, therefore, to the state legislatures, though mandatory in form, is in substance a concession of power; and it is strange, passing strange, in find even the most zealous and most jealous vindicator of state rights complaining of an investment of authority in the state as a grievous usurpation of authority of congress.

The exposition of reasons *for approving and signing the bill* has a still more singular appearance of inconsistency, by the unbeatating intimation that these questions of the constitutionality of the law, and of its mandatory character, are breeding among the rancorous and vindictive passions of inflammed and inflammatory partisans, reserved for exasperated allusion to the approaching meeting of the 28th congress. It would seem as if, in the foresight, if not in the aspirations of the president, sufficient is not unto the day the evil thereof.

This is not one of those laws the constitutionality of which will have the benefit of a fair and impartial decision by an independent judicial tribunal. This house is made, by the constitution, exclusively the judge of the election, returns and qualifications of its own members. The questions of construction and of *constitutionality*, stimulated by those surrendered doubts, will be made, and will be much treasured up for the day of wrath, to inflame and confuse the deliberations of this house at the first organization of this house for the next congress—the congress, be it remembered, which will be the first congress in which will devolve the duty of electing the president of the United States for four years from the 3d of March, 1845. It is too much to be apprehended, an absolute majority of the votes in the electoral colleges should fail of being secured.

The private and personal interest of the president in the organization of the house of representatives of the next congress suggests motives on his part for desiring to influence that organization in the direction of his individual interest, which may account for this attempt to countenance and encourage a spirit, already too apparent on the part of more than one of the states, to set at defiance the will of the whole union, and to produce, if possible, a civil or political controversy in this provision of the apportionment law, and to force upon the house of representatives a representation chosen by general ticket from those states in which the representation from all the other states will, in obedience to the law, be chosen by single districts.

It is self-evident that, in the event of such a conflict in the organization of the next house of representatives, the local interest and comparative weight of the few states electing by general ticket will be in direct opposition to the interest and relative weight of all the states represented by single districts. If it be expected that political sympathies and party discipline will be sufficiently strong to prevent the operation of selfishness, independence, and abiding interests of the large and populous states, and induce their representatives to indulge the small states with a general ticket representation at the expense of the relative weight and influence of their own constituents, the result can be no other than to introduce inequality of privilege between the constituent confederates of this union; and the inevitable consequence of a continued and increasing exercise of such inequality will be mutual irritation, alienation, and disgust, till the large states will adopt the general ticket representation, and thus place the large in the hand of members all the influence of the smaller states.

Similar considerations, the president states, have operated with him in regard to the representation of fractions amounting to thousands.

But his treatment of this constitutional doubt is strikingly different from that which he bestows on the doubt in regard to the mandatory character of the section prescribing elections by single districts. The argument of the president on this first doubt is against the provision in the law, and consequently against the law. The argument on the second doubt is in favor of the bill. In this case, the doubt had existed from the foundation of the government; it had always hitherto been found insurmountable. But now, the president, who had heretofore voted against it as unconstitutional, finds it recommending itself as approaching nearer to constitutional equality than any common divisor to the entire population of each state, which had heretofore been deemed indispensable. As there is no prospect of any practical opposition to the full execution of this provision of the law, an exposition of reasons for approving and signing the bill containing it appears to the committee destitute itself not only of reason, but even of plausible pretence.

The president concludes by observing that, in approving the bill, he flatters himself that a disposition will be perceived on his part to concede to the opinions of congress in a matter which may conduce to the good of the country and the stability of its institutions, upon which his own opinion is not clear and

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decided. The repeated profession of deference for the opinions of congress would be received with more respectful acceptance, but for contemporaneous unofficial expositions of the writer's real sentiments towards the legislature of the Union, addressed not to them, but to private individuals and convivial assemblies, and by them paraded forth in the public journals of the daily press to the world. It would also be better entitled to the credit of sincerity, but for the counter-falling complaint not the repeatability of opinion against the constitutionality of the bill, thereby instigating and fomenting that factious resistance to the execution of the most important provision of the law, of which a conflagration has been already sounded in two of the states, and which threatens a conflict at the organization of this house in the next congress, to which no friend to the peace and harmony of the Union can look forward but with melancholy foreboding.

The committee consider the act of the president, notified by him to the house of representatives in his message of the 25th ult., as authorised by the constitution and laws of the United States, pernicious in its immediate operation, and imminently dangerous in its tendencies. They believe it to be the duty of the house to protest against it, and to place upon their journal an earnest remonstrance against its ever being again repeated. They report, therefore, the following resolution:

Resolved, That the house of representatives consider the act of the president of the United States, notified to them by his message of the 25th ult. viz: in causing to be deposited in the office of the secretary of state, with the act of congress entitled, "an act for an apportionment of representatives among the several states according to the sixth census," approved and signed by him, an exposition of his reasons for giving to the said act his sanction, as unwarranted by the constitution and laws of the United States, injurious to the public interest, and of evil example for the future; and the house do hereby solemnly protest against the said act of the president, and against ever being repeated or adduced as a precedent hereafter.

THE REVENUE BILL.

SPEECH OF MR. BOTTS.

IN COMMITTEE OF THE WHOLE HOUSE, JULY 11, 1842.

Mr. BOTTS, after observing that until he heard the argument of the gentleman from South Carolina (Mr. HOLMES) this morning, he had not been aware that there was any constitutional impediment in the minds of any member to the passage of this bill—that those gentlemen who were in favor of direct taxation, which he believed was a favorite theory with the president, and who had just taken his seats (Mr. LEWIS) never denied the constitutional power of this house to lay duties for the support of government—proceeded to say that the bill professed to be a bill for revenue, and raised revenue. Had any gentleman expressed his belief that it would raise more revenue than was necessary for an economical support of government? The gentleman from Alabama (Mr. LEWIS) had expressed his fear that it would not raise enough for this purpose; and the gentleman forgot the debt of $17,000,000 contracted for the purpose of paying the extravagances to which he was so warmly attached.

Mr. B. would not go into the details of the bill, but would present his general views, and the views of those he represented, in reference to the passage of a tariff bill. He wished a bill to raise revenue enough for all the purposes of government; not for a parsimonious and niggardly administration, but for a fair and liberal, and at the same time economical administration of government; and in laying duties for this purpose, he wished to see such a discrimination made as would furnish incidental protection not to one, but to every branch of the industry of the country.

His chief object in addressing the committee was to show the indispensable necessity of passing a revenue bill; to show that there was at this time no revenue in existence—no legal authority for collecting a dollar; that the government was wasting away its means; that it was deprived of its rightful revenue, and that millions of money would be, as has been the case already, lost to government, unless some revenue bill should pass which should immediately receive the sanction of the executive.

Mr. B. desired to call attention to the furious compromise act, and to show that act as well as from the debates accompanying it, that future legislation prior to 30th June, 1842, was intended by those who passed it as indispensable to authorise the collection of duties. He read at some length from the debates on that bill of Mr. CLAY and others in proof of this fact. He was aware that this administration had obtained the legal opinion of the attorney general of the United States, which he had read with some care, and he must say with some astonishment. He was not aware that that gentleman, before he was elevated to the high post which he occupied, was remarkably distinguished for his legal acumen, and without intending any disrespect to him, he must say that in his opinion that gentleman was better qualified to occupy the post of professor of rhetoric and oratory than of the law officer of government.

Mr. B. cared not for the opinions of those who debated this question at the time of the passage of the act, or for the opinions of the attorney general who undertook to construe the act of the law, and would undertake to show from the law itself that there was no authority, but that there was an usurpation of power and a violation of all law in the attempt made on the part of the executive to collect duties. Mr. B. read from the first, third, and fifth sections of the bill, showing that it provided expressly that after the 30th of June, 1842, duties were to be assessed "under such regulations as may be prescribed by law. He also referred to the fact that when the bill was under consideration, Mr. DICKERSON, of New Jersey, moved a proposition to strike out the word "law," and insert "secretary of the treasury with the approbation of the president of the United States," and to substitute these regulations to the secretary of the treasury and president. The motion failed. Mr. Tyler was then a member of the senate, and present when that debate took place; and notwithstanding his knowledge of that proposition, he now undertook, with his secretary of the treasury, to prescribe these regulations.

Mr. B. maintained that the condition of the country and the action of the executive on this bill, involved the whole question of taxation. It was a struggle between the legislative and executive powers over a whole subject—the question whether was the limitation to the power the president claimed over this subject? By the compromise act itself the power was limited to the period of the 30th of June, 1842, to levy duties except by such regulations as might be prescribed by law. Thus, congress had failed to establish such regulations. It had not failed in that duty, but it had failed in its duty in passing a temporary bill, continuing the laws in force on the 30th of June. That bill had not met the concurrence of the senate, and the country was about to lose millions and millions in the collection of revenue. He maintained not only that every article that had entered our ports since the 30th of June, and that should enter before the passage of such a revenue bill, entered free of duty, but that many millions of dollars might be drawn from the treasury in the shape of drawbacks. Before it was possible to pass a revenue law to meet the exigency in question, it was in the power of the New Orleans merchants, for instance, to export ten, fifty, and perhaps one hundred millions of goods to Havana, to receive the drawback on them, and then to import them again free of duty. So that the government here not only lost the duty on those now coming in but was liable to lose that which had already been collected, and that was the responsibility that manine at the other end of the avenue (for Mr. B. could call him nothing less) was taking on him.

Mr. B. was sometimes asked where was the remedy for this usurpation of the taxing power? Let them talk no more about stamp acts or the tea tax, when this was the world in which they had fold its arms in acquiescence and ask where is the remedy for this gross usurpation of the whole taxing power, for this right, which the executive claimed to issue his circulars to the people of the United States, directing one day that a duty of twenty per cent., the next day that a duty of sixteen per cent., and the day after that a duty of five or fifty per cent., according to his pleasure, should be levied. There was no limit to his authority, if he had the right to collect a dollar of duty. Here they sat and asked themselves what is the remedy? Was there no remedy? Did the constitution prescribe no remedy? Was this man to excuse himself by asserting that this was the construction of his law officer or of himself on this law? Was it then the opinion of this he could commit that might not be excused on the same ground—on the ground that it was his construction of the law? Was not he responsible for his misconstruction of law—for the misconstruction of his law officer? Yes, sir, said Mr. Botts, and I proclaim now, if there is any spark of spirit, manliness or freedom in this house, that they will exercise, that remedy at the proper time.

Impeachment was the remedy, and the only remedy save that of revolution, and he declared that it was his sincere belief (and gentlemen might not take it as like declaration) that if this usurpation of power were suffered by the house, six months would not pass over their heads before they saw ten thousand bright bayonets glittering on Pennsylvania avenue. He had no idea that the people of the country would submit to it.

But there were great difficulties in the way of impeachment. There were some of his friends (Mr. B. was understood to say) who concurred with him, but he disclaimed for his party any participation in the design of impeachment, or in the midnight causes that had at any time been held, as had been rumored. The secretary of the navy had alluded to be the first to raise the flag of disunion in Virginia, so Mr. B. claimed to be the first to raise the flag of impeachment in this house. He was alone in it. As an American citizen, accustomed to be a representative of a free people, he would resist this executive assumption of power as long as he had a voice to raise against it. Difficulties were in the way, and the fear that they could not succeed, was an argument with gentlemen. All that he proposed to do when the proper time arrived, was to prefer charges against the president—to ask this house to appoint a committee with power to send for persons and papers, to inquire into the truth of those charges, and to let the testimony collected go before the senate. If these charges were sustained, he would trust to the senate to perform their duty. For thirteen years the president of the United States had been invested with this lawless power. It was time to arrest it. He would not give the snap of his finger for the government if it were not arrested.

What were the objections of the president to the passage of the law they had sent him? That it violated the compromise act of 1833. He did not pretend to interpose any constitutional difficulty. However, gentlemen contended might be in that portion of the country from which he came, he utterly rejected and repudiated the idea that any compromise bill passed by this or any other congress was to have a binding effect on him or his successors. Was the compromise set any thing more than any revenue act passed for ten years only? It had no more bindings than the tariff act, which was a compromise, would have on their successors. How did they pass any bill except by compromise—by the surrender one to the other of their various difficulties and objections?

Mr. B. expressed his great regret that the compromise act ever received the sanction of congress, and of the president. He believed it one of the most unwise and unrighteous measures which ever met the sanction of the great and distinguished statesman whose hand had been crowned with laurels for the part he took in it—he meant Mr. Clay—not only on the financial condition of the country, but as a destructive precedent with regard to difficulties in one state which it was designed to remedy. They had seen what had been its effects recently in New Hampshire, and they would continue until it met the general repudiation of the country.

But this law violated the compromise of 1841 in that particular provision which passed this house. The president had been pleased to call this a compromise. Would any gentleman friendly to the executive be pleased to tell him who were the parties to the compromise? He was here and heard of no compromise. The compromise was this: there was a senator from Georgia and a senator from Virginia, who would not vote for the passage of this bill with the imposing on it this limitation of 20 per cent. It passed the senate thus, and came to the house. And was it not presumptuous in any one in this floor, but in the senate, that when they had the power they would repeal that limitation? and was it not then the confident expectation that they would have two whig senators from Virginia and one from Georgia? They took the bill with the amendment rather than not at all.

The president made another objection to the passage of this bill, i. e. that it did not repeal the distribution act. The president's objections to the distribution act grew out of the existing state of the treasury department. Mr. B. referred to the provision in the bill for the postponement of the first instalment of the proceeds of the lands from the 1st July to 1st August, to give time to replenish the treasury. But the president to carry out his opposition to the distribution law, vetoed the bill, and made it imperative to make this distribution; and, when he was in Richmond a week ago, a letter had been received from one of the acting agents of government inquiring who was entitled to receive that state's quota? This was to be forced on them by a man who professed to be opposed to distribution altogether.

The president put his veto on no ground of a violation of the constitution. Had he not been a peculiar friend of distribution? Mr. B. briefly examined the policy and benefits of this scheme, and pronounced the repeal or suspension of it to be an attempt to rob or plunder the poor man for the benefit of the rich.

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But the president had told them that he surrendered his constitutional doubts on a late bill—the appropriation bill—in deference to the will of the legislature, as expressed by the passage of that law, and signed the bill. Yet, on this other bill of such infinite magnitude, involving the whole power of taxation, the whole revenues of the country, the president told them that he had no constitutional difficulties, but interposed his objections on the grounds of expediency, and undertook to inform the house, while legislating on this great and important subject, with the exercise of another veto. The legislature of the country was threatened in advance with the exercise of the veto power unless it submitted to executive dictation. This country was but 58 years old; it was now in its infancy, and at this early stage of our history was the legislature to submit to the dictation of the executive, and, as the gentleman before said, of such an executive too? If the president's path was laid out before him, Mr. B.'s was laid out also. Would they agree to strike out the taxation clause at the dictation of the executive? For his part, he would die in his tracks before he would—He would vote for no revenue bill on earth that did not suspend the 20 per cent. clause in the distribution bill; and, until we had the means of raising revenue, he would vote for no appropriations. We had $17,000,000 debt, authorized by law, and he had the means not only of meeting the interest but the principal, he never would vote for the appropriation of a dollar: he would see how Mr. Tyler got along without money. If he could, carry on the government without money, Mr. B. proclaimed here in his place that they would make him the next president.

It had been said that this bill was framed with an express reference to eliciting a conflict with the executive. Mr. B. did not wish to use any harsh language. And yet he could not help saying that the man who talked in that way seemed to be at home to be false. He did not know that it had been said on this floor; but if it had, he did not take this declaration back. It was within the knowledge of every member of this house that it was apprehended by some that the bill in its original shape would be vetoed, and when it went to the senate they struck out the provisions of the house and substituted another for the express purpose of avoiding a veto. It had passed, as did the bank bill of 1841, with a provision placed in it for the express object of avoiding a conflict with the executive department.

In regard to the state of parties, Mr. B. had but a remark to make. He had seen it stated in the public prints, and in some private letters of members on this floor, that this congress was bound to be fearful of its duty to the public interests, and that every question was decided with reference to the chances of the presidential candidates. It did not become him to speak for the whole party, but for himself, (and he believed he was universally charged with being the root and foundation of all conspiracies in this house,) so far as he was concerned, and had my knowledge of the course of action of other gentlemen with whom he was associated, he undertook to say that this charge was utterly groundless. He never had, in a single instance, heard a whisper from any member of the whig party, on the decision of any question submitted for their consideration, as to its effect on the presidential election. Yet they were charged with it throughout the country, and by men of his party on this floor. Let those gentlemen tell with whom they had conversed on this question in reference to the bearing the passage of this or that measure would have on any presidential candidate.

The hour having expired, Mr. B. resumed his seat.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

JULY 14. The *president* of the senate laid before the body a communication from the president of the United States made in compliance with a resolution of the 11th inst. calling for the correspondence in relation to our affairs with Mexico.

Portions thereof were read.

Mr. *Preston* rose to enforce various points in this very grave matter. He insisted, as before, that there could be no question of the high moderation and forbearance with which we have met, on the part of Mexico, a series of injuries and indignities, such as it would have been utterly disgraceful to bear, except from a nation whose feeble and embarrassed state made concessions and patience a matter of magnanimity in a country so much more powerful and secure. Had such acts been committed or such language been used against us by any of the large European states, they would have been met, by every citizen of this country, with one general burst of indignation, one general clamor for reparation or vengeance. Our conduct, as between Mexico and Texas, had, he said, been but that of the chief commercial states of Europe. Like us, they had recognised the independence of Texas. This existed, in fact; and its recognition was therefore no matter of national offence; yet, if such in us, was equally so against all other powers recognising it. We had, he said, displayed a moderation the most determined towards Mexico, such as would have dishonored us, if practised towards any but a feeble power. We had submitted to the most singular diplomatic indignities, while the cry of our plundered citizens was constantly piercing our ears. Did we proceed, like the French, to negotiate with a fleet in the harbor of Vera Cruz. No; we forbore, while our improvished countrymen were knocking at our doors for national redress. In the midst of these insults and injuries, a American minister quits the country, by a sort of flight, leaving behind him a public libel against us. Still, pocketing this standing insult, Mexico proposes a convention for the liquidation of these claims of our people. What a scene then ensues! We appoint, under the treaty, fair and proper commissioners, while they, to this justice-loving, Christian commission, delegate diplomatic agents, directed to hear no evidence nor argument, and to dispute every claim! All claims are then referred to the umpire. Every delay is insinuated while used to spin out the time, so that as many cases as possible might be excluded by the termination of the commission. The documentary testimony which, upon which, Mexico has pressed herself to supply from her archives, was in no instance supplied, or only in a mutilated state. Finally, $2,500,000 of claims are adjudicated, while above $10,000,000 more remain referred to the umpire, but undecided. And now after these long delays, these efforts in every way to embarrass, to harass, and to defeat the claimants, by every means, Mexico is the result even as to those whose claims have been adjudged? Go into the market and learn the value of this Mexican scrip! See what Mexican redress affords to your citizens! Our people have complained, we have not flamed out; we have not complained; we have not even made a demand on Mexico for the amount adjudicated under the convention.

Meantime Mexico has no diplomatic agent amongst us. One has come to the country, but avoids becoming fully accredited, and enters, *en attendant*, into a sort of underhand intriguery against us. We should, as long as it is possible, forbear towards a sister republic; but we shall, at last, be compelled to chastise a government that only repays our kindness with wrongs, and our forbearance with insults. Mr. P. moved the reference of the correspondence to the committee of foreign relations.

Mr. *Sevier* spoke in approval of the tone of the papers, also of the documents written by the secretary in relation to the Creole, and they were the only documents from that quarter of which complaint could not be made. Mr. B. conjectured, however, that less spirit had been shown towards G. Britain, whose conduct had been far more offensive than that of Mexico. He was opposed to flaming out against an indelicate people, who we told our minister again a more powerful offender. He would support the government in maintaining its dignity towards both of those nations.

Mr. *Crittenden* said that he should have regretted very much to have seen any heroic bluttering towards a power so little formidable as Mexico. Let that republic bluster if she pleased, but he was glad to see that the maxim of the noble Roman had been pursued: "To strike those in arms, but to spare the fallen." He was indeed rejoiced to see in the case that the maxim had been observed.

Mr. *Linn* said that there was another matter, not alluded to in the correspondence, which was the treatment of our official agent at Santa Fe.

The papers were referred to the committee on foreign relations and ordered to be printed.

After the consideration of private bills the senate went into executive session and, subsequently thereto, adjourned.

JULY 15. Mr. *Calhoun* presented a memorial from citizens of Florida, praying that the territory may be admitted into the union as a state.

Mr. *Smith*, of Indiana, from the committee on public lands, to whom had been referred the opinion of the secretary of war that the lead mines in the state of Illinois and the territories of Wisconsin and Iowa, could be sold under existing laws as other public lands, and to whom were also referred several petitions and memorials relative to the sale of the mineral lands in said state and territories, reported a bill on the subject.

Mr. S. said a majority of the committee considered it very doubtful, to say the least, whether any such authority existed by law at this time as was contended for by the secretary of war; and they all concurred fully in the opinion that no sale should take place under doubtful powers. The committee had instructed him to report the bill, which he should now do. He was not sure that it would prove satisfactory to the senate, but it embodied the views of a majority of the committee. The subject had been found to be a difficult one, and when the bill came up for action he should call the special attention of the senate to its provisions.

The bill to confirm claims to lands in the district between the Rio Hondo and the Sabine rivers, was considered in committee of the whole and ordered to be engrossed.

The bill directing an edition of the laws of the United States to be compiled and printed, and for the distribution thereof, was discussed at some length, amended in several particulars, and ordered to be engrossed.

The bill to raise a new regiment and to organize a corps of horse artillery was called up, when Mr. *Archer* said that the committee on military affairs had no disposition to press the bill, and it was laid on the table.

On motion of Mr. *Merrick*, the senate then proceeded to the consideration of executive business, and after some time spent therein, adjourned.

JULY 16. The bill to authorise the adjustment of claims for property destroyed by military operations in Florida, was taken up, on motion of Mr. *Graham*, and, after having been debated at considerable length, was ordered to be engrossed.

The following bill was considered in committee of the whole and ordered to be engrossed.

The bill to authorise the secretary of the treasury to make an arrangement or compromise with any of the sureties on bonds given to the United States by Samuel Swartwout, late collector of the customs for the port of New York.

The following bills were read a third time and passed:

The bill to confirm the claims to land in the district between the Rio Hondo and Sabine rivers.

The bill directing an edition of the laws of the United States to be compiled and printed, and for the distribution thereof.

The bill to abolish the office of the commissary general of purchases, the bill to establish a corps of sappers, miners, and pontoniers, and the bill in addition to an act to promote the progress of the useful arts, were laid on the table.

The bill providing for the publication of an edition of 18,000 copies of the laws regulating the post office department, came up in its order, as in committee of the whole; and after having been explained by Mr. *Merrick*, who contended for the necessity of the publication, and opposed by Messrs. *King* and *Sevier*, Mr. *Evans* moved to examine the bill, as it involved a considerable expenditure of money; and, with that view, he moved an adjournment; which motion being agreed to,

The senate adjourned.

JULY 18. Mr. *Wright* presented a petition from Aaron Leggett, of the city of New York, one of the claimants under the Mexican treaty, on the subject of the partial award made by the commissioners to settle the claims of our citizens against Mexico.

The memorial goes into the history of the subject and presents considerations in favor of the depressed value of the certificates, and asks congress to take measures to secure their payment.

Also, from sundry owners, merchants and exporters of the agricultural products of the country against a restrictive tariff, as highly destructive to the agriculturists, ship owners and exporters.

A message was received from the house of representatives announcing the passage of the bill to provide revenue from imports and to change and modify existing laws imposing duties on imports, and for other purposes.

The bill was read a first and second time by its title, and, on motion of Mr. *Evans*, was referred to the committee on finance and ordered to be printed.

On motion of Mr. *King*,

Resolved, That the president of the United States be requested to lay before the senate the agreement made with Mr. Weyer in 1833 for his services in superintending the work on Pennsylvania avenue, together with the correspondence of the committees with said Weyer, showing the claims he performed, the length of time he was employed, the amount of money paid him, and whether he performed the service in person or by deputy, and if by deputy the amount paid to him.

Resolved, That he cause to be furnished a statement showing who were the bidders for Macadamizing the avenue, the amount of each bid, and the sums paid to each contractor over and above the amount of their respective contracts.

Mr. *Benton* called up his proposition for leave to bring in a bill for the repeal of the bankrupt act.

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Mr. B. addressed the senate at great length on the subject.

Mr. Berrien made a brief reply against granting leave at this late stage of the session, a of the question on leave was taken by yeas and nays, and decided in the negative as follows:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Cuthbert, Fulton, Graham, King, Linn, McRoberts, Rives, Sevier, Smith, of Conn. Sprague, Sturgeon, Walker, Wilcox, Woodbury, Wright, Young—21.

NAYS—Messrs. Barrow, Bates, Berrien, Choate, Clayton, Conrad, Crafts, Crittenden, Dayton, Evans, Henderson, Huntington, Kerr, Merrick, Miller, Morehead, Porter, Simmons, Smith, of Ind. White, Woodbridge—21.

The leave required two-thirds under the rule.

After the consideration of private bills the senate then adjourned.

JULY 19. Mr. *Buchanan* presented a memorial from James Conner, stating a discovery which it had pleased Almighty God to make known to him, consisting of a peculiar form of steam boiler, by which the greatest saving can be effected to the government.

The memorialist states that the steamers Mississippi and Missouri have boilers which cost $60 000 and $87,000, while he will give security to construct for the government boilers of equal capacity and possessing all other advantages for $30,000 each.

Mr. *Bates*, from the committee on pensions, presented the following joint resolution:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That all sums hereafter appropriated to carry into effect treaties for the extinguishment of Indian titles to land, shall be reimbursed to the treasury out of the sales of lands acquired by the treaty under which the appropriation is made.

On the suggestion of Mr. *Linn*, the question on its second reading was deferred until to-morrow in order to make it a test question, when the senate may be fully attended.

After passing several private bills, the senate adjourned.

JULY 20. Mr. *Choate* presented a memorial from citizens of Cambridge, Massachusetts, against the drawback allowed by the present laws on the exportation of rum distilled from molasses. "It operates as a bounty on the encouragement of that branch of commerce, and since 1840 and 1841, more than a million and a half gallons of rum have been exported to Asia, Africa and the Pacific entailing moral evils upon its consumers."

Mr. *Miller*, of New Jersey, presented a petition from Sussex and Passaic counties, asking an increase of duties on bar iron.

Mr. *Crafts* presented the proceedings in convention of the wool growers in Vermont in favor of a duty on imported wool.

Mr. *Wright*, of New York, presented a remonstrance from citizens of New York against the present tariff law before congress, as being so highly protective as to banish foreign commerce.

Mr. *Fulton* from the committee on public lands presented a report asking to be discharged from further consideration of the message of the president in relation to the claims of the slaves aboard the Rouge.

A joint resolution directing the transfer of the stock held by the United States in the Chesapeake and Ohio canal company, to the state of Maryland, and the cities of Washington, Georgetown and Alexandria, on certain conditions, was amended to some slight particulars on motion of Mr. *Merrick*, read a third time and passed.

A number of private bills were considered and disposed of.

Several bills in relation to matters of the District of Columbia were then disposed of, and the senate then went into executive session, and thereafter adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, JULY 14. The house resolved itself into committee of the whole on the state of the union, Mr. *McKennan*, of Pennsylvania, in the chair and resumed the consideration of the bill "to provide revenue from imports, and for other purposes."

After voting upon various amendments proposed, the committee rose, and reported progress.

The speaker then laid before the house a communication from the president enclosing correspondence with the Mexican government as called for, a motion of Mr. *Adams*, was referred to the committee on foreign affairs and ordered to be printed, and the house adjourned.

FRIDAY, JULY 15. Mr. *Moore*, of Louisiana, asked leave to offer, with a view to have printed, an amendment to the tariff bill, and expressed his desire to make certain disclosures in relation to frauds on the revenue connected with the article of sugar. Mr. M. asked that the amendment might be read.

The amendment was read, as follows:

Add to the eighth section:

Provided further, That no inspection, under such regulations as the secretary of the treasury may prescribe, shall be made of all sugars and molasses imported from foreign countries, in order to prevent frauds, and the importation of sirup of cane or beet; tery sirup under the title of molasses, or otherwise.

Add to the fifteen section:

And provided further, That one per centum, and no more, shall be retained on the amount of drawbacks allowed on cotton imported from Texas, and the benefit of drawbacks shall be extended to all foreign goods, wares, and merchandise exported, inland, to Texas and Mexico.

And the question being taken, the house refused to suspend the rules.

So the amendment was not received.

[The following is the statement which Mr. *Moore* would have made if permitted:

The island of Cuba produces about three hundred and twenty million pounds of raw sugar. According to the ordinary calculation, in the West Indies 1,000 pounds of sugar produce 500 gallons of molasses; at this rate Cuba produces 10,560,000 gallons. It is well known that a large quantity is distilled in that island into *aguardiente*. We find that upwards of 2,000 pipes of *tafia* has been exported from Havana in one quarter; it may safely be said that one fourth of the molasses produced is manufactured into *tafia* or rum, which leave 7,920,000 gallons molasses for exportation. The custom house returns for 1841 show that 15,377,778 gallons of molasses were imported from Cuba alone—7,457,778 gallons more than is produced for exportation. The presumption is that this amount of sirup of sugar cane has be n brought in as molasses. If this supposition is correct, 1840 and 1841 have produced in 1840 of from eight hundred thousand to one million of dollars.]

On motion of Mr. *Fillmore*, the house resolved itself into committee of the whole on the state of the union, (Mr. *McKennan*, of Pennsylvania in the chair), and resumed the consideration of the bill to provide revenue from imports and to change and modify existing laws imposing duties on imports, and for other purposes.

Numerous amendments were proposed and voted upon, and amendments by Mr. *Gentry*, in relation to the state debts, and another by Mr. *W. C. Johnson*, also in relation to the state debts.

On Mr. *W. C. Johnson's* amendment tellers were ordered, and Messrs. W. C. J. and *Gentry* filled the seats and stood, through the tellers, in favor of the amendment, a total rows of laughter; the affirmative vote thus standing *two*.

The chairman said the amendment was *evidently* lost, without a count of the negatives.

Amendments were further offered by Messrs. *Bennet* and *Cushing*.

Mr. *Cushing* moved to strike out the 25th section; i. e. the proviso repealing the 8th section of the distribution law.

The vote stood: ayes 79, noes 105.

So the amendment was rejected.

After voting upon the various other amendments proposed, the committee rose, and reported the bill and amendments to the house, which on motion were ordered to be printed, and the house adjourned.

SATURDAY, JULY 16. Mr. *Adams*, from the select committee appointed under the resolution submitted by him, and to which was referred the letter of the secretary of state transmitting the exposition of the views of the president and cabinet department, for giving his sanction to the appropriation bill, asked leave to make a report thereon.

The report concludes with the following resolution, which was read:

Resolved, That the house of representatives consider the act of the president of the United States, so called to them by his message of the 25th ultimo, and in his running to be deposited in the office of the secretary of state, with the act of congress entitled "An act for the apportionment of representatives among the several states, according to the sixth census," approved and signed by him, an exposition of his reasons for giving to the said act his sanction, as unwarranted by the constitution and laws of the United States, injurious to the public interest, and of evil example for the future; and this house do hereby solemnly protest against the said act of the president, and against its ever being repeated or adduced as a precedent hereafter.

On motion of Mr. *Adams* the report was laid on the table and ordered to be printed.

The speaker then proceeded to the regular morning business, being reports of committees.

And the first business in that order regularly before the house, was a report made "long ago," from the committee on the judiciary, setting forth that it was inexpedient, at this time, to pass any laws embracing corporations within the provisions of the bill to provide for a uniform system of bankruptcy throughout the United States.

And Mr. *Bowne*, who was entitled to the floor, submitted some remarks. Was there, (said he) any peculiar claim on the part of these corporations to indulgence. On the other hand were not the whole people if possible, even more interested in subjecting them to the operation of a bankrupt law than ordinary debtors? [A copy of the tariff bill and amendments which had been received from the printers, the subject was passed over, and]

The house proceeded to the consideration of the bill "to provide revenue from imports and to change and modify existing laws, &c."

And the question being taken, "shall the main question be now put?" it was decided in the affirmative.

So the house determined that the main question should now be taken.

The house first then concurred in or rejected various amendments adopted by the committee and among others, the 36th section was on motion of Mr. *W. C. Johnson* amended to read as follows:

"And from and after the passage of this act, the secretary of the treasury shall, with his next annual report to congress, report the number and names of all the officers and persons employed, and how employed, in the collection and protection of the revenues, and where employed, and the amount paid to each officer employed by a yearly salary or otherwise. And from and after the passage of this law no collector, receiver, or other officer connected with the collection or protection of the revenues, or employed in any manner in connection with the collection and protection of the revenue, or any other person or persons, shall be permitted to take, draw, or receive from any part of the revenue, compensation from any moneys collected or received from the revenues of the government before paid into the treasury, but all officers or persons employed in the collection or protection of the revenues shall be paid at the treasury, or by draft from the treasury on collectors, receivers, or officers or agents in whose hands government moneys may be placed or collected; and all such accounts shall be regularly audited in the treasury; and it shall be the duty of the secretary of the treasury to report annually the names and employments of the persons whose accounts shall be thus audited, and the amount, and for what paid, to each officer and person whose account shall be thus audited in the treasury."]

The amendments having been disposed of and the question, now on its engrossment and ordering it to a third reading, being taken, was decided in the affirmative by yeas 116, nays 111.

So the bill was ordered to a third reading.

Mr. *Weller* moved that the house adjourn; which motion was rejected.

And the bill having been read a third time by its title, and the question being put "shall this bill pass"—

Mr *Gentry* moved that it be recommitted to the committee of the whole on the state of the union, with instructions to inquire into the expediency of incorporating therein certain provisions which he sent to the chair: [i. e. in relation to state debts.]

Mr. G. said he did not intend to detain the house with any remarks. He had submitted this amendment in committee, where it had been rejected; and he had some personal motives for wishing it might appear on the journal.

Mr. *Morgan* demanded the previous question.

And there was a second.

And the main question was ordered to be now taken.

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Mr. *J. F. Brown* asked the yeas and nays thereon, which were ordered.

On the question, "Shall this bill pass?" was then taken, and decided in the affirmative, as follows:

YEAS—Messrs. Adams, Allen, L. W. Andrews, Sherlock J. Andrews, Appleton, Arnold, Ayeriigg, Babcock, Baker, Barnard, Barton, Birdseye, Blair, Boardman, Borden, Botts, Briggs, Brockway, Brown, Jeremiah Brown, Brown, Burnell, Cabell, Thomas A. Campbell, Childs, Chittenden, John C. Clark, Stakey N. Clarke, James Cooper, Cowen, Cranston, Crawford, Cushing, Garrett Davis, John Davis, Everett, Everett, Fessenden, Fillmore, A. Lawrence Foster, Gates, Gentry, Giddings, Goggin, Patrick G. Goode, Graham, Granger, Green, Hall, Halstead, Howard, Hudson, Joseph R. Ingersoll, James Irvin, Wm. W. Irvin, James, Willia n Cost Johnson, Isaac D. J nes, John P. Kennedy, Lane, Linn, McKennan, Thomas L. Marshall, Samson Mason, Mathias, Maltocks, Maxwell, Maynard, Mooney, Morgan, Morris, Morrow, Osborne, Owsley, Parmenter, Pearce, Pendleton, Pope, Powell, Ramsey, Benj. Randall, Alexander Randall, Randolph, Redfield, Rodney, W. Russell, J. M. Russell, Saltonstall, Sheppard, Simonton, Slade, Truman Smith, Sollers, Spragg, Stanly, Stokely, Stratton, Alexander H. H. Stuart, John P. Stuart, Summers, Tallaferro, Tallmadge, Thompson, Richard W. Thompson, Tillinghast, Toland, Tomlinson, Triplett, Trumbull, Underwood, Van Rensselaer, Walker, Washington, Edward D. White, Joseph L. White, Joseph L. Williams, Yorke, A. Young, J. Young—116.

NAYS—Messrs. Arrington, Atherton, Beeson, Bidlack, Black, Bowne, Boyd, Brockenbrough, Aaron V. Brown, Milton Brown, Charles Brown, Burke, Sampson H. Butler, William Butler, William O. Butler, Green W. Caldwell, Patrick C. Caldwell, John Campbell, William B. Campbell, Cathcart, Chapman, Casey, Chapman, Clifford, Clinton, Coles, Mark A. Cooper, Cross, Daniel, Richard D. Davis, Dawson, Dean, Deberry, Dean, John Edwards, Jonathan Edwards, Egbert, John C. Floyd, Charles A. Floyd, Foraance, Thomas F. Foster, Gamble, Gerry, Gilmer, William O. Goode, Gordon, Gustine, Gwin, Habersham, Harris, Jabez Jennings, Hays, Hedden, Hopkins, Houck, Houston, Hubard, Hunter, Charles J. Ingersoll, Jack, Cave Johnson, John W. Jones, Kalm, Andrew Kennedy, King, Lawler, Littlefield, Abraham McClellan, Robert McClellan, McKay, McKeon, Mallory, Marchand, Alfred Marshall, John Thompson Mason, Mathews, Medill, Meriwether, Miller, Mitchell, Newhard, Patridge, Payne, Pickens, Plumer, Read, Reding, Reuch, Reynolds, Rhett, Riggs, Rogers, Roosevelt, Sanford, Saunders, Shaw, Shields, William Smith, Snyder, Steenrod, Sumter, Jacob Thompson, Tucker, Vinton, Ward, Warren, Watterson, Weller, James W. Williams, C. H. Williams, Wood—112.

So the bill was passed.

Mr. *Cooper*, of Pennsylvania, moved that the vote be reconsidered, and demanded the previous question. And there was a second. And the main question (on the reconsideration) was ordered; and, being taken, the vote was not reconsidered.

Amendments to the title were proposed by Messrs. *Campbell*, of S. Carolina, and *M. A. Cooper*, and were *rejected* by a vote of two to one.

And the house then adjourned.

MONDAY, JULY 18. Mr. *W. Cost Johnson* rose and said that he would not ask the unanimous consent of the house, but he should not get it, he had offer the following resolution, but he would move that the rules of the house be suspended for the purpose of enabling him to offer it:

Resolved, That a select committee of — be appointed to inquire into the expediency of reporting a bill containing, first, the following provisions: That the secretary of the treasury be authorized to issue, upon the faith of the government, two hundred millions of government stock, in certificates of denomination not less than one hundred dollars, nor exceeding one thousand dollars, bearing an interest of five per centum per annum for two years after the date of issue, and after the expiration of said period of two years to bear an interest of four per centum per annum, payable at the treasury half yearly from the time of issuing, and redeemable by the government twenty-five years after the passage of the law, unless a surplus sound accumulate in the treasury above three millions beyond the current expenditures, with which surplus the secretary of the treasury may purchase at par said bonds, or apply it as an accumulating sinking fund for the payment of the stock hereby authorised to be issued, and that the said certificates of stock, when signed by the secretary of the treasury, the treasurer, and registered by the register, shall be divided and distributed among the several states, territories, and the District of Columbia, as will those now issued as bonds indicated, in amount in proportion to their respective federal numbers, as ascertained by the last census of the United States, as soon after the passage of the law, as the several states or any of them, shall appoint or authorise an agent or agents to receive its respective distributive amount of stock; or said stock may be transferred on the books of the treasury to the creditors, stock or bond holders of the states, or their attorney or any of them, to an amount not exceeding the distributive proportion to which such state may be entitled, and which amount, thus transferred on the books of the treasury, shall be charged on the books of the treasury to the state authorising such transfer; and, from and after the passage of the law, the proceeds of the sales of the public lands shall be placed in the treasury, and be applied by the secretary of the treasury to the payment of the interest and principal of the stock created by the law, until said stock shall be paid by the government, or such other and additional provisions made as it may deem salutary. And, secondly, also to inquire into the expediency of dividing among the states permanently the proceeds of the sales of public lands, and to examine into the amount paid out of the public treasury for the purchase of the public lands, with interest on the same until paid; and also the amount received into the treasury from the sales of the public lands, and the amount of the same, given by the government in form of revolutionary warrants, donations of all kinds, and all other charges properly to be charged to the public lands, for which the government has received the benefit; and to estimate the amount due the public lands or the states, with interest on the same; and if said amount should be found to be one hundred and forty-one millions of dollars, more or less, after deducting the amount paid out of the treasury for purchase and interest, then to report a bill, if the said committee should deem it expedient, for the issue of one hundred and forty-two millions of government stock, more or less, to be distributed among all the states, territories, and the District of Columbia, according to federal population, upon the faith of the government, and with such conditions and limitations as may be deemed also, and to report such other measures as they may deem the exigency of the times and the state of affairs may require, and to make report by bill or bills or otherwise, at any time during this session or the first month of the next session.

The motion to suspend was decided to be out of order, whereupon Mr. *Johnson* moved to postpone the special order of the day to enable him to offer the resolution. The question being

Mr. *Arnold* announced that he had his bill for the reduction of the pay of congress ready to submit to the house; (reducing the per diem of each member to $6, and mileage restricted to the shortest route, and reducing his mileage to $6 per every 20 miles). The speaker announced that the special order of the three first days of week was the consideration of territorial business.

The bill for the armed occupation of Florida was then taken up, to which Mr. *Stokely* had moved a substitute a second time.

A debate of considerable length arose, which was participated in by Messrs. *Stokely, Pendleton, Wilkins Cost Johnson, Pope, Levy, Everett, Habersham, Kenz, Underwood, Gamble, Gerry, Holmes, Adams, Campbell, Tillinghast*, and others.

Sundry amendments were proposed by the opponents of the bill, and rejected by a majority. It underwent several modifications during its progress.

The bill was finally reported to the house, the amendments were concurred in, and the bill passed by yeas 82, nays 53.

Mr. *Pickens* moved a reconsideration. Pending which the house adjourned.

TUESDAY, JULY 19. Mr. *Casey* offered a resolution proposing an adjournment of the 1st August.

Mr. *Fillmore* did not think that the condition of the country justified the adoption of such a resolution.

The *speaker* decided that as there was a special order of the day, it was out of order. Whereupon Mr. *Casey* moved that the special order be postponed. The motion was then negatived by nays 84, yeas 81, (two thirds being required).

Mr. *Stanly* asked leave to submit a resolution for the printing an extra number of the important report of Mr. *Adams* on "reasons why." The motion was not entertained.

The house then went into committee of the whole, Mr. *Gilmer*, of Virginia, in the chair, and took up the bill making appropriations for harbors and "for the protection of commerce on the western shores of Lake Michigan. After undergoing much debate and various amendments, it was passed and laid aside to be reported to the house. It provides that the following sums of money be appropriated for the protection of commerce on Lake Michigan, to be paid out of any money in the treasury not otherwise appropriated, viz:

For the construction of a harbor at the mouth of the Milwaukie river, in the territory of Wisconsin, thirty thousand dollars; for the construction of a harbor at Racine, in said territory, twenty-five thousand dollars; for the construction of a harbor at Southport, in said territory, twenty-five thousand dollars: which several sums shall be expended, under the direction of the secretary of war, during the present year.

And for the purpose of creating a light house at Southport, on Lake Michigan, in said territory, to be paid out of any money in the treasury not otherwise appropriated, and to be expended, under the direction of the secretary of the navy, within one year from and after the passage of this act.

Bills of the following titles were then taken up considered and laid aside to be reported to the house:

A bill to authorise the county commissioners of Linn county, in the territory of Iowa, to enter by legal subdivisions a quarter section of land upon which the county seat has been located.

A bill to establish an additional land office in Florida.

A bill to provide for the completion of the penitentiary in the territory of Iowa.

A bill granting to the territory of Wisconsin a certain tract of land for the benefit of the town of Fairplay, in said territory.

A bill granting to miners or owners of mineral lots the right of pre-emption.

A bill granting the right of pre-emption to certain settlers in the territory of Wisconsin.

A bill to grant the pre-emption rights to settlers on the Dubuque claim, (so called), in the territory of Iowa.

A bill to authorise the selection of school lands in lieu of those granted to the half-breeds, of the Sac and Fox Indians.

A bill for the protection of commerce on the western shore of Lake Michigan.

The committee then rose (that is to say, such a skeleton of a committee as had been present for the two hours numbering from 40 to 63 members), and reported.

And the house adjourned.

WEDNESDAY, JULY 20. On motion of Mr. *Pope* the house resolved itself into committee of the whole (Mr. *Gilmer*, of Virginia, in the chair), and resumed the consideration of the special order, i. e. bills relating to the territories.

"A bill fixing the boundary line between Missouri and Iowa," was read and also the report accompanying it.

Mr. *Pope* stated that the bill was substantially the same as reported by a committee three years ago after full consideration, and which had never been acted upon, but in the propriety of which the present committee concurs. The only question for the committee to decide was a question of fact, whether the falls in the Missouri, just above the mouth of the Des Moines river, were the falls referred to in the act of congress authorising the territory of Missouri to form a state government, and with these remarks he would submit the subject to the consideration of the committee.

Mr. *Edwards*, of Missouri, spoke in opposition to the report and offered an amendment.

Mr. *Dodge*, of Iowa, replied to Mr. *Edwards*, and spoke in favor of the line proposed by the committee.

Mr. *McKay* said his vote would depend on the adoption of a proviso in would offer, that the boundary fixed by the act should not be considered the boundary, until the assent of the legislature of Missouri thereto is given.

Mr. *Edwards*, of Missouri, said that the legislature of Missouri had not assented to this but unless the constitution of the state were first amended.

Mr. *McKay* considered it a purely judicial question and could not vote for the bill unless the representatives of Missouri were waiting it should pass.

Mr. *Davis*, of Ky. was in favor of the amendment proposed by Mr. *McKay*.

The question was then taken, and the amendments offered by Mr. *Edwards*, and by Mr. *McKay*, were rejected and the bill passed and laid aside to be reported to the house.

A bill appropriating an additional sum of $8,397 for expenses of government in Florida was last aside to be reported to the house, and also a bill for payment of Florida militia serving in 1839 and 40, and a bill for payment of Iowa militia services in 1839.

The bill for the protection of commerce on the western shores of Lake Erie, was read a third time and passed by a vote of 68 yeas, to 60 nays. Absent 114.

Various other territorial bills were passed, and the house adjourned.

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CHRONICLE.

BANKRUPTS. Upwards of seven hundred persons in Kentucky have applied for the benefit of the bankrupt act, and the applications continue to average about eight per day.

BUSINESS. The New York American says "It is a melancholy sight to see the ships and vessels in that harbor laid up on account of the deplorable times produced by bad government. Thousands out of employ, and no prospect of remedy."

It is stated that there are at least 2,000 mechanics out of work in Philadelphia, 2,000 in New York, 1,000 in Boston, and 1,500 in Baltimore, and in the United States not far from 20,000 persons! What is to be the end of this distress?

BULLET MACHINE. A letter from Washington, dated June 24th, says: "One of the private bills, passed by the house this morning, purchases the patent right to a bullet machine, which will, if required, manufacture a million of bullets in 24 hours. What comfort for an army! We could afford to accommodate them on the "rates" of 50 bullets per hour."

BATTLE BETWEEN THE SIOUX AND CHIPPEWAYS. The steamboat Rock River came down from above a few days since. The captain brings accounts of a battle between the Sioux and Chippeways. About one hundred Chippeways attacked the Sioux village, killed thirteen and wounded eighteen. Five Chippeways were killed and a number wounded. The latter then returned to their own country. [*Galena Gaz. 21 July.*

CONNECTICUT has in her treasury, after paying all expenses the last year, a surplus of $19,875. It also does not owe a cent, owns bank stocks to the amount of $399,900. The annual expenses of the state are about $50,000 per annum; her population 302,024.

COPPER. There are on the shores of Lake Huron, the most extensive beds of copper which have ever been found in the world. They have never been wrought until now. A company of capital set up a mode establishment for smelting the ore last year, and the first proceeds of their labor appeared in our market last week, in the form of ill-shaped pigs. They will, however, do better as they go on, and if only sufficient protection is afforded them, they will be able to supply the whole world, and we are not sure but they will be afforded protection or not. [*N. Y. Jour. Com.*

DIPLOMATIC. The Argus, for Hurve, which sailed from Lower Bay, on Saturday, carries out Mr. Christopher Hughes, Charge d'Affaires at the Hague, and his family. Mr. Dr. Roemer, the wife of the Prussian minister, and family, and over a dozen of other passengers. [*New York Express.*

DELAWARE. A state convention of the whigs of Delaware was held at Dover, on July 5th, Dr. William Burton of Kent county presiding. Mr. Dupont nominated George G. Rodney the present representative, to represent the state in the next congress, and the nomination was received with acclamation. Dr. J. Bird reported a series of resolutions condemning the course of president Tyler, nominating Henry Clay for the presidency, recommending the name of Middleton Stockton of Delaware to the consideration of the whigs as suitable for the vice presidency, and approving of the distribution of the land proceeds and other whig measures.

DISCOVERY. In Africa a discovery has been made, not far from Bussora, of an ancient bridge, spanning by a single arch the stream of the Orond-Herbiba, which has given rise to many speculations. It is in perfect preservation; and a comparison of the cement used in its construction with that found in the ruins of Hippum, is said to support an antiquity of not less than thirteen or fourteen centuries.

WM. B. DARNEY. The jury in the case of William B. Dabney, for embezzling $4,000 belonging to the Bank of Virginia, returned a verdict of guilty last week. He was admitted to bail to answer at the next term of the court to the charge of embezzling the large amount which passed into the hands of B. W. Green.

[*Rich. Whig.*

DEATHS IN PHILADELPHIA. The report of interments, issued from the health office, for the week ending 16th July, shows that the number of deaths was 160. Of which there were 70, nearly one-half, under 1 year of age; from 1 to 2, 24; and from 2 to 5, 19. Also, one death at a colored person 121 years of age.

EMIGRANTS arrived at Quebec this year to July 24 27,651. To same date last year, 18,707. Increase 8,950.

ELECTIONS. The Boston papers state that the election held on Monday last to fill the vacancy in congress from the ninth congressional district of Massachusetts resulted in no choice—there having been three candidates, neither of whom received a majority of all the votes cast.

We have not yet received full returns from Louisiana Sufficient is known however to assure the election of Alexander Mouton as governor by a considerable majority. The election of members of congress is said to be void, inasmuch as the new apportionment act gives four representatives to Louisiana instead of the three as just elected.

EXPLORING EXPEDITION. The late exploring expedition of Lieut. Wilkes, is said to have collected over 10,000 specimens of different species of live plants, roots, bulbs, seeds, &c. They are deposited at Mr. Dandridge' green house, nearly opposite the office of the department of state.

FRENCH STEAMER. The French steamer Le Gomer arrived at New York, from Cherbourg, on the 14th, detaining some hot in making Fayal, from bad weather.

She was launched on the 19th July, 1841, at Cherbourg, measures about 230 tons and is therefore, about the size of the unfortunate English steamer President. Her engine is of 450 horse power, her armament 30 cannon, of which 22 are 30 pound carronades, 4 howitzers of 80, and 4 of 30. Her ordinary supply of coal is 662 tons for twelve days, but she can if necessary, carry a supply for 18 days, and engage in a long cruise without any expense wasted knots an hour at least. She has the masts and rigging of a 44 gun frigate.

Five commissioners were on board of her, one of whom was sent out by the Minister of Marine, one by the Minister of Commerce, one by the Minister of Finance, and another by the Minister of Foreign Affairs. The object is to visit the different foreign ports in which a communication may be established by steam packets between France and foreign places. Some of the commissioners which came in her, have passed to Washington.

The engine of Le Gomer was constructed at Liverpool by the house of Fawcet, Preston & Co., the manufacturers of the engines of the President and British Queen, and is said to be remarkable for the superiority of the machinery and beauty of the workmanship. The French government has since established a foundry in Paris on a scale sufficiently extensive to render it unnecessary for them in future to have recourse to England for machinery of such magnitude. [*N. Y. Com.*

FLORIDA. We have received a South Florida, says the Tallahassee Star of the 30th ult., that great numbers of emigrants are daily arriving, and settling down upon the beautiful and fertile lands of Hillsborough county, the country on the waters of Tampa bay has already acquired a very respectable population, both in regard to numbers and character.

FRESHET. A destructive freshet of the James river occurred on the 14th, 15th and 16th inst. sweeping away mills, growing corn, hay stacks, tobacco, &c. Considerable injury was sustained by the James river and Kenawha canal and by the several rail roads south of James river. A remarkable coincidence on the coast commencing in the morning of the 14th inst. a vessel of the 14 stranded a great many vessels along the North Carolina coast. The streams attained a height greater than has been known for the last 20 years.

FRENCH COLONY IN THE PACIFIC. It would appear that the French are about to make an establishment in some of the islands of the Pacific ocean. The barque Rosalinde, of New York, from Valparaiso, reports that about the 20th of March a large French frigate that had arrived a short time previous from Brest, left for Calao. It was then red hot, and had on board one hundred supernumeraries, consisting of a governor and suite, artists and artisans, and a large quantity of stores. She was to be joined by several other ships from France, provided with materials for establishing a colony in the Pacific islands. The strictest secrecy respecting the enterprise was endeavored to be kept secret, its destination was unknown. It was generally thought, however, to be for Nukahiva.

HAMBURG. In clearing away the ruins 160 houses had already been found. The number of houses totally destroyed was 1,500, and 720 more were so injured as to be uninhabitable. The loss to government had acted over a large supply of tents and blankets.

The King of Prussia has given 50,000 dollars, and has ordered a general collection to be made throughout the kingdom. The city of Berlin has given $10,000 The king of Denmark 100,000 florins. The grand duke of Mecklenburg Schwerin, 20,000 florins. The province of Hanover have granted 100,000 dollars. The city of Frankfort 100,000 florins. The city of Bremen 30,000 dollars.

HOUSE SHOES. We have before us a horse shoe, made altogether by machinery, at the works of Mr. Burden, in the state of New York. The shoe seems to be as complete in the nail and strength as would could make it, the heels and toes turned, and the holes completely and smoothly punched. [*Philad. U. S. Gaz.*

INDEPENDENT FOR DEBT. The law abolishing imprisonment for debt, went into operation on the 4th inst. in New Jersey—also in Connecticut. The legislature of Pennsylvania has passed an act to the same effect.

LONDON. According to a late authority, now measures, 7 miles in length from west to east, and a breadth of nine miles from north to south. Its circumference, allowing from various inequalities, is estimated at thirty miles, while the area of the ground it covers is considered to measure no less than 18 miles square.

MANUFACTURES STOPPING. The manufactories at Reading, Mauynak and other places in this region of Pennsylvania, have shut down their gates and virtually suspended their operations. At the Globe Mills, the other day, a large number of hands were discharged. This of course produces great distress among the industrious classes. [*Phil. Journal.*

MERCANTILE LIFE. General Dearborn, in a lecture delivered last winter, before the farmers of Massachusetts legislature, declared that ninety-seven out of every one hundred persons who obtained their livelihood by buying and selling, failed or died insolvent. This fact he ascertained by reference to the books of the custom house, the books of the probate office, and from the recollections of the oldest merchants.

MILLERITES. A three days meeting of the "Millerites," or second advent men, was held at East Kingston, N. H. commencing on the 23d inst. Above $1,020 was raised to spread the principles of the sect.

NEW YORK MIRROR. The July number of this publication was adorned with a beautiful engraving of the battle of Bunker Hill, from a painting by Col. Trumbull, a previous number had an engraving of the settlement of Jamestown, and both were as usual executed in a style worthy of being framed. The publication which adorns thus familiarize the American taste with the historic scenes of its national history, and in so graceful a style is well worthy of patronage.

NEW GRENADA. The brig Crusoe, at New York, from Carthagena, brings information that Mr. Blackford, our charge d'affaires to Bogota, had arrived at Maracaibo, and proposed to be the place of destination. It is said that Domingo Acosta, the Grenadian minister to this country, is also intended to conclude a treaty with the U. States government.

AN OFFICER INDICTED. ES S. Preston, a receiver of public money under Mr. Van Buren, at Chicago, Illinois, was indicted for embezzling the public funds. The story at first was that the office had been robbed of $10,000 but the grand jury came to the conclusion that he robbed himself.

OVERWHELMED. The British ship Sir Charles Napier, captain Hill, which arrived at New York a fortnight since with passengers, attempted on Friday to dodge our revenue cutter, but was speedily overtaken and brought back to port. The ship got under weigh from quarantine, intending to escape the payment of the $150 on each of her passengers, but before the anchor was hove, required by law. She had not been cleared at the custom house, and was overtaken in the lower bay by judge Metcalf, the boarding officer of quarantine.

[*N. Y. Tribune.*

SILK. We understand that the prospects of the manufacture of silk at the Skip Sing poison are very promising. The machinery for the machinery will be in full operation. For the benefit of silk culturists we can state that 83 per bushel is paid for cocoons delivered at the [*N. Y. Sun.*

THE SUN. A Brussels paper says something extraordinary in at this moment; passing in the sun; a spot of center is perceived in it, which emits clouds of smoke, that spread over a portion of its surface like an enormous moveable spot.

TARIFF AT THE SOUTH. The Southron, published in Jackson, Miss. says "The people of the south and west, who are suffering, even now, from the proposed protection, are retracing their steps almost unanimously. In two years time, there will hardly be a single southern man of intelligence who will be for the tariff policy."

TEMPERANCE REFORM. By the last English papers we observe that in the quarter ending April, 5, 1841, the quantity of spirits taken out for home consumption in Ireland was 1,683,648 gallons—a decrease of 320,917 gallons, compared with the corresponding quarter of 1840. This contradicts Mr. Peel's late assertion in parliament most explicitly.

THE SEMINOLES IN THE WEST. The Van Buren (Arkansas) Intelligencer, of the 17th ult. says: "We learn that Col. Kinney, and his party were shot there. Col. Kinney told them they had to leave for their own country. They refused, and the troops forced them off. Some few of them, however, perhaps a hundred in all, broke away, and secreted or concealing themselves in the woods, and yet remain in the Cherokee county; so says our informant."

WOOL. This may be considered the first season in which wool of any extent has been brought to this market. A trifling quantity was exported from Chicago last year. In this season, up to the present time, some four or five thousand pounds have been received, and we perceive that the quantity brought in by our farmers is gradually increasing. We are convinced, we hazard nothing in saying, that Illinois will be one of the greatest wool growing states in the union. Some of our most intelligent farmers are of opinion that it will be the greatest. The larger portion of the farmers of Northern Illinois, and many south of the Illinois river, are turning their attention to it. The cost of the wool is very low sheep—some large flocks. They will soon whiten our prairies in every direction. A woollen factory has been recently erected at the flourishing village of St. Charles, on Fox river. The cost of transportation to Buffalo of a dollar's worth of wool is but one quarter the cost of a dollar's worth of wheat. The prices paid for wool are as follows:—cotton in fleece 16 to 20 cents—in fleece 22 & 23 cents—full blood of Merino 20 to 30 cents—1 to full blooded Saxony 23 to 25 cents.

[*Chicago Amer.*

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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THE BOUNDARY QUESTION. Our last number was nearly worked off before the welcome intelligence reached us of the conclusion of a treaty between Lord ASHBURTON, the British minister extraordinary and Mr. WEBSTER, our secretary of state, in relation to the long pending disputes about the northeast and north boundary line between Great Britain and this country. This announcement although not yet official, is beyond doubt true,—and to add to the satisfaction which it will generally diffuse, we are told that not only the parties having the negotiation immediately in charge, are satisfied with the conditions of the treaty, but that the commissioners authorised and empowered on the part of the state of Maine, and those empowered on the part of the state of Massachusetts, as well as those from the province of New Brunswick, have all agreed to the terms. In relation to those terms nothing is yet known with sufficient authenticity to justify a publication. The rumors about are contradictory. And improper as it would seem to be, in this stage of affairs to anticipate or in any way meddle with the negotiation, which ought to be left to the executive as its most especial province,—we regret to find that the topic has been introduced in debate in the house of representatives, and the supposed terms of the treaty have already met with warm hostility from a few of the members.

FOREIGN ARTICLES.

The steamship Acadia, capt. Ryrie, arrived at East Boston on the 20th instant. She left Liverpool on the 5th of July. The London dates are to the 4th, and Liverpool to the 5th of July.

In England, the great manufacturing and commercial distress continues to exist, but most well-disposed parties seem inclined to trace this to the overcreative power of machinery, than to any other cause. There has been extreme depression of late, owing to all parties having withheld from business operations until the passing of the tariff bill enables them to see clearly what steps to take in their matters of regular business and speculation. The tariff being now settled, of course such causes are removed.

The income tax, and new tariff bill, had both passed parliament.

GREAT BRITAIN AND TEXAS. The ratifications of the long pending treaties between Great Britain and Texas were exchanged at 2 o'clock on the 20th inst. by the earl of Aberdeen, plenipotentiary of Great Britain, and the hon. Ashbel Smith, plenipotentiary of the republic of Texas.

These treaties are three in number—a treaty of amity, navigation and commerce—a treaty undertaking mediation by Great Britain between the republic of Mexico and Texas and a treaty granting reciprocal right of search for the suppression of the African slave trade. They were negotiated in 1840, and concluded in November of that year by Viscount Palmerston and gen. James Hamilton. The powers to ratify the two first have been a considerable time in England, but their completion has been delayed until the ratifications of the treaty granting the right of search could be simultaneously exchanged.

Messrs. Sharp, Roberts & Co. the eminent engineers of Manchester, have discharged 300 of their operatives. One or two cotton mills, it is stated, are on the eve of stopping their works.

Great progress has been making in the gigantic undertaking of erecting a light house on the Goodwin Sands. The caisson is already placed perfectly air and water tight at low water mark.

The Commercial Steam Navigation Company was dissolved on the 1st July. The company will dispose of the whole of their property to relieve themselves of their liabilities.

THE NEW TARIFF BILL allows the importation of negro head tobacco, from the United States, of 150 lbs. particular weight and tare of tobacco need not be marked upon each hhd.—separate manifest not required.

American funds, July 4. Louisiana sterling 5 per cent. 82; New York 1855, 5 per cent. 75; Ohio, 1850, 6 per cent. 75.

The accounts from all parts of the country respecting the progress of the harvest are of the most cheering description. The rains have been moderately copious, in every direction, and vegetation, which in the light soils was in many places feeling the effect of the drought, with some severity, had already got an extraordinary stimulus. If the weather continues simply propitious we shall have the wheat harvest on the average a fortnight to three weeks earlier than last year.

The commercial intelligence from India is of very unfavorable character. Freights for shipping are in the most depressed state, and, indeed, every thing seems at a stand still. Cotton, however, had advanced in Bombay; Broach and Surat was selling at 90 a 100 rupees.

Throughout England, there is an increasing disposition to maintain the most friendly relationship with the United States of America, and no further evidence of this can be needed than a recent manifestation on the occasion of the meeting of the British Association of Science now assembled at Manchester.

This society numbers all the leading characters of the country in its list of members; and we instance the cordial exhibition of good feeling towards America, so strongly marked in its reception of Mr. Everett, as the highest compliment that could possibly have been paid. All seem to vie with each other in rendering honor to the American statesman.

Mr. Everett, in acknowledging the kindness of his reception, very properly alluded to all the points now under negotiation, and remarked on steam navigation, and the blessings which it has continued to confer since its first establishment.

The recent voyage of the steamer Columbia is working that effect with the passenger going community, which its extraordinary nature should naturally produce; and it has stamped the very highest credit on the spirited conductors of the line of vessels with which the Columbia is associated.

The convict Francis who fired at the queen has been reprieved. There does not exist a doubt that the pistol was loaded with a deleterious substance.

The announcement of his reprieve had scarcely been made known, when the public were alarmed by a report that another attempt had been made upon the queen's life. The details are almost too fearful to relate.

It appears that as the royal cortege was returning on Sunday from the Chapel royal, in St. James, to Buckingham palace, a deformed youth presented and snapped an old rusty pistol at the carriage in which her majesty was seated. He was seized by another youth who wrested the weapon from his hand, but the policeman in attendance refused to take him in charge, believing it to be a hoax, on which he was permitted to escape. He was apprehended in the course of the day, when it was discovered that he had recently, and repeatedly been heard to say that he admired the conduct of Francis, and regretted that he had not succeeded in his attempt; that Francis was a brave fellow, and he wished he had been in Francis' place, for he would do for the queen; that he had a prime air gun and pistol, and he would use them in the same cause. The pistol had an old flint lock with a screw and rifle barrel. Upon detaching the barrel, which was done with some difficulty, from the screw having become exceedingly rusty, owing to its long disuse, there was found in it a portion of very coarse powder, a piece of tobacco pipe, and some paper wadding.

The declared value of woollen and worsted exports to Germany, exclusive of yarns, was £364,740; in 1841, £124,992 in 1839, and £683,978 in 1841.

A London paper, the British Queen, states that during the last few weeks the premier's health has become materially impaired, and that his indisposition is making alarming strides.

LIVERPOOL CORN MARKET.

Friday, July 1. Duties are reduced this week on foreign wheat to 9s. per quarter, on foreign flour to 5s. 5d. per barrel.

In addition to the excessive import of wheat, stated in our circular of Tuesday last, upwards of 10,000 quarters have arrived here from abroad, with a fair quantity of flour from Canada and the East Indies.

Of flour in bond, a few hundred barrels have been disposed of U. States were sold at 35s. a 35s. 6d. do. sour, 31s.a32s.; do. in bond, 28s.a29s.

Corn trade. Since the printing of the bill for the new tariff of duties on the 17th ult. an important relaxation has been introduced by the committee of allowing corn in the bonding warehouses an allowance for *natural waste*, viz:

If warehoused one and less than three months: wheat, barley and rye, 1½ per cent; oats 2½ per cent.

Three and less than six months—wheat, barley and rye, 2 per cent; oats, 3½ per cent.

Six and less than twelve months—wheat, barley and rye, 2½ per cent; oats, 4 1-2 per cent.

Twelve months and upwards—wheat, barley and rye, 3 per cent; oats, 5 per cent.

Except on Spanish wheat, barley and oats, and on wheat and barley kiln dried abroad, which are to have only half the above mentioned allowances; and none is to be made on kiln dried rye.

Liverpool, July 4. The demand for cotton to-day has been far from brisk, and yet there has been a numerous attendance from the trade, who are evidently under the necessity of purchasing for immediate consumption, albeit low prices have been disposed of entirely to the trade, with the exception of 100 American and 200 Surat taken for export. The market is well supplied, and prices have no tendency to advance.

London, July 4th. American stocks—Alabama sterling bonds, 5 per ct. 1859, 50—sellers. Illinois 6's, 1870, and ditto dollar 5's, 1860, 19—sellers. Indiana 5's, 1863, and ditto dollar, 31—sellers. Louisiana 5's, 63—sellers. Maryland 2's, 40 to 50.—New York state 5's, 1845 to 1860, 74 to 76. Ohio 6's, 1850 to 1860, 75. Pennsylvania 5's, 1854 to 1865, 45. Canada 90. South Carolina sterling, 1 after's 5 per cent. 75.

Our prices of American stocks are merely nominal, there being no demand whatever for these securities.

Havre, June 25. The transactions in cotton this day were limited to 257 bales Florida at 68 fr. 479 Georgia at 62 to 68½ and 28 bales Louisiana at 68 fr.; in all other articles little or nothing worth reporting took place.

American produce. The imports during the past month have been very light, and consist of 2,625 kegs, 542 barrels and 50 tierces lard; 180 bale pork; 50 barrels beef and 8 hhds. bacon. The demand for lard has been good, and all that was offered on the market was taken at 31s. to 32s. and little if any, now remains in first hands. An advance has again taken place—as much as 38s. being asked. A few tierces tierces have been sold in bond at 41s. the quality being very poor and soft.

Hamburg, June 24. St. Domingo tobacco sold at 4½ to 5½ sch. and Kentucky at 1 13-16 to 2 7-16 sch.

The Columbia steamer (from Boston the 16th June, arrived at Liverpool on the 28th, making her passage in the very remarkable time (including a stoppage of several hours at Halifax) of 11 days and 12 hours.—The passage from Halifax to Liverpool was made in *nine days and a half*, the shortest on record across the Atlantic. The Great Western, which left N. York the same day—notwithstanding a deviation of 200 miles to the south to avoid the ice—reached Bristol on the 29th, making her trip in *twelve days and twelve hours*. The British Queen from New York the 7th, arrived at Cowes on the 23d and Antwerp on the 24th, less than 17 days from New York.

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OVERLAND MAIL. Despatches by the overland mail reached London on the 3d, with dates from Bombay to May 23, Cabul to April 28, Calcutta to May 13, Macao to April 4, and Chusan to March 2. The mail was despatched 10 days earlier from Bombay, to avoid the monsoon.

Great confusion prevailed at Cabul after the death of the Shah, and it was doubtful who was in possession of the throne. Seven or eight princes were in the garrison of Ghizni, were at Cabul. It was believed that Gen. Pollock would proceed immediately to Cabul, Ghizni and Candahar.

HONORS TO THE ARMENIAN MINISTER. The English papers contain interesting reports of the meeting of the British association for the advancement of science, at Manchester. A splendid dinner was given to the members of the association, in the Wellington concert room, June 25, and among the guests, besides members of the British association, embracing the principal eminent men of science of the kingdom, were many distinguished foreigners. Of these were prof. Bessel, the distinguished astronomer of Koenigsberg, prof. Jacobi, of Koenigsberg, prof. Brashmann, of Moscow, Count Keyrsling, of St. Petersburg, Baron de Bach, of Germany, Marquis Torrigiani, of Florence, Mr. Everett, the American minister, and many others who were present by special invitation. After the usual routine of toasts, Lord Francis Egerton, the chairman, said that among the distinguished foreigners present there was one whom, although he came from a far country, from another hemisphere, and as the representative of a foreign state, still he (the chairman) would not class as a "foreigner"—(applause)—not indeed the very age of his country can be so considered in this island.—They spoke a common language, they had a common origin, and the same Anglo-Saxon blood flowed in the veins of both. (Loud and continued cheering.) It was only necessary to go from the factory exhibitions of Manchester to the quays and docks of Liverpool, for any man to be convinced that no mission could be more honorable and more important than that of cultivating and cementing, if he may, friendly relations between two such countries as the United States of America and England. (Hear, hear.) he believed, the main part of the mission of the distinguished individual near him to this country.—(Hear, from Mr. Everett). The high reputation of his honorable friend had preceded him here; and he (the chairman) was sure that England would consider she could not have had a higher compliment paid to her by the United States than in sending Mr. Everett as her representative.—(Applause.) This health of his excellency was then drunk by the company standing, and with marked enthusiasm.

His excellency the American minister then rose, and was received with loud cheers. He said that he should be more or less than man if he did not feel considerable embarrassment at the manner in which the toast had been received. He was, however, relieved by the conviction that it was not which reach far beyond himself—across the Atlantic—and that it was meant for the people whom he had the honor to represent. (Cheers.) He accepted all their kindness in the spirit of frankness in which it was given. Whilst he experienced such a welcome at the present, he felt indeed that he was not a stranger amongst them, but that in crossing the ocean that separated his country from theirs, he had come into the land of his fathers to receive the kindness and the charities of hospitality at the hands of their successors. (Cheers).

His excellency then adverted to the relations between colonies and mother countries, whether founded upon conquest or emigration. Spain, Greece and Rome, had each had colonies, but there never had been, and there never could be, such relations between them as now existed between the United States of America and this country. (Applause.) Those relations were to be found in the mysterious bond of a common language, a common origin, and a perfect conviction that they were destined to exercise an all-powerful influence on whatever they were destined, and to fulfil the highest ends in the order of Providence for the welfare and happiness of both. When America was powerless, she had been weavers felt it in England; and when manufactures and commerce in England languished, the pulses of America beat feebly and slow.

With respect to the new staple commodity of America, it was doubtless known that the cultivation of cotton in the United States was but of recent origin. So recently as 1784, the first parcel that arrived at Liverpool was seized as contraband, and supposed to be the production of the West Indies.—Now, by the improvements made in the culture and the cleaning of the cotton in America, more especially in the process by which the seed was separated from the fibre, and by the improvements effected by Arkwright and his successors in the spinning of it, the supply from America would be as boundless from the former cause as the demand in England from the latter; and the importance of that trade and manufacture could hardly be overstated, when it was admitted that its resources carried England through the French revolution. (Cheers.)

Republicans as they (the Americans) were, there was a much greater affinity between America and Great Britain, than between America and any of the European monarchies, or between any two nations on the face of the earth. (Cheers.) With the Americans, as with the British, liberty was enshrined in the constitution; and if the pillars of their monarchy were laid deep in the minds and the affections of the people, by which they were brought to support the throne, the principles of American liberties rested upon trial by jury, habeas corpus, freedom of speech, the liberty of the press, and self-government, tempered by submission to lawful authority. (Cheers.) His excellency concluded by expressing the happiness he should feel in being instrumental in cementing the best understanding between England and the United States, and resumed his seat amid the cheers of the assembly.

[From the Liverpool European.

ATLANTIC STEAMING. This journal has ring original pretensions to be well informed on steam navigation, and its object being to supply a general summary of European intelligence, on the occasion of the steamer's departures, we should be wanting in one of our most important duties, if we neglect the opportunities afforded by their continuous sailings to give our readers information as to the progressive advancement of the great enterprise now so actively engaged in working for the good of our respective nations. To look back on the past, and consider the almost incredible changes that have been wrought in our commercial relations, who is there that is unimpressed with the sense of their value? Can any one be unacquainted with the true character of what has already been done, or entirely ignorant of the incomparable benefits yet to be developed from this fertilising source? Hitherto our expectations have been more than exceeded in what has taken place, and in regard to the future we see no bounds to the vast beneficial results yet to follow the effectual working of these North American mail steamers across the western ocean.

[From the Liverpool European, July 5th.

Since the issue of last month's, a most marvellous steam passage has been effected from America to England—a passage which outstrips all the many great accomplishments that have preceded, and which confirms the power of steam in a manner that must convince even the most dubious. The passage of the Columbia steamer to England is an era in steam navigation, also remarkable for the unbroken and continued duty, the steamers go on progressively improving, and that so far from the slightest manifestation of less effective management than was observable at the outset, there is a continuous evolution of renewing energy, and most vigorous power of execution, in every feature of their conduct and regulation. It is, indeed, most gratifying that the opponents of steam navigation have been utterly disappointed in their prognostications as to a continuation of success; and the friends of extended commercial prospects have equal cause for delight, in knowing that steam voyages between the countries, if properly supported and encouraged, will not only go on in their career of usefulness, but that in proportion to the support it receives, it will, so also will be their determined spirit of continued energetic success.

Nothing can exceed the universal feeling of pleasure which has marked this late feat of the Columbia home; and when we tell our readers, that in eleven and a half days from the time of American paper being published, the mass of intelligence of the mails were actually delivered in *London*, we know they must join in rendering all just praise to that admirable system of efficiency which could bring about such a marvellous consummation. The whole mercantile body of England, and the continent of Europe, were perfectly amazed at so early a delivery of correspondence; and, although we have now gradually become accustomed to extreme regularity of communication, and to constant and invariably quick steam passages, yet we must confess, that to hear of a vessel crossing the mighty Atlantic Ocean in *nine days and a half*, does certainly give rise to ideas that some super-mundane sort of influence must be brought to bear, in order to preserve such a rate of speed.

Perhaps the most remarkable, and certainly not the least desireable, point in the matter, is the perfect order and effective strength which the steamers show on the termination of their passages. The machinery is always in a most perfect and complete state, no straining or appearance of overworking; every thing seems to go on with precision and exactness, and the framework of the noble monuments of marine architecture, are now serving as models of excellence to all parties interested in the erection of steam vessels. When the Columbia arrived, after her recent passage of nine days and a half, she was in the most perfect condition, and the most scrutinizing eye could not observe but that she was entering port under ordinary circumstances, rather than just after perfecting the greatest feat of speed ever recorded.

In England these unvarying rapid passages are producing their natural result in the minds of all observers; and we can safely trust the fairness and candor of an American public to deal justly, and assist in supporting such enterprises. The Americans press too, now so rapidly rising in power, and widening its sphere of usefulness to such a vast extent, will do its duty in keeping the citizens rightly informed as to the good yet to be attained from steam communication with Great Britain; as also to dispel those fears which have been allowed to operate, in preventing generally the enjoyment of those advantages which such a certain and speedy mode of transit offers to them. The entire American press is deeply interested in this subject. It is a matter of vital importance to the increasing commerce that such regularity should be maintained, and that these efforts of mechanical skill should be bound up and united, as well as zealously aided, by the newspapers of both countries.

An immense increase is already shown in the demand, on this side, for American papers and publications, since the running of the steamers. Each of these fine American steamers brings over loads of them; and, as steam goes on prospering, so will our friends of the press find new fields open to them on this side, and will also derive equal benefit in the continued receipt of their European intelligence, which will be looked for with great interest on account of its regularity of arrival, and by an immensely increased host of readers, sure to be attracted by such a cause. Let us then pull, as one man, in a matter that so deeply interests us all: let there be no trifling birkerings on minor interests, but a general determination to do the one great and important purpose for which these steamers were established.

FRANCE.

The Paris papers are devoted almost exclusively to the elections.

Telegraph despatches continue to communicate success in the provinces adjoining Algiers. The last is dated June 25.

A royal ordinance has been issued, sanctioning a tariff introduced into the colonial tariff established in the French West Indies by the ordinance of the 8th of December, 1839. By this law several articles heretofore admitted into those colonies at a duty of from 20 to per cent. 100 kilogrammes are prohibited; these are species, which are abundantly produced in them. The duty on Tenerife and Madeira wines is reduced from 100 francs per hectolitre to 60.

The new ordinance also relieves merchants from the operation of the law of 1839, which decreed that foreign goods, proceeding from French entrepots, could not be imported for consumption into the French West Indies unless they had been naturalised by the payment, in France, of the duties demanded by the general tariff.

The French government had imposed an ad valorem duty of 20 per cent. on all linen yarn imported into that kingdom.

Great preparations are making at St. Omer's for a tournament at the end of the month, in honor of the duke of Orleans, who will be present.

The celebrated historian, M. Simondi, died on the 25th ultimo, at his country seat, near Geneva, in the 69th year of his age.

SPAIN.

Our advices from Madrid to the 26th of June.

Some insurrectionary movements at Figueiras (Catalonia) and Barcelona had been suppressed.—Others were apprehended at St. Sebastian and Tolosa.

The tribunal of Bilboa had passed judgment on several individuals concerned in the insurrection of last October—twenty are sentenced to death, and twelve to the galleys. Twenty-five other individuals were acquitted.

A new ministry has been formed as follows:—Rodil, minister of war and president of the council; Almadovar, foreign affairs; Zumalacurregui, Justice; Ramon Calatrava, finance; Capaz, marine; Torres Solanet, interior.

No collision had as yet taken place in the cortes between the new ministry and the coalition, and it was even believed that the latter would remain for the present on the defensive.

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The contractors for the first issue of the loan of 160,000,000 had acquiesced in the demand of the minister of finance, and consented to reduce the discount to 12 per cent.

The army of the north has been dissolved.—The troops of which it was composed are to pass under the command of the captains-general, of the 10th division (Navarre), and the 11th (the Basque provinces).

PORTUGAL.

We have advices from Lisbon to the 27th of June. Neither the slave trade nor the commercial treaty were signed. The duke of Palmella will immediately enter on the administration as foreign secretary and president of the council, and Seohor Compelo will be replaced in the marine department by a statesman of more undisputed administrative capacity.

GERMANY, &c.

The Augsburg Gazette states that on the 9th of June disturbances of a serious nature broke out in the city of Pesth, in Hungary, occasioned by the discontent of the journeymen tailors respecting some differences with the masters of the corporation in the matter of a saving's bank. Sixteen hundred of these men refused to work, and marched in a body out of the town. Some cavalry were sent against them and forty were brought in as prisoners.

Immediately an attempt at rescue was made by the journeymen and the populace. The townhouse, which contains the prison was attacked—its windows demolished, and the lights in the streets destroyed. The police were obliged to act, and many were wounded on both sides. The next day 3,000 shoemakers had threatened to join the tailors and much apprehension was entertained for the tranquillity of the town.

The senate of Hamburg has just published a third list of subscriptions towards the relief of the sufferers from the late fire. The total amount received up to the 15th ult. was three millions of marcs banco, about 4,800,000f.

TURKEY, &c.

Letters from Alexandria of the 28th June report that Mehemet Ali had offered to the Porte to send 7 regiments of the line to assist in disarming the Syrian mountaineers.

Ibrahim Pasha left Cairo on the 9th for Upper Egypt, to superintend the erection of sugar mills, which he is building for his own account.

The pasha had acceded to the proposal submitted by the British consul, that the import and export duties be for the future levied upon valuation of merchandise, and in Egyptian currency, without reference to the tariff of 1839. The trade in cotton had also been declared free, the five per cent. duty upon the imports becoming payable on the 26th of June.

The letters from Constantinople are to the 18th of June.

At an extraordinary council held at the Porte on the affairs of Syria, the various points of the question were fully debated, each foreign minister giving his opinion on the subject; and it appears that they unanimously agreed that the policy hitherto pursued by the Divan with respect to that country was conformable to the real interests and dignity of the government, and should consequently be persevered in.

There is much fermentation in Wallachia. Arms and ammunition have been landed from the Danube, and bands of brigands overrun the country, nay, make incursions towards Widdin.

A formal notice had been given to Col. Burnett, by the pasha of Egypt, that the trade of the next cotton crops would be free, and all would be at liberty to purchase it throughout Egypt.

INDIA AND CHINA.

The Indian mail arrived at Marseilles on the 29th of June. The following telegraphic despatch reached London on Friday. General Pollock had joined sir R. Sale at Jellalabad on 16th April, re-establishing on his march the authority of Thomas Khan Sullipoora. He was to march on Cabul as soon as he was joined by Colonel Boulton. General England had reunited troops, forced the passes, and joined General Nott, at Candahar. At Hykulzie, the scene of his former rebuff, he had attacked the enemy's position and carried it without the loss of a single man.

Major Reid had reached Dadur with a valuable convoy of treasure and 400 camels, with which he was to ascend the Bolan pass on the 3d or 4th of May. Capt. M'Kenzie had arrived at Jellalabad, with offers from Akbar Khan to release his prisoners on conditions. The answer was not known. General Elphinstone died on the 23d April.

The death of Shah Soojah, is also confirmed; he fell by the hand of Zemaun Khan, brother to Dost Mahommed. The most satisfactory intelligence had been received of the Cabul prisoners; Capt. M'Kenzie, one of their number, had been permitted by Akhbar Khan, to visit the camp at Jellalabad on parole, as the bearer of a despatch addressed to Maj. Pottinger, and to treat for the ransom of his companions. He brought news of the death of Gen. Elphinstone, on the 23d of April. The other prisoners were doing well, and had been treated with considerable kindness. It is said that an enormous sum had been demanded for their ransom, but the terms were not known, although Capt. McKenzie had returned to the Afghan camp with the answer to the proposals with which he had been entrusted.

The destruction of the garrison of Ghuznee is confirmed. Col. Palmer left the citadel on the 26th of March, and took up his quarters in a portion of the town. There, as in the case of Cabul, the Ghazees, apparently without orders, attacked the troops, and a frightful slaughter ensued. The leader of the insurgents, Shumshoodeen, interfered and took the officers under his protection, and they are described as now living as prisoners in the citadel. About 100 only of the Sepoys are supposed to have escaped.

The accounts from China are interesting. On the 18th of March the Chinese, 10,000 or 12,000 strong, tried to retake Ningpo, while another force attacked Chinghae. In both instances they were repulsed with considerable loss.

The details have been received. The mail is despatched from Bombay on the 23d of May, ten days earlier than usual, in order to avoid the monsoon. The Chinese were allowed to enter Ningpo without opposition, but upon reaching the market place were attacked on all sides by the British troops, and instantly routed. When they got within one hundred yards of the British guns, a terrific fire of grape and canister was poured down upon them. They fled in confusion, leaving about 250 dead. The 49th regiment was then sent in pursuit, but up to the account had not yet returned. A simultaneous attack had been made upon Chinghae. The enemy were again routed. The British did not suffer a single casualty at either place.

This appears to have been only part of a concerted attack, as at the same time fire-boats were launched against the ships.

The Mandarins also contemplated an attempt upon Chusan, for which purpose they had collected a considerable force in the island of Taisam. Their intentions were, however, frustrated by the Nemesis having been sent to reconnoitre, and ascertain the extent of their preparations. A boat having been despatched from this vessel, was fired on by the Chinese, when pulling into a creek. The steamer's crew were immediately landed. They succeeded, after killing many of the enemy, in capturing thirty junks, supposed to have been intended to convey the troops to Chusan.

It was remarked that all the Chinese soldiers left dead at Ningpo and Chinhea had a few dollars about them. It is supposed from this that a gratuity was promised to them beforehand if they attacked the city, in order to induce them to advance. It is said that the emperor has ordered that the provinces which are the seat of war, shall defray the whole of its expenses. We may conclude therefore, that the cabinet of Pekin do not conceive it necessary to make a great nations effort against their foes. The inhabitants of the invaded provinces are naturally disinclined to bear the whole of the heavy pecuniary charges necessary for carrying on hostilities. The consequence is, that the Chinese army to the south of the Hangenow river, is in want of pay, and destitute of supplies, from which cause the troops were in such a state of insubordination that it was expected they would shortly disband themselves.

Several skirmishes had taken place along the coast, but with no decisive results, although in each the enemy had suffered considerable loss. More vigorous measures were, it is said, in contemplation, and a movement to the northward was intended upon the arrival of the expected re-inforcements.

By a notification from the plenipotentiary, it appears that the Chinese will be suffered to use their own discretion in fortifying the banks of the river between Whampoa and Canton; but if they venture to erect new works below the former place hostilities will be immediately resumed.

The state of trade at Canton had improved, many sales having been effected during the latter part of the month of March.

Opium was sold at very low rates.

Trade has been carried on as usual, but with the exception of cotton, not upon remunerating prices. Barter was the only means of commercial intercourse.

Sir Henry Pottinger continued at Macao.

NATIONAL AFFAIRS.

DIPLOMATIC. Colonel T. Acosta, charge d'affairs of the republic of New Grenada, arrived in Washington a few days ago, and was on the 23d inst. presented to the president by the secretary of state.

DRAWBACKS. Thompson's New York Bank Note Reporter states that some of the importers of that city are resipping their goods, and obtaining, through the custom house, a return of duties equal to to the amount paid when imported. These goods can, under the present tariff, be again imported, and some twenty per cent. saved by the operation. The custom house of New York has, since the 1st inst. paid in drawbacks, $46,993. Should the tariff remain as it now is, a half a million of dollars will be required to answer these calls.

THE COLLECTION OF DUTIES ON IMPORTS. The New York papers state that great difficulties and inequalities are found to arise in attempts, to affix the home valuation upon goods—and great inequalities are apprehended in the valuation of similar articles. Well, that we suspect is unavoidable under any system of valuation. Meantime, however, almost all the duties are paid under protest, and suits are instituted for the recovery of the money.

The New York American says that one cargo was landed without any security for the duties being given, seized by the collector, and replevied by the owner. This must bring to a speedy decision before the district court, the question whether or not there be any law for the collection of duties on imports.

ANNUAL COMMERCIAL STATEMENT. The annual statement of the commerce and navigation of the United States was laid before congress on the 21st instant, and ten thousand copies of it were ordered to be printed.

The following is an abstract of its contents.

VESSELS—TONNAGE—CREWS.

The number of vessels, their tonnage and crews, which entered the ports of the United States for the year ending 30th September, 1841.

	Vessels.	Tonnage.	Men.	Boys.
American,	7,735	1,631,909	75,445	2,830
Foreign,	4,538	736,444	43,675	453
Total,	12,273	2,368,353	119,120	3,283

The number of vessels which cleared from ports of the United States during the same period was

American,	7,798	1,634,156	79,216	3,043
Foreign,	3,554	736,849	44,061	348
Total,	12,344	2,371,005	123,277	3,391

The tonnage of the United States for the year ending September, 30, 1841, was,

in foreign trade, (registered)		945,803.42
Coasting trade, (enrolled)	1,076,036.18	
Do. do. (licensed)	31,081.76	
		1,107,067.88
Cod fishery, (enrolled)	60,556.05	
Mackerel, do.	11,321.13	
Cod fishery, under 20 tons,	5,995.79	
		77,873.02
		2,130,744.44
Whale fishery, (register enrolled)		157,405.17

Of the enrolled and licensed tonnage there is employed in steam navigation, 174,342.44.

The tonnage of vessels built during the year amounted to 761. Their tonnage, 118,693.71.

The tonnage for the year 1841 is less than that of 1840, by 30,919.79 tons.

VALUE OF IMPORTS AND EXPORTS.

The value of merchandise imported into the United States during the same period was

Merchandise free of duties	$66,019,731
Paying ad valorem duties	34,610,542
Specific duties	27,315,804
Total	$127,946,177
Imported in American vessels	$113,221,877
in foreign vessels	14,724,300
The value of merchandise exported during the same period was	
American productions	$106,388,722
Foreign productions re-exported	15,469,081
	$121,851,803
Of the American productions were carried	
In American vessels	$82,509,389
In foreign vessels	23,813,333

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ARTICLES EXPORTED.

The prominent articles of export were:

Cotton	$54 730,341
Tobacco	12 516 703
Flour	7 759 616
Manufactures	3 122 546
Gold and silver coin	2 746 486
Pork	2 621 537
Rice	2 010 107
The above items amount to	85,167,566
All other domestic exports	21,215,356
Total of domestic exports	106,215,356

COMMERCE OF THE STATES AND TERRITORIES.

	Imports.	*Exports.*
Maine	$700,961	$1 091 565
New Hampshire	73,201	10 349
Vermont	246 789	278 987
Massachusetts	20,318 003	11,487 343
Rhode Island	339 592	278 465
Connecticut	295 969	599 348
New York	75,713 466	33,159 8.8
New Jersey	2,315	19 166
Pennsylvania	10,346,698	5 152 561
Delaware	3,276	38 585
Maryland	6,101 313	4,9 8 166
District of Columbia	77,263	169 3.1
Virginia	377 237	5 639,286
North Carolina	220,366	383 856
South Carolina	1 557 431	8 603 293
Georgia	449 007	3 696 513
Alabama	530 819	14 991 271
Mississippi	—	—
Louisiana	10,256 350	34,387 483
Ohio	11,318	793 114
Kentucky	—	—
Tennessee	7 523	—
Michigan	137 890	88 523
Missouri	33 475	—
Florida	145 181	36 629
Total	$127,316 177	$121,851,902

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

William Rodney to be attorney of the United States for the western district of Virginia, in the place of W. G. Singleton, whose commission has expired.

OFFICIAL.

GENERAL ORDERS—NO. 44.

Head quarters of the army, adj. gen's. office.

Washington, July 21, 1842.

Promotions and appointments in the army of the United States by the president, by and with the advice and consent of the senate, since the promulgation of "General Orders" No. 13, of March 17, 1842.

In addition to the appointments and promotions heretofore published, in the Register, the following appear in the general orders No. 44, dated at Washington, July 21, 1842.

PROMOTIONS.

Corps of topographical engineers.

First lieutenant T. B. Linnard to be captain March 31, 1842, vice Gwinn, resigned.

2d lieut. J. C. Woodruff to be 1st lieut. March 31, 1842, vice Linnard, promoted.

Ordnance department.

Captain John Symington to be major March 27, 1842, vice Camac, deceased.

First lieutenant R. H. K. Whiteley to be captain March 27, 1842, vice Symington, promoted.

Second lieut. R. A. Wainwright to be 1st lieut. March 27, 1842, vice Whiteley, promoted.

Brevet 2d lieut. John McNutt to be 2d lieut. March 27, vice Wainwright, promoted.

First regiment of dragoons.

First lieutenant B. A. Terrett to be captain Feb. 21, 1842, vice Simonton, deceased.

Second lieut. R. H. Chilton to be first lieutenant February 21, 1842, vice Terrett, promoted.

Second lieutenant William Bowman to be first lieutenant, June 21, 1842, vice Davidson, deceased.

Brevet 2d lieutenant John Love to be second lieut. February 21, 1842, vice Chilton, promoted.

Brevet 2d lieut. A. Buford to be 2d lieut. April 12, 1842, vice Wickliffe, struck from the rolls.

First regiment of infantry.

Maj. Henry Wilson, of the 3d infantry, to be lieut. colonel, vice Lavenport, promoted.

Second regiment of infantry.

Capt. Jesse Wood, of the 4th infantry, to be major, vice Wilson, promoted.

A. W. Bowman, of the 1st lieut. Apr. 30, 1842.

Third regiment of infantry.

First lieutenant A. Pickens to be captain June 14, 1842, vice Lear, promoted.

Second lieutenant J. H. Gore to be first lieutenant June 14, 1842, vice Alden, promoted.

Brevet 2d lieutenant B. V. Berry to be second lieutenant June 14 1842, vice Gore, promoted.

Sixth regiment of infantry.

Brevet colonel W. Davenport, lieutenant colonel of the 1st infantry, to be colonel June 14, 1842, vice Atkinson, deceased.

Fourth regiment of artillery.

Second lieutenant James R. Shelby to be first lieutenant, July 20 1842 vice Bates, resigned.

Seventh regiment of infantry.

Brevet second lieutenant Levi Gantt of the 2d infantry, to be second lieutenant, April 30, 1842.

APPOINTMENTS.

Corps of topographical engineers.

George Meade, late of the army, to be 2d lieut. May 19, 1842.

Corps of engineers.

Cadet Henry L. Eustis, of Massachusetts, to be second lieutenant, July 1 1842.

Cadet John Nicholson, of Alabama, to be second lieutenant, July 1 1842.

Cadet John D. Porter, of District of Columbia, to be second lieutenant, July 1 1842.

First regiment of dragoons.

Cadet A. Armstrong, of Mississippi, to be second lieutenant, July 1 1842.

Third regiment of infantry.

Cadet Alexander Hunter, of Virginia, to be second lieutenant, July 1 1842.

Cadet Henry M. Keeling to be second lieutenant, July 30, 1842, vice Seely, promoted, (brevet July 1, 1842.)

First regiment of infantry.

Cadet Frederick Steele, of New York, to be second lieutenant, July 1, 1842.

Seventh regiment of infantry.

Cadet Napoleon J. T. Dana to be second lieutenant, July 1, 1842.

Graduates of the military academy attached to the army as supernumerary officers with the breve of 2d lieutenant, to conformity with the law, and the direction of the president to rank from July 1, 1842.

Brevet second lieutenants, attached to the corps of engineers

Cadet Wm. S. Rosecrans, of Ohio.

Cadet Barton S. Alexander, of Kentucky.

Cadet Gustavus W. Smith, of Kentucky.

Brevet second lieutenants, attached to the ordnance department.

Cadet Theodore T. S. Laidley, of Virginia.

Cadet James G. Benton, of New Hampshire.

Brevet second lieutenants, attached to the corps of topographical engineers.

Cadet Martin L. Smith, of New York.

Cadet John Pope, of Illinois.

Brevet second lieutenants, attached to the dragoon arm.

Cadet Patrick Jones, of South Carolina.

Cadet Richard H. Anderson, of South Carolina.

Cadet George T. Mason, of Virginia.

Cadet Henry W. Stanton.

Cadet Thomas J. Hammond, of Pennsylvania.

Brevet second lieutenants, attached to the artillery arm.

Cadet Isaac Bowen, of New York.

Cadet Joseph Brewer, of Kentucky.

Cadet Richard W. Johnson, of Virginia.

Cadet John Hindman, of New York.

Cadet David Gibson, of Virginia.

Cadet Charles L. Kinsey, of Pennsylvania.

Cadet Seth Williams, of Maine.

Cadet Amer Dominey, of New York.

Cadet Hezekiah Brown, of New York.

Cadet Lorin Crosby, of Pennsylvania.

Cadet Daniel H. Hill, of South Carolina.

Brevet second lieutenants, attached to the infantry arm.

Cadet Alvin R. Cooper, of Ohio.

Cadet John S. McClintock, of Pennsylvania.

Cadet Henry C. Story, of Louisiana.

Cadet Jonas Beaman, Vermont.

Cadet John G. Gaither, of North Carolina.

Cadet Joseph W. Kirkham, of Massachusetts.

Cadet Sylvanus Allen, of Ohio.

Cadet George Sykes, of Maryland.

Cadet George W. Cullum, of Maryland.

Cadet James W. Simonton, of New Jersey.

Cadet Charles J. Dimon.

Cadet Andrew J. Vinson, of Ohio.

Cadet Gilbert Thomas, of Maryland.

Cadet Lafayette McLaws, of Georgia.

Cadet Charles Thomas.

Cadet Samuel B. Hayman, of Pennsylvania.

Cadet Earl Van Dorn, of Mississippi.

Cadet Christopher R. Perry, of Rhode Island.

Cadet James Longstreet, of Alabama.

Cadet James W. Abert.

Cadet James O. Duff.

The foregoing assignment to regiments and companies will be regarded as a temporary arrangement, necessary for the convenience of the service; promotions will take place according to the following rules:

"Officers acting as supernumerary officers in the army, in all their respects, will be successively promoted to vacancies of the lowest grade which may first happen in the particular arm to which they may have been attached, according to the order of rank established at the military academy."

W. Resignations and casualties since the publication of the Army Register in January.

Resigned. (6.)

Captain W. B. Gwinn, corps of topographical engineers, March 31 1842.

First lieut. F. L. Jones, 4th artillery, June 10 1842.

First lieutenant J. G. C. Thomas, 4th artillery, January 1 1842.

Lieut. J. H. Bates, 4th artillery, July 20, 1842.

Second lieutenant A. Walsh 1st infantry, May 31 1842.

Second lieutenant R. D. Stephens 3d infantry, February 28, 1842.

Death. (12.)

Brevet brigadier general Henry Atkinson, colonel 6th infantry, at Jefferson Barracks, Missouri, June 14, 1842.

Brevet brigadier general J. R. Fenwick colonel 4th artillery, at Marcellus Flower, March 13 1842.

Colonel A. Camac, 4th infantry, at New York, January, 31 1842.

Major A. P. Lomax, ordnance department, at Watertown, Mass., March 27, 1842.

Brevet major R. A. Zantzinger, captain 2d artillery, at St. Louis, Missouri, January 9 1842.

Brevet major F. E. Wheaver captain 1st artillery, at Lancaster, Mass., May 16 1842.

Brevet major D. Wilson, captain 5th infantry, at Pilatka, Florida January 3 1842.

Captain I. P. Simonton, 1st dragoons, at Fort Wayne, Cherokee Nation, February 21 1842.

First lieutenant L. P. Dowlin, 1st dragoons, at Saratoga, N. Y. June 27, 1842.

Paymaster W. Recker, near Fort Smith, Arkansas, February 8, 1842.

Surgeon A. Eaves, at Pilatka, Florida, June 12, 1842.

Assistant surgeon John R. Robertson, at sea, May 23, 1842.

Dropped. (1.)

Second lieutenant C. McKiffe, 1st dragoons, April 12, 1842.

V. The officers posted and appointed will join their proper stations and regiments with all delay; those on detached service or acting under special instructions will report by letter to the commanding officers of their respective regiments.

VI. The usual leave of absence allowed by the regulations is hereby granted to the several parties; at the expiration of which (*September 30th*) they will join their proper stations and regiments. The brevets attached to the dragoon arm will report for temporary duty and instruction to the commanding officer at Carlisle Barracks.

VII. Acceptances or non-acceptances of appointments will be reported to the adjutant general of the army; and in case of acceptance, the birth place of the person appointed will be stated.

By command of major general Scott:

R. JONES, *adj. gen.*

THE ARMY.

War department, July 16, 1842.

Paragraphs 111 and 142 of "General Regulations for the Army" having become inapplicable to the present arrangement of departments, they are respected and the following substituted.

141 The commanders of military departments are respectively authorized to grant leaves of absence to officers on duty serving in the departments under their command, for a term not exceeding thirty days, but in extraordinary cases, and on account of the distance of departments, No. 1, No. 2, No. 3, No. 4, No. 5, No. 6, and No. 3, from general headquarters, the commanders of those departments, respectively, may grant leaves of absence for a term not exceeding sixty days and no longer.

C. SPENCER.

GENERAL ORDERS, NO. 41.

Head quarters of the army, adj. gen's office.

Washington, July 16, 1842.

Commanders of military departments are to forward monthly returns to the headquarters of the army according to the form to be furnished by the adjutant general.

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[ ] the accruing line of communication all necessary application to be made to the general and civil authorities of the country, which may be made to the commanders of departments and in such a correspondence which may be designed for general headquarters must pass through the same channel, except in such special cases of direct communication with the adjutant general's office, as the general regulations for the army may authorize.

All officers of the general staff and of the ordnance serving in a military department will report by letter to the commander thereof, and copies of all orders effecting their position either by transfer, change of station, or leave of absence, will be immediately transmitted to department headquarters.

By command of Maj. Gen. Scott:

R. JONES, adj. gen.

The remains of the late lieutenant James F. Izard, of the 1st regiment of U. States dragoons, have been disinterred from their resting place at camp Izard, on the Withlacoochee, Florida, and remanded, by order of Colonel Worth, to St. Augustine, for interment in the military burial ground near old Fort Marion.

United States troops. Three companies of the 3d regiment United States artillery arrived at Savannah on Thursday last in the ship Orion, from New Orleans.

The detachment was under command of captain E. D. Keyes, captain D. and it was commanded in succession by Lieut. Colonel J. S. Smith, lieutenants W. H. Shover, W. H. Churchill, *S.* Van Vliet, and G. H. Thomas.

Company B, under command of Lieutenant Shover, accompanied by lieutenant Churchill, left the next day for St. Augustine. The other companies were to proceed in the Orion to Charleston, where company D will be stationed.

Company E, Lieutenant Van Vliet commanding, is destined for Fort Moultrie, North Carolina.

THE WAR IN FLORIDA. The following article which we copy from the Pittsburgh *Iron City*, affords a mass of striking facts, so variously in an authentic source, relating to the Florida war. Let us see what an expense of human life that war has been carried on.

As the newspapers are often giving accounts of the number of *citizens* in this illfated region of country who die by the tomahawk of the ruthless savage, we have collated lists of the commissioned officers of our gallant army who have been killed and wounded in the service of the country, in Florida, from the commencement of hostilities with the Seminole Indians, in December, 1835, to the 31st of August last; so far as has been ascertained. Killed in all *twenty-two*; during the same period, no less than *forty three* have died of diseases contracted during their campaigns in Florida—making, adding the number of killed *sixty five*, while only *twenty* were with the usual chances of honorable assaults received in conflicts with the savage natives of the southern hammocks. The particulars which furnished us with the lists annexed to vouchers for their authenticity, and, from our knowledge of him, we have every confidence in their correctness, although they are by no means complete, never having been published, except in the official orders of the war department, we have no doubt they will be read with interest by a people who take a just pride in the well known bravery of a gallant little army.

In addition to the officers of the army of the United States, there have been many of others, militia officers, and private citizens, killed and wounded in defence in Florida, of whom we have no certain reports; and, in addition to these, if we take into consideration the terrible mortality from all causes, among the rank and file of the army proper, including the one killed in battle, the grand total of this bill of mortality will be swelled to an almost frightful extent.

It is supposed that the army has sustained an entire loss in upwards of one thousand men, by the Indian bullet, and the still and more fatal effects of climate, since the commencement of hostilities there. If we add to these, say five hundred men, the probable number of similar casualties among the militia corps, who have risen from time to time been employed in Florida, during that period, and which amounted in aggregate to so near twenty-five thousand men in all, we could have a most fearful total of death's doings, the unfortunate results of this war, with the Seminoles! While our patriotism are counting the *dollars and cents* which have been spent in this war, let true patriotism urge us to view for a moment the *blood* which our brave soldiery have spilt, like water, in defence of the firesides of the citizens of Florida, who, it will be seen, have not been the only sufferers from this miserable and ill-advised war with the hordes of Indians, scattered in impunity his savages.

List of the commissioned officers of the army killed in Florida from the commencement of hostilities with the Seminole Indians in December 1835, to August 31, 1841.

NAMES.	RANK.	DATE AND PLACE.
1835.		
F. L. Dade	B. M. 1 Al	
W. S. Fraser,	Cap. 3 A.	
G. W. Gardner,	Capt. 3 Ar.	At Dade's massacre, Dec. 28
Chas. Smith,	1st Lt. 2 A.	Dec. 28
W. E. Basinger,	2d Lt. 2 A.	battle under on the
R. R. Mudie,	2 Lt. 3 A.	31 Dec. 3 A.
J. L. Kents,	2 Lt. 3 A.	route from Tampa to Fort King.
R. H. Henderson,	2 Lt. 3 A.	
J. L. Gibbs,	Asst. Surg.	
1836		
L. F. Izard,	1 Lt. 1 D.	5th of March, at camp Izard, received on Withlacoochee.
A. S. Burdes,	Lt. 6 A.	Wilson up on S. B.
Wm. McKay,	2 Lt. 1 A.	Jacks bay December 17.
1837		
C. Gates,	Capt. 2 A.	Capt. S. Moore,
J. W. S. M'N'r,	2 Lt. 2 A.	Lt. H. D. and Sp.
A. R. Thomas,	Lt. 7 A.	
L. Vi Sommerville	Capt. 61	Capt. Gates
F. L. Hodge,	Lt. 61	Capt. 24 A.
J. P. Coates,	Lt. 61	
1839		
J. L. Bennett,	Lt. 2 A.	
1840		
S. L. Sleeper,	2 Lt. 7 A.	Capt. Gates, Capt. Gates, Capt. Gates,

The New York Herald says: "There are *twenty-three* persons to be tried for various misdeeds by this tribunal. Among the charges preferred will be found the loss of the Peacock, belonging to the exploring expedition, besides many other for disobedience of orders, drunkenness, desertion, violent and disorderly conduct, writing improper letters from foreign stations, leaving those stations and returning home without orders or sufficient cause, with others, too numerous to mention.

The proceedings of the court this day were confined to its organization; to-morrow morning they will probably commence with the trial of passed midshipman William May of the exploring squadron.

There are charges also preferred against lieut. Chas. Wilkes, lieut. Robert E. Johnson, lieut. R. F. Pinkney, assistant surgeon C. F. B. Gillou, and chplain Jared L. Elliot, of the expedition.

Among the others who are to be subjected to the enquiry of this tribunal, will be found commander C. L. Williamson, lieutenants James Noble, R. G. Cogdell, N. G. Bay, and four midshipmen of the sloop Warren; commander Wm. J. Belt and lieutenants Wm. Pearson and George H. Prentiss, of the sloop Marion; lieut. John T. McLaughlin, late commander of the Florida squadron co-operating with the land forces; Commodore Ballard, capt. Dallas, and others.

STATES OF THE UNION.

PENNSYLVANIA.

THE LEGISLATURE agreed to adjourn *sine die* on the 26th inst.

We sincerely regret to say, that they adjourn without having adopted any plan for redeeming or providing to sustain the state credit.

Various projects reported with a view of meeting the exigency, have been debated, but no one of them could muster sufficient numbers to insure their adoption. The interest of the state debt now payable a few days, will be unpaid.

THE APPORTIONMENT BILL after having its provisions disputed between the two houses for some time, was at length arranged by a committee of compromise, and agreed to in the house by a vote of 48 to 39, and in the senate by a vote of 22 to 11.

The following are the arrangements of the district under the law:

I.—Southwark, Moyamensing, Passyunk, Kingsessing, Blockley, West Philadelphia, in Philadelphia county.	51,268
Cedar Ward, Philadelphia city,	11,932
	—63,200
II.—City of Philadelphia, except Cedar, North Mulberry, and Upper Delaware Wards,	67,377
III.—North Mulberry and Upper Delaware wards, Philadelphia city,	14,365
Northern Liberties and Kensington, in Philadelphia county,	56,788
	—71,144
IV.—Spring Garden, North and South Penn Township, Roxborough, Germantown, Bristol, Unincorporated Northern Liberties, Oxford, Lower Dublin, Byberry and Moreland, in Philadelphia county,	56,316
V.—Chester county,	57,515
Delaware county,	19,791
	—77,306
VI.—Berks,	63,569
Lehigh,	25,787
	—90,356
VII.—Montgomery,	47,241
Bucks,	48,107
	—95,338
VIII.—Lancaster county, except Rapho, Warwick, West Cocalico and West Donegal township*s*,	73,182
IX.—Dauphin,	30,118
Lebanon,	43,872
The above four townships of Lancaster county,	11,021
	—63,011
X.—Northampton,	40,998
Monroe,	9,879
Wayne,	11,848
Pike,	3,832
	—66,555
XI.—Schuylkill,	29,053
Northumberland,	29,027
Columbia,	24,267
	—73,347
XII.—Luzerne and Wyoming,	44,006
Susquehanna,	21,195
	—65,201
XIII.—Lycoming,	22,649
Potter,	3,371
Bradford,	32,769
Tioga,	15,498
	—74,287
XIV.—York,	47,010
Adams,	23,044
	—70,054
XV.—Cumberland,	30,953
Franklin,	37,793
Perry,	17,096
	—85,842
XVI.—Huntington,	35,484
Juniata,	11,080
Union,	22,787
Mifflin,	13,092
	—82,443
XVII.—Bedford,	29,335
Somerset,	19,650
Cambria,	11,256
Indiana,	20,782
	—81,023
XVIII.—Fayette,	33,574
Greene,	19,147
	—52,721
XIX.—Westmoreland,	42,699
Armstrong,	22,365
	—65,064
XX.—Clarion,	9,901
Jefferson,	7,253
Clearfield,	7,834
Centre,	20,492
Clinton,	8,329
McKean,	2,975
	—56,778
XXI.—Washington,	41,279
Beaver,	29,368
	—70,647
XXII.—Allegheny,	81,235
XXIII.—Butler,	22,378
Mercer,	32,873
Venango,	13,999
	—69,250
XXIV.—Erie,	31,344
Crawford,	31,724
Warren,	9,278
	—72,346

AN ACT TO STAY EXECUTIONS, has become a law. It provides in cases of execution, for an assessment of the property, and if it does not sell for two-thirds of the valuation, the creditor is entitled to a stay for twelve months on giving security to *double* the value of the property, for its delivery; but the debtor may repeat the attempt to sell, and sell for two-thirds of the valuation, at any time within the year.

The legislature adjourned without having received any announcement from Governor Porter whether he would sign or veto the apportionment bill.

WAYS AND MEANS The two houses ultimately agreed to a bill, laying an additional tax of one mill on the dollar on all real and personal property, including stocks bonds, &c. for the support of the public treasury, and also authorising the governor to receive proposals for the sale of the public improvements of the state. The bill passed the senate, ayes 18, nays 15; and the house, ayes 42, nays 36.

VIRGINIA.

STATISTICS OF COAL AND IRON. The necessity of a protective tariff has for some time past occupied the attention of the south. Views formerly maintained, have been abandoned as impracticable theories, and a judicious scale of duties for the protection of articles of American growth or manufacture, is now warmly advocated. This is especially the case in Virginia, whose mines of coal and iron, (second only in extent and production to those of Pennsylvania,) demand a tariff which will at least bring these staples in direct competition with the foreign articles.—Several memorials upon this subject, have been forwarded to congress from various parts of the state—from one of which we extracted sometime since a table showing the amount of coal produced in Virginia since 1820. Recently a memorial was forwarded to congress by the citizens of Richmond generally, in which are embodied some statistics relative to the manufactures of that city, and the Virginia iron trade.

Iron. There are in Richmond, two rolling mills—one nail factory—three extensive iron foundries—two screw and axe foundries—three extensive establishments for the manufacture of agricultural implements. Capital invested, $500,000. Men employed, 325, many of them with families. Value of coal used, $50,000, and iron $300,000—producing iron fabrics alone to the value of $700,000.

Cotton. There are three cotton factories, having 14,300 spindles 263 looms, and employing 610 hands. They consume $163,000 worth of raw material, and turn out $378,000 in cotton fabrics. Capital invested, $477,500.

Recapitulation. Total amount invested in iron and cotton manufacture, $977,500. Persons employed, 935. Value of coal, iron and cotton material, $403,000. Value of manufactures, $1,078,000 per annum.

No. of blast furnaces in Virginia,	53
Tons of pig iron produced,	96,500
Value of pig iron at market,	$795,000
No. of hands employed,	200
No. of bloomeries, forges and rolling mills,	35
Tons of bar iron produced,	12,600
Value at market,	$1,134,000
Persons employed,	2,520
Aggregate value of agricultural and other domestic productions consumed	$450,000
Castings produced tons,	7,000
Value of castings,	$490,000
Do. pig iron,	795,000
Do. bar iron,	1,134,000
Manufactures of malleable iron other than bar iron,	500,000
Total,	$3,919,000

[*Philadelphia Commercial List.*

THE FRESHET. The Virginia papers are filled with accounts of the damage done by the freshet of the 12th to the 16th instant. Immense quantities of grain have been swept away by it, especially from the borders of James river. The damage to the canal is estimated at $50,000.

LOUISIANA.

ELECTION. The majority by which Mr. MORTON, the V. B. candidate has been elected is not yet ascertained.

LEGISLATURE. The last New Orleans papers received without giving us the particulars, sum up the result of the election for members of the legislature, having heard from the whole of the state, as follows:

SENATE—whig 9, V. B. 8.
ASSEMBLY—whigs 34, V. B. 26.

Whig majority on joint ballot 9.

A senator of the U. States is to be elected at their ensuing session.

CONGRESSMEN. Finding that the election of representatives to congress was progressing at the election of the 4th inst. we concluded that some provision had been made at the last session to meet the requirements of the apportionment under the new census.—In that we were mistaken. The election had been held under the provisions of the old apportionment law. Only three representatives have been elected; one a whig and two Van Buren men,—whereas the state is entitled to four representatives under the new apportionment act, and the state will require an entire new arrangement of districts. It strikes us that it would have been better not to have opened a poll for congressmen at the late election, for it may occasion a dispute at the organization of the next congress when persons then elected by the people can be subsequently *legislated* out of their seats by a subsequent state legislature.

ILLINOIS.

THE MORMONS AGAIN. The Sangamo Journal of the 14th inst. contains among many other items in relation to these people a continuation of General J. C. Bennett's charges against Joseph Smith, for licentiousness and rascality, and charging him distinctly with having instigated and caused the attempted assassination of Gov. Boggs. Bennett says that the man who shot Gov. Boggs is a Mormon, named Rockwell, and that he was sent by Smith to do it.

The Keokuk Gem of Republican says that a murder committed on the 2d of June, upon John Stephenson, a Mormon, and supposed to have been committed by two Mormons who had called upon him for contributions to build the temple at Nauvoo and had been refused.

The Journal inserts the above and adds: "We have late information from Nauvoo. Joe Smith anticipates a requisition upon Gov. Carlin from Gov. Reynolds, of Missouri, for his person, and is determined not to be given up. He has all the state arms, some twenty or thirty cannon—a large number of muskets, daggers, pistols, and cutlasses—all belonging to this state, which he is prepared to use against the state authorities if they shall attempt to deliver him to Gov. Reynolds. Joe states that he will not be given up—and the Mormons say that the Prophet shall not be taken while any of them are left to defend him!"

BOUNDARY QUESTION. The commissioners to locate the lands granted by the United States to Illinois having made the principal part of their selections north of the line drawn due west from the southerly bend of Lake Michigan, claimed by Wisconsan as her boundary by the ordinance of 1787, Gov. Doty, of Wiskonsan, has sent a letter to Gov. Carlin, notifying him to refrain from selecting public lands for the use of that state, within the territory claimed by Wiskonsan.

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UNITED STATES CENSUS AND APPORTIONMENT OF REPRESENTATION.

The representation from the several states in the first congress under the present constitution was prescribed in that instrument, amounting in all to *sixty-five*, and so remained until the completion of the first census.

TABLE

Exhibiting the aggregate population of the United States as shown by each successive census; also the ratio of representation adopted, and the aggregate number of representatives.

Census of	*Population.*	*Ratio.*	*No. of Rep.*
1790	3,929,827	33,000	105
1800	5,305,927	33,000	141
1810	7,239,314	35,000	183
1820	9,638,131	40,000	212
1830	12,856,507	47,700	*242
1840	17,063,353	70,680†	223

It will be observed that the aggregate population, given above, is not the number into which the ratio is divided. *It is into a federal number*, found "by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, *three-fifths* of all other persons."

The following table will exhibit at one view the *actual population*, and the *federal* number, of each state —the number of representatives to which each state is in the present, (27th), congress entitled under the census of 1830, and the number to which they will be entitled in the next, (28th), congress, with the fraction left in each state by dividing the federal number by the ratio adopted.

TABLE

Showing the population, federal number, representation and fractions unrepresented, in each state and territory.

States.	*Popula.*	*Fed. No.*	1830 1840 *Rep.*	*Rep.*	*Frac.*
Maine,	501,793	501,793	8	7	7,033
New Hampshire,	284,574	284,573	5	4	1,854
Massachusetts,	737,699	737,699	12	10	30,899
Rhode Island,	108,830	108,927	2	2†	38,148
Connecticut,	309,978	309,968	6	4	27,248
Vermont,	291,948	291,948	5	4	9,228
New York,	2,428,921	2,428,919	40	34	35,799
New Jersey,	373,306	373,036	6	5	19,636
Pennsylvania,	1,724,033	1,724,007	28	24	27,687
Delaware,	76,068	77,043	1	1	6,363
Maryland,	470,019	434,124	8	6	10,044
Virginia,	1,239,797	1,060,202	21	15	9
North Carolina,	753,419	655,092	13	9	18,972
South Carolina,	594,398	463,582	9	7†	39,503
Georgia,	691,392	579,015	9	8	13,574
Alabama,	590,756	489,343	9	8†	65,263
Mississippi,	375,651	297,567	4	4	14,847
Louisiana,	352,411	295,030	3	4	2,310
Kentucky,	779,828	706,925	13	10	125
Ohio,	1,519,467	1,519,465	19	21	35,185
Indiana,	685,866	685,865	7	10†	49,745
Illinois,	476,183	476,050	3	7†	51,970
Missouri,	383,702	360,406	2	5	7,006
Arkansas,	97,574	89,600	1	1	19,920
Michigan,	212,267	212,267	1	3	227
Florida,	54,477	44,190			
Wakumam,	30,945	30,941			
Iowa,	43,112	43,106			
Dis'ct of Columbia,	43,712	41,834			
	17,063,353	16,068,494	242	223	

Each of the fractions marked with a †, are entitled to one representative.

The aggregate of slaves in the United States, according to the census of 1840, is 2,487,455. Deduct two-fifths of that number, 994,982, and we have 16,068,371, as the exact federal number, which corresponds within a fraction of 33, with the result as found in the above distribution.

The official census return as given above, shows the population of the union the 1st of June, 1840, to be 17,063,353. A large portion of the seamen employed in foreign trade, and a considerable number of those employed in the interior and coasting trade, having no permanent dwellings, were not enumerated in the census—neither are the seamen that are employed in the United States service, or many of the soldiers enlisted in the army, enumerated.

The number of seamen employed in the United States service June 1, 1840 was 6,100

The number of American seamen employed in the interior navigation and coasting trade, is estimated at 33,000

The number employed in exterior navigation is estimated at 56,000

The number of officers and soldiers in the army 12,639

107,739

Of this number it is fair to presume that largely over half, have not been enumerated in the census; and consequently had all been included, the aggregate population would have been over 17,100,000.

Assuming 17,100,000 as the total population of the United States on the 1st June 1840, and the average annual increase having been ascertained to be three and one-third per cent. per annum, the population on the 1st June 1842 would amount to 18,126,000

In 1850 to 22,800,000

1860 to 29,500,000

1870 to 34,200,000

being double the population of 1840. In the year 1900, if we continue to increase in the same ratio till that time, our population will amount to 68,400,000.

SECTIONAL VIEWS.

Having above given a general view of the representation in the next, compared with that of the present congress, it is interesting to examine the change more in detail, and observe how it will affect the relative sections of the union.

FIRST VIEW—SECTIONS.

NORTHERN STATES.

	Population.	*Federal number.*	*Rep. 1830.*	*Rep. 1840.*	*Frac.*
Maine,	501,793	501,793	8	7	7,033
New Hampshire,	284,574	284,573	5	4	1,854
Massachusetts,	737,699	737,699	12	10	30,899
Rhode Island,	108,830	108,927	2	2†	38,148
Connecticut,	309,978	309,968	6	4	27,248
Vermont,	291,948	291,948	5	4	9,228
	2,234,822	2,234,808	38	31	114,410
Difference between the population and federal number	14,				
Loss of representatives, One †, equivalent to		7			70,680
Fraction unrepresented					43,730

MIDDLE STATES.

New York,	2,428,921	2,428,919	40	34	35,799
New Jersey,	373,306	373,036	6	5	19,636
Pennsylvania,	1,724,033	1,724,007	28	24	27,687
Delaware,	76,068	77,043	1	1	6,363
Maryland,	470,019	434,124	8	6	10,044
	5,074,364	5,037,128	83	70	
Difference,		37,236			
Loss of representatives,				13	
Fraction unrepresented					89,529

SOUTHERN STATES.

Virginia,	1,239,797	1,060,202	21	15	9
North Carolina,	753,419	655,092	13	9	18,972
South Carolina,	594,398	463,583	9	7†	39,503
Georgia,	691,392	579,015	9	8	13,574
	3,279,006	2,757,892	52	39	72,051
Difference,		521,114			
Loss of representatives, One †, equivalent to				13	
					70,680
Fraction unrepresented					1,371

SOUTH WESTERN STATES.

Alabama,	590,756	489,343	5	7	+65,263
Mississippi,	375,651	297,567	2	4	14,847
Louisiana,	352,411	295,030	3	4	2,310
Arkansas,	97,574	89,600	1	1	18,920
Tennessee,	829,210	735,986	13	11	+49,186
Kentucky,	779,828	706,925	13	10	125
Missouri,	383,702	360,406	2	5	7,006
	3,409,132	2,984,857	39	42	157,657
Difference,		414,275			
Gain of representatives			3		
Two members †, equivalent to				3	141,360
Fraction unrepresented.					16,297

NORTH WESTERN STATES.

Ohio,	1,519,467	1,519,465	19	21	35,185
Indiana,	685,866	685,865	7	10	+49,745
Illinois,	476,183	476,050	3	7	+51,970
Michigan,	212,267	212,267	1	3	227
	2,893,783	2,893,647	30	41	137,127
Difference,		437			
Gain of representatives			11		
Two members † equivalent to				. .	141,360
Over-represented by fraction of					4,333

RECAPITULATION.

The north Atlantic states lose	7 reps.	and have	31
The mid. Atlantic states lose	13 "	"	70
The south " "	13 "	"	39
The Atlantic states total loss	33 reps.	and have	140
The south western states gain	3 "	"	42
The north western states gain	11 "	"	41
Western states total gain	14	and have	83

SECOND VIEW—DIVIDING EAST AND WEST BY THE ALLEGANEYS.

The number of representatives

ATLANTIC STATES—*Under the census of*

	1830.	1840.
From the north Atlantic states	38	31
" middle Atlantic states	83	70
" south Atlantic states	52	39
Total Atlantic states	173	140

WESTERN STATES.

From the south western states	39	42
From the north western states	30	41
Total western states	69	83
Atlantic majority census 1830	104	57
Atlantic majority census 1840		57

From the above it will be seen, that whilst by the new census, the Atlantic states lose 33 representatives—being reduced from 173 to 140, the western states—gain 14, being increased from 69 to 83 representatives, showing a difference of representation between the census of 1830 and 1840, in favor of the western states of 47.

THIRD VIEW—DIVIDING NORTH AND SOUTH.

By dividing the union north and south, by the Ohio river, and Mason's and Dixon's line, we have the following results:

NORTHERN STATES.

	Ratio. 1830	*Ratio.* 1840
New York,	40	34
Pennsylvania,	28	24
Ohio,	19	21
Massachusetts,	12	10
Maine,	8	7
Indiana,	7	10
New Jersey,	6	5
Connecticut,	6	4
New Hampshire,	5	4
Vermont,	5	4
Illinois,	3	7
Michigan,	1	3
Rhode Island,	2	2
Northern states,	142	135

SOUTHERN STATES.

	Ratio. 1830.	*Ratio.* 1840.
Virginia,	21	15
North Carolina,	13	9
Tennessee,	13	11
Kentucky,	13	10
Georgia,	9	8
South Carolina,	9	7
Maryland,	8	6
Alabama,	3	4
Mississippi,	5	7
Louisiana,	3	3
Missouri,	2	5
Arkansas,	1	1
Delaware,	1	1
Total -	100	88

RECAPITULATION.

Representation under census of

	1830.	1840.
Northern states	142	135
Southern states, (including Maryland and Delaware),	100	88
Northern maj. 1830	42	Do. 1840 47

Difference in representation between the census of 1830 and 1840, in favor of the northern states 5.

The operation of assuming the *federal number*, as the constitution requires, instead of the *actual population*, as the sum into which the quota of representation is divided, in the present instance, is to leave 994,982 of the aggregate population unrepresented—*equivalent to 14 representatives*—the whole of which loss falls upon the southern section—for the number of slaves in the northern section does not amount to a fourth of the fraction still left beyond the 14. To this result the northern people reply, that by this arrangement the southern states enjoy the advantage of *twenty-one more representatives* than they would be entitled to, if the *free* population only, throughout the Union, were represented. The arrangement of the *federal number* was a compromise of this difficulty when the constitution was framed.

Neither of the Territories have sufficient population to entitle them to admission as States into the Union. The constitution requires that before admission they must have at least a sufficient population to entitle them to one representative. Florida, the most populous territory, has but a federal number of 44,190—little over half the ratio.

*Including Michigan and Arkansas, admitted into the union in 1836.

† *And one additional member for each fraction over a moiety of that number,*—by which rule the states of Rhode Island, Indiana, Illinois, Tennessee, South Carolina and Alabama, are each entitled to an additional representative, and are so included in the column of representatives.

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MISCELLANEOUS.

NEW YORK INTERESTS, AS AFFECTED BY THE TWELFTH PER CENT. AD VALOREM DUTIES.—We have sufficiently, that one half of the salt-works at Syracuse have been stopped, owing to the introduction into our state, by the way of Canada, of Turk's Island, and other foreign salts, which, at 20 per cent. *ad valorem*, instead of 10 cents per bushel, the former duty, do not pay much over 4 cents per bushel. This state levies a duty of 6 cents upon every bushel manufactured, and the quality of the Onondaga salt is better than that of other American salts.

Again, we learn, that all the factories (cotton and wool) in Oneida county have stopped—another result of the 30th June 20 per cent. ad valorem duties. [*N. Y. Amer.* 22d.

BUNKER HILL MONUMENT. THE TOP STONE. Considerable interest has been manifested, and many questions asked, with respect to the manner of placing the top stone on Bunker Hill Monument. The block is four feet and nine inches square at the base, while the four sides will be hammered from the apex, to an edge, forming a flattened cone. It constitutes itself the apex of the monument, and it has been supposed by some that it would be a very difficult matter to place it in its intended position. But the difficulties are easily obviated by the arrangement proposed by Mr. Savage. For the purpose of raising the stone (as the derrick is already used must come down), a pair of shears will be raised directly over the monument, one leg on each side, resting upon timbers projecting from the openings. The shears will be sloped towards the city, and the block will be raised on the front side of the monument. The difficulty of attaching the fall to the block, (as no holes can be drilled into it, as in the other blocks), will be obviated by having projections on two sides of its surface—like ears to which the rope will be fastened. These will be hewn off, after the stone has been placed in its position.

Dimensions of the top stone.

Square at the base, 4 feet 9 inches.

Thickness through the centre, 3ft. 6.

Weight of the block, about 2½ tons.

It is believed that the following mountains may be seen in clear weather from the top of Bunker Hill monument viz: *Wachusett*, at Princeton, distant about 35 miles; *Monadnock*, at Jaffrey, N. H. distant about 75 miles; *Ascutney*, at Weathersfield, N. H. distant about 110 miles; *Kearsarge*, at Newbury, N. H. distant nearly 80 miles. Another mountain the name of which we do not know, is also to be seen. [*The Aurora.*

RAIL ROAD TOPICS.

Having devoted some columns of a late number of our Register to a notice of the progress of rail roads upon the continent of Europe, it will be worth while to cast our eyes for a few moments upon the progress of some few of the many of our own rail roads, of which even the discouraging condition of our finances have not yet entirely arrested the progress.

The South Carolina section of the great rail road intended to connect Charleston with the great western states and the waters of the Mississippi, is now in operation with two heads, one at Columbia and the other at Hamburg, resting on the ocean at Charleston, for a distance of 205 miles. A writer in the *South Carolinian* says, "the gross income of the road in these hard times, will, for the next 12 months, be scarcely less than $500,000. The expenses may reach $300,000. A steamer is now and breakfast in Columbia, and in ten hours after, if he pleases, be on the broad bosom of the Atlantic, sailing for England, the continent of Europe, or Asia, or Africa, or any part of our own country or the world. Or, if he chooses to go west, the next dawn will find him in the heart of Georgia, 200 miles from his starting post. And in a year or two more, the enterprise of our Georgia brothers, will set us down on the navigable waters of the Tennessee, in 48 hours from this point. When *there*, we will be in direct communication with the great west, and have opened to us a commerce of inexpressible richness and extent, and a travel which will pour gold like water into our coffers. Let it not be forgotten, that by this channel we reach Georgia, Alabama, Louisiana, Tennessee, Mississippi, Arkansas, Missouri, Kentucky, Illinois, Indiana, Ohio, and indeed the whole valley of the glorious Mississippi! Who shall say he can compute the results!

RICHMOND AND FREDERICKSBURG RAIL ROAD. The Richmond Compiler of Wednesday has a notice of the recent annual report of the directors of this road from which we learn that the "last link," between Fredericksburg and Potomac Creek, will be completed by the first November. This will be an important consummation. At the end of the road there will be a fine harbor, the navigation to which is easy and free from the objections of Potomac Creek, the water of which has been frequently blown out so low a stage that the steamer could not be floated.—Above all the gains will be the raising of the nearer two-thirds of the "nine miles" of stage road. Praise is due the company for the noble spirit with which they have struggled to accomplish this important object. Only does the company, that has thus project shall have been effected, the travel between Washington and Richmond will, it is believed, be as well accommodated as on any route in the union of the same extent, and the companies south of Richmond, on the great line of communication between the north and south will only make but moderate exertions in comparison with those which have been made by this company for the proper accommodation of the travel, there can be little doubt of its increasing in a ratio much more than correspondent with the increased expenditure and effort which may be incurred for the object."

As a pleasing evidence of the credit of the company the report states that so far as funds have been obtained in aid of the receipts of the company for the construction of the new road, they have been had *at par* on bonds bearing 6 per. ct. interest, with the privilege of conversion into city stock.

The net income of the company from the 1st of April 1841 to 1st of April 1842, from all sources was $171,869 33

Deduct current expenses for year ending 1st April, 1842.	95,990 54
Nett income after payment of expenses	$75,818 79
Interest paid during year ending 1st April, 1842, including amount of interest paid on bonds for the Potomac extension	24,922 11
Nett income after payment of current expenses and interest,	$50,896 67

From which, says the report, "it will be seen that the nett income of the company during the past year, would have been equal to the payment of the expense and interest, (including that paid on bonds issued for the prosecution of the work between Fredericksburg and the Potomac) to a dividend of seven per cent. to the stockholders on that portion of their stock not bearing interest. With such a fund (largely increased as it must be by the completion of their work) applicable to the extinguishment of the floating debt, which will be due for the completion of the Potomac extension, this last will be speedily extinguished, and the board can scarcely doubt that the company may then pay regularly to the stockholders dividends of from eight to ten per cent. reserving an adequate contingent fund for unforeseen or unusual demands."

Messrs. Loftin N. Elliott, and Thomas H. Ellis, on the part of the committee of examination, report most favorably of the condition of the road and its management, and also of the vigor with which the "last link" is prosecuted to completion, of the faithfulness with which the work is performed, and the good quality of the materials used in its construction.

South Carolina has active rivals in the field for the attainment of this golden prize.

The state of Georgia is building a great rail road from Tennessee, a distance of 200 miles, one hundred and thirty miles long. The Georgia rail road company have finished their road from Augusta to Madison, 105 miles—45 miles interval from Madison to Decatur; and when this is done, we can start from Charleston or Columbia, and go in less than 48 hours, to Ross's Landing on the Tennessee, more than 400 miles. This is one line to the great west. But Savannah has also her rail road completed almost to Macon —and from Macon completed to Barnesville—leaving some 65 miles more to reach Decatur.

SOUTH CAROLINA is progressing with her rail road.

A splendid BARBACUE was given at Columbia on the 28th of June, (the anniversary of the repulse of the British forces from before Fort Sullivan, during the revolution) and drunk some "the arrival of Charleston at Columbia," by the opening of the rail road between those places. The account of the affair given in the South Carolinian states, that a flag displayed upon discovering the train of cars from Charleston with the word "welcome" inscribed thereon, and a salute from the state artillery, greeted their arrival. Upon landing from the cars, the citizens of our town, with the rifle corps, the dragoons, and the Charleston light infantry, were filed off to receive our city guests. Three cheers having been given, to receive them, they alighted from the cars, and were attended by the committee, with congratulations on their hearing up with their company.—The mayor and aldermen of Charleston, the commissioners of Cross Roads of Charleston Neck, the president and directors of the rail road company, and the citizens of Charleston generally, were then escorted to the depot, by the committee. The hon. Intendant of Columbia and the municipal wardens were ready to receive them, and conducted them to the station; the Intendant came for and and addressed the president of the Louisville Cincinnati and Charleston rail road company, in an elegant, feeling and impressive speech, congratulating the company on the successful termination of their labors—doing justice to the efficient zeal and efforts of the officers and agents—and, and paying a warm tribute of respect to the memory of those lamented citizens who became identified with the cause of rail roads in South Carolina. Having, on the part of the citizens of Columbia, extended to our guests the most sincere and hearty welcome, and invited them to partake of the refreshments provided for their entertainment, consisting of a BARBACUE, the Intendant closed his address with a well-merited tribute to the individual exertions of the efficient and worthy president of the company.

Col. GANAWAY responded in an appropriate and forcible manner, to his address, and "the success of Columbia in the management of the concerns of the company—exhibited their claims to the public confidence—the advantages of South Carolina rail roads to our state, our people, and the rail road companies received and made his acknowledgments, in the name of the company, for the cordial reception which they experienced from Columbia.

The addresses being over, the committee attended our distinguished guests, followed by the citizens, to the festive board, where we are pleased to say they expressed a most lively satisfaction at their entertainment. With the companies received and escorted to the table the patriot French Artillery and Light Infantry, where a temperate and earnest discussion took place of Congaree mutton, Beaufort pig, and Charleston veal. A variety of wines and liquors were spread upon the board, including the native juice of the grape of our fellow citizen James S. Gaignard, esq. After handsome acknowledgments by the president of Columbia, and intendant of Columbia, of respective compliments to the corporations over which they preside, a number of toasts were offered, of which we have collected those here published. At an early hour the festivities of the occasion were closed, and no accident, nor the slightest unpleasant occurrence, took place to marr the pleasure of the company. In the evening many social private parties were given, which contributed much to extend our acquaintance with our visiters. The number of persons present on this occasion, is estimated at between 4,000 and 5,000.

From a number of toasts given we select the following:

FROM THE COMMITTEE OF ARRANGEMENTS. *By the hon. Wm. M. MEGEE. The completion of the rail road to Columbia:* The struggle is now over, and the triumphant consummation of this important object, in the midst of the most disastrous financial crisis which the last half century has witnessed, accomplished from abroad, reflects the highest honor on all concerned in its construction, and vindicates the character of our people for enterprise and perseverance.

By Col. W. HAMPTON, chairman of the committee. *The city of Charleston:* The pride of our state. The effort and which has rendered in the perfection and accomplishment of the great lines of rail road to Hamburg and Columbia, are worthy of her character and position. May she reap the rich reward which she so justly merits.

VOLUNTEERS.

By the hon. mayor of Charleston. *The town of Columbia:* This day honorably allied to the honor bad of Charleston, and now, finally, dedicated with her interest, her fame, and her prosperity.

By Alderman PERMAN. *A new impulse to our rail road enterprise:* We shall not have finished our work till we have reached the waters of the Mississippi.

By D. WALKER. *The president and directors of the rail road, and the rail road itself:* Plenty of freight, both animate and inanimate, to the cars of the latter; and may the former, for their spirited and noble exertions, soon have the pleasure of seeing the credit side of their account counterbalance that of the debit.

By REST. MCKNIGHT, sr. HON. JOHN C. CALHOUN: The bold and consistent exponent of domes-

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cratic principles. Hospitable, social, jubilant, and warm-hearted, ever in the van of every enterprise, gratitude and admiration—May the immortal crown wreath the brow he has earned and deserves it.

By Jonas Sykes. *Jonas C. Calhoun: and his gold mine:* The value of the ore he has raised, is hard to dross, when compared with the stores of intellectual wealth which he freely opens to the nation.

By President Cooper. *The Rail road of the Carolina and Georgia:* The centre links in the great chain of intercommunication between the Atlantic and valley of the Mississippi.

By Col. F. H. Gaines. Wm. Dearing, esq. *and the Georgia rail road:* The enlightened pioneer and the true way to the great west, its countless people, and vast currency; we bid him a heartfelt welcome here to-day, and hail his success in Georgia, and making his home among us, as the highest evidence that our enterprises are successful, and a rich harvest about to reward our labors.

By Col. R. H. Goodwyn. *Col. Jas. Gadsden, the worthy president of the L. C. and C. R. R. company:* His efficient economy, and skilful financial management, in the completion of the road, entitle him to the thanks and confidence of the stockholders.

By Alderman McNeill. Thurman Tepper, esq., *one of the projectors of rail roads in South Carolina:* He has been their most ardent friend, and a faithful guardian, to the present time. The stockholders have reason to be proud of this able and indefatigable but unpretending officer.

By Dr. R. V. Gibbs. *Rail road cars:* The triumphal cars of modern civilization and science.

COMMERCE AND NAVIGATION.

REPORT OF THE COMMITTEE ON COMMERCE CONTINUED.

Estimating the value of our commercial returns by the amount of our NATIONAL EXPORTS, we may rank the several countries and their dependencies, with which we trade, in the following order:

Great Britain	Prussia	Sicily	
France	Denmark	Portugal	
Spain	Sweden and Norway	Turkey	
Mexico	Chili	Austria	
Brazil	Venezuela	Texas	
China	Belgium	The Cisplatine Rep.	
The Hanse Towns	Italy	The Argentine Rep.	
The Netherlands	Hayti	Peru	
Russia	Sardinia		

Estimating these several states by the amount of our NAVIGATION employed in the trade with them, we should have occasion to place them in a very different order, as will presently be seen.

Without designing to enlarge their report by a minute survey of this field of commerce, the committee propose to exhibit a view of the proportions in which our trade is distributed amongst some of the principal countries enumerated in this list; and with that object in mind, attention to the following tabular statement, the product of a labor to enter the entire import and export of the United States at four successive periods, beginning with the year 1825 and ending with 1840, and in connexion with this, also to show our imports and exports in the trade with the several countries designated in the table, during the same years. We may determine from this table not only the relative value of the trade of each nation referred to, but also its increase or decrease during the term.

Total imports and exports of the United States.

	Imports	Exports
1825,	$96 314 075	$99 536 268
1830,	70 876 920	73 848 568
1835	129 291 217	124 693 577
1840,	107,141 519	131,571,933

Of these amounts there were imported from and exported to

	Great Britain and her dependencies.		France and her dependencies.	
	Imports.	Exports.	Imports.	Exports.
1825	$42 294 852	44 2 7,525	1,235,554	11 031,327
1830	26 221 431	31 917 947	1,210,450	1 943 256
1835	65 944 397	61 167 693	25,362,551	12 335,166
1840	31,113,923	70 322 9	17,088 137	22 3 5,968

	Spain and her dependencies.		Brazil.	
	Imports.	Exports.	Imports.	Exports.
1825	9 322 721	5 840 729	2 156 707	2 332,751
1830	3 323 811	6 014 192	1 [illegible]	1 943 256
1835	15 017 149	7,9 9 271	5 571 466	2 601,686
1840	14,019,660	7 615,347	4 927,256	2 596 514

	Mexico.		The Hanse Towns.	
	Imports.	Exports.	Imports.	Exports.
1825	4 011 647	6 470 144	2,739,026	3,120,033
1830	3 230 241	4 837 461	1,972 278	2,274 860
1835	9 490 4 6	9 629 221	3 841 913	3 514,276
1840	4 176,501	2 516 341	2,511,493	4,198,159

	Netherlands and dependencies.		Russia.	
	Imports.	Exports.	Imports.	Exports.
1825	1 253,363	5 098 477	2 067 110	2 7 40
1830	1,356 765	4,262 143	1 621 901	205 377
1835	2,963 718	4,411 653	2 397 45	845 44
1840	2,326,390	4,046,0.5	2,512,227	1,16,,4..

	Sardinia and dependencies.		Denmark and dependencies.	
	Imports.	Exports.	Imports.	Exports.
1825	[illegible]	[illegible]	1 6 7	2 [illegible]
1830	[illegible]	[illegible]	1 [illegible]	1 [illegible]
1835	[illegible]	6 25 4	1 413 32	1 7 4 6
1840	1,7 [illegible]	3 9 6 6	1 7 6 500	1 [illegible]

The four periods selected for this exhibit have been adopted as on the ratio of our commerce at regular intervals of 5 years. Other years—especially 1826 7 and 9—would have presented a larger amount of trade; but as the object of the committee was to furnish the means of estimating the proportions in which our commerce has been extended to the different countries in the table, it is sufficiently full for that purpose. It shows that the trade with Great Britain and her dependencies has maintained, for the last fifteen years, a relative superiority over half our whole foreign commerce,—increasing and declining with a remarkable correspondence to the general aggregate of our trade with the world.

It will also be seen that the trade with France and Spain, and their colonies, which had varied but little in the two first terms of the table, has experienced a very considerable increase in the last half,—that of France from about one eighth of our whole trade to about a sixth; and that of Spain, somewhat in the same proportion; and it will be remarked that the trade with the several powers in the north of Europe, comprehending Russia, Denmark, Sweden, the Hanse-Towns, and the Netherlands, has undergone much less change since 1825 than might have been expected in such a lapse of time. Their aggregate commerce at the present day would present a small not widely differing from that of the year alluded to.

The committee have invited attention to this survey, of the relative proportions and amount of our trade, with a design to connect it with a view of the navigation employed in its prosecution with the countries enumerated, as well as with a few others not included in the table.

The eager interest whatever concerns our navigation, which is so extensively felt throughout the country at the present time, furnishes a peculiar incentive to this investigation.

The extraordinary increase of foreign shipping in our ports has awakened a general inquiry upon the subject. The steadiness with which that increase has advanced, through a series of years, indicating no temporary or occasional influence, but some permanent source of vigor, has diffused an apprehension that it is still to continue, and that it may, at no very distant day, arrive at a point which shall present the anomaly of American commerce, with its flag, navigated the ships and seamen of transatlantic nations. On a question of so much concern, congress will doubtless be influenced by broad and patriotic views of the national interest, and will not hesitate to discard whatever error of theory or practice it may be convinced has crept into the administration of this branch of our policy.

To enable the committee to present the condition of our navigation intelligibly to the house and the country, with reference to the subject under discussion, they have prepared a table, which will be found in the appendix accompanying this report, marked No. 1, which exhibits—

1st. An aggregate of the value of imports and exports in each year from 1830 to 1840 both inclusive; 2d. The total amount of foreign, coastwise and domestic, entered and cleared in each of the same years; and—

3d. The tonnage entered and cleared in the same years belonging to the principal nations with which we have been accustomed to trade.

The aggregate of import and export is given in each year as nearly as it can extend of our commercial operations, and under it may be compared with the amount of the tonnage which it has employed.—The navigation of each country is furnished to show to what extent each has participated in the carriage of the commodities constituting this aggregate of commerce.

Without designing more than a very brief comment upon this table, the committee would draw the observation of the house to the following conspicuous facts which exhibit:

In 1830, the whole amount of foreign tonnage which entered our ports was 131,9 5 tons, and it had increased in 1840 to 1,7 5,500 tons.

Showing an increase of foreign tonnage in five years of nearly 500 per cent.

In 1830, the total amount of merchandise, valued at about twenty-nine millions of dollars, employed an amount of American shipping entered as 967,227 tons.

In 1835, nearly one hundred and fifty millions of imports employed 1,254,653 tons.

In 1840 [illegible] in this [illegible] hundred and ninety millions employed 1 [illegible]

[illegible] in imports of nine [illegible] years [illegible] hundred and [illegible] millions employed 1 [illegible] tons.

It will thus be seen that the increase of our navigation in the first five years was less than 30 per cent., and the whole ten years but little over 60 per cent.; that notwithstanding the great increase of importations in 1835 and '36, the employment of our tonnage was not proportionately augmented; and that the principal benefit of that prodigious trade, as far as navigation was concerned, we may infer, was enjoyed by the nations of foreign trade.

Comments have been made in regard to the navigation of the particular countries referred to, we shall see, that—

In 1830, the British tonnage which entered our ports amounted to 87,221 tons; in 1835 to 5,9,922; and in 1840 to 582,424,—being, in the first of these periods, about three months, and increasing, in the second and third, to nearly five months of the whole amount of foreign tonnage entering into the United States.

A reference to the treasury returns will show that in 1830 our shipping which entered from Great Britain and her dependencies, amounted to 473,205 tons; in 1835 to 631 719 and in 1840 to 826 909;—that some quarter in the first of these years the British shipping in our trade was less than one-fifth of our total; in the second it had exceeded the proportion of fourfifths; and in the third stood some what above four-sixths of that belonging to our own citizens. And it will also be perceived that the increase of British shipping in our ports in ten years from 1830 to 1840, has reached the ratio of nearly six hundred and seventy per cent.

The French tonnage in the same aspect in which we have regarded the British, was, in 1830, 11,156 tons; in 1835 it was 15,437; and in 1840 had increased to 30 791 tons.

Our tonnage entering from France and her colonies was, in 1830, 120,783; in 1835, 107 832; and in 1840, 130,541 tons; the French, though the six three periods, being, relatively to our shipping, the proportion of something less than one-fifth in the first, of one-seventh in the second, and a fraction below a fourth in the third; and having increased in the ten years under review 180 per cent. The increase of our shipping in French ports, in the same time, was about 9 per cent.

Following this inquiry, to the navigation employed in the trade with Spain and her colonies, we shall find the amount of Spanish tonnage entered in 1830, 12,299 tons;—in 1835 24 197, and in 1840, 15 927.

The American tonnage employed in the same trade was, in 1830, 148,419; in 1835, 221,345; and in 1840, 257 421 tons.

The increase of the Spanish tonnage in the first five years was about 100 per cent; in the next five it fell off nearly one-third; and exceeding 25 per cent. Our tonnage has steadily increased in a proportion of more than 70 per cent of what it was in 1830. The imports from Spain and her colonies, as will be seen by the table before given, have increased at about the same rate.

Looking next to the shipping employed in our trade in the aggregate, with the principal powers of Europe, including the Russian, Prussian, Swedish, Danish, Dutch, and Hanseatic, we shall see that, in 1830, the aggregate of their tonnage entering our ports was 16,261; in 1835 it had risen to 18,4 5; in 1840, to 42 172 tons. The American shipping entering in the same years from the ports of these powers was, in 1830, 152,213; in 1835 93,651 and in 1840, 97 6-3 tons. The foreign shipping visiting Sweden and Norway, fell off per cent;—the American tonnage decreased something more than 40 per cent;—the foreign tonnage from Denmark and her colonies remained but little changed in amount.

Another of the countries mentioned in this aggregate, the increase of the shipping in the Hanse Towns, and Sweden will attract particular remark;—the first having increased from 9,653 tons, in 1830, to 70,702 in 1837 and to 41 874 in 1840;—the second from 4 138 in 1830, to 16 914 in 1840, and having at one year in the interval (1837) reached 27 [illegible] tons.

The increase of the shipping of Mexico has been given in the table as excluding, to some extent, the series, a very considerable addition to the foreign navigation in our ports, and as some what remarkable for the [illegible] of Austria, especially, in 1837 being 16,779 tons, while the American shipping at the same period of [illegible] Austria was 4,734 tons, and that cleared for Austria was 2 179 tons.

A careful inspection of this table and comparison of the results which it furnish s with the amount of our commerce with the various nations referred to, will suggest the following reflections:

That our foreign trade during the last ten years, has been characterized by very remarkable fluctuations in the amount of imports and exports; and that

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it has been especially distinguished for its frequent exhibition of a large excess of exports beyond the imports:—an excess in 1835 of more than $27,000,000; in 1836 of more than $1,000,000, and in 1839, of upwards of 40,000,000.

That this excess of importation, though greatly stimulating the employment of our own shipping, has, to greater degree, stimulated that of foreign nations:

That, independent of the amount of trade carried on between the United States and foreign countries, there are other active and efficient causes at work to increase the employment of foreign shipping, and to a certain extent, to supplant our own.

This table, it will be observed, presents a view of the *employment* of our navigation. The record of entries and clearances is but an incidental index the *voyages* made by our own and foreign vessels, to and from our ports in each year. To ascertain the actual quantity of our shipping, we must have recourse to the registry, enrollment, and licenses, as also to the report of the vessels *built* in each year.

The committee would submit a few considerations derived from a survey of our shipping as afforded by a reference to these sources of information.

We have already seen that the American tonnage *entered* into the United States in 1834 was 967,227 tons, and that in 1841, it was 1,326,000 tons. The clearances varied but little from the same amounts.

The proportion between these two amounts would seem to infer an *increase* of American shipping during the interval, in a ratio nearly equal to the entries; estimate, however, of the increase of our shipping can be formed upon this basis—the greater or less activity in the employment of our vessels being owing at and dependent upon temporary causes. An inspection of the table, for example, will show that between the years 1830 and 1831,—1833 and 1834, and 1835 and 1836, respectively—there was a diminishing of our own tonnage entering at our several ports:—whilst at the same time, a reference to the registry would furnish evidence of an actual increase of American vessels. The consideration of this fact only to correct an error which is somewhat prevalent, and which might mislead many in the estimate of our navigation.

The registry and enrolment are not, however, the most accurate guides upon this subject; and it is to be regretted that we have not in the statistics of the government any means of certainly ascertaining, even as to the real amount or quantity of our shipping.—Many vessels, which have been withdrawn from employment by loss at sea, by sale to foreigners, and by decay, are not reported in our records; and, with perfect precision, to supply at all times a perfectly correct account of the shipping in use by citizens of the United States. We, nevertheless, take from the statistics of registered, enrolled, and licensed tonnage for such information as they give. They will be found in table No. II, in the appendix to this report.

According to this document our registered tonnage (that employed in *foreign trade*) amounted in 1830 to 576,475 tons, and in 1831 to 629,451 tons. In 1828, the register showed 812,619 tons; but the correction, like in 1, in 1829 and 1830—the striking from it a large quantity ascertained to be sold abroad, lost, decayed, and abandoned—had reduced the aggregate to the sums above mentioned. The registered tonnage of 1840 is 893,764 tons. How much of this amount may hereafter be ascertained as proper to be erased from the registry, the committee cannot conjecture. If it be all in actual employment, it would show an increase of registered tonnage, since 1830, of something more than 50 per cent—and since 1831, of a fraction above 40 per cent. An inspection of this table, No. II, will also show that the increase has been apparently progressive from 1830 to 1836, and from 1837 to 1840; but that between 1836 and '7 —owing, as the committee are aware, to the erasure of tonnage then ascertained to be lost, &c.—a great diminution took place. We may, however presume the fact to be that the tonnage has actually increased, from year to year, through the whole series since 1830.

A recurrence to table No. I, will indicate that the foreign commerce has not progressively increased through these periods; but on the contrary, as we have already remarked, has exhibited great fluctuations. The same may be said of the entrance and clearances of the American tonnage employed in foreign trade. It is observable, however, that the increase of the registered shipping, has not corresponded, nor kept pace, with, either the amount of our foreign trade, or the employment of our navigation. What, then, is the true ratio of its increase? It will be ascertained from the table to which we have referred. That, with an occasional exception, more vessels are built every year than are sold abroad, lost, or condemned as unseaworthy, is apparent from official papers; and, therefore, that our tonnage has increased from year to year may be regarded as certain. But that this increase has not steadily advanced in equal proportions in each year since 1830 we may show from authentic documents.

The following statement will point out the actual increase or decrease of the registered tonnage as derived from the annual report of the quantity built in each year, with a deduction of the amount sold to foreigners, lost at sea, and condemned as unseaworthy, so far as these deductions have been reported to the government.

Year ending.	*Quantity built*	*Sold, lost and condemned.*	*Actual increase or decrease.*
Dec. 31, 1836,	21,212 tons.	31,801 tons.	10,558 dec.
1831,	45,720 "	24,484 "	11,236 inc
1832,	72,882 "	29,880 "	43,002 "
1833,	72,882 "	17,279 "	55,603 "
1834,	52,622 "	16,914 "	35,678 "

*From Sep. 30, 1834 to Sep. 30, 1835, 46,531 " 29,924 " 16,711 "
1837, 42,843 " 34,063 " 8,280 "
1838, 41,859 " 26,271 " 15,588 "
1839, 55,865 " 27,247 " 27,818 "
1840, 56,121 " 42,135 " 13,986 "

Whatever may be the amount of registered tonnage extant at any one period, and the amount sold, lost, and decayed, but not reported to the government,—it is apparent that the quantity *built* in each year being given, and that actually reported as sold, lost, and decayed being deducted, will furnish us the *maximum* of what, under any circumstances, can be regarded as the actual increase. In this instance, the point of view the above statement may be relied on to show the *highest* rate at which the navigation of the country could, under any contingency, have increased.

So regarding it, it is worthy of observation that the largest addition to our shipping were made in the years 1832 and 1833: and that both the building of vessels for the foreign trade, and the *ratio of increase* have been less since 1835 than before that period.—The four years from 1831 to 1834, both inclusive, built an average of 56,297 tons of vessels, and of shipping; the five years from 1836 to 1840 yield an annual average of but 16,000 tons. The first four years thus supplied an actual addition to the registered tonnage of 11,361 tons. The last five years supplied but 81,477 tons. If, instead of resorting to this mode of computation of the new tonnage, we look to the registry, we shall there discover a remarkable difference in the results. That registry—see table No. II, appendix—presents instead of 145,361 tons, for the increase between 1831 and 1834, an addition of 326,297 tons, and of 81,477 tons only, regard as true, compatibly with the truth of the other official reports to which we have referred. The same registry, in like manner, shows the increase of tonnage between 1836 and 1840, to be 13,986 tons, while the former computation proves it to be 81,477 tons, as we have seen.

These discrepancies cannot but produce great distrust in any arguments or conclusions derived from the official list of registered, enrolled, and licensed tonnage, and may serve to show the insufficiency of any comparisons between our navigation at different periods, when founded upon no better data than these returns. This list, however, with such corrections of it as may be made from the sources we have indicated, affords, with the most cautious and careful use, the conclusions which we have drawn from it.

Whilst pursuing this general inquiry into the state of our shipping, and its employment during the last ten years, the committee desire to make a cursory reference to its condition in the previous ten. We cannot resort, for the reasons stated above, to the registry to enable us to ascertain the actual state of our navigation at this period. And as the reports of the treasury department to congress before the year 1829, did not furnish the details of vessels *built*, with the reduction, for loss, &c; we are, therefore, deprived of the benefit of a computation from this source. We may, however, find a basis of calculation in the *employment* of our shipping. We therefore resort to this source of information for the state of our navigation between 1821 and 1830, with a purpose to place it beside details of the same character, relating to the period from 1831 to 1840.

This comparison is not made to induce an opinion that the shipping of the United States has not increased in an amount defying the last of ratios. As we have before remarked, the stimulus which the policy of government has communicated to all kinds of employment, during the greater portion of this term, has unquestionably, been felt by the navigating interest, as it has been by every other department of business.—Whether this increase has been productive of good to the country; whether in fact, it has not proceeded from a most unwholesome artificial excitement of the spirit of adventure, and been the accompaniment of a ruinous excess of speculation, are questions to which the committee have already devoted some reflection. Yet, if the object of this comparison is to present the fact that our shipping interest, during the first ten years of moderate importation and regulated trade, was, at least, as lucrative, and by and as proportionally employed as it has been during this latter term of excited action and expanded enterprise; that it suffered much less competition from the shipping of foreign nations than it has done since; and, although not increasing as rapidly as during the last period, yet that the increase was steady, sound, and correspondent with the capital and resource of the nation. The facts upon which this conclusion is founded are embodied in the tables (Nos. III. IV. and V.) which are appended to this report.

The first of these tables (No. III) shows the aggregate import and export of each year from 1821 to 1830, both inclusive, thus furnishing the total amount or value of cargoes. It shows the amount of American and of foreign tonnage *entering* and departing, by which these cargoes have been borne. It also shows what portion of these cargoes were carried in American vessels, and what in foreign, thereby furnishing the means of computing the tonnage by which each was employed. It exhibits, in like manner, the same details for the ten years comprehended between 1831 and 1840. The general deductions furnished from this table are as follows:

1. The aggregate of imports from 1821 to 1830 was $296,000,000
Do of exports (same period) 765,000,000
Giving as the total value of cargoes $1,562,700,000
Of these cargoes about $1,410,500,000 were carried in American vessels—such employed a tonnage of 17,596,000 of tons; showing a ratio of about $80,500,000 cargo to 1,000,000 of tons.

And about $151,500,000 were carried in foreign vessels, which employed a tonnage of 2,200,000 of tons: giving a ratio of about $68,900,000 of cargo to 1,000,000 of tons.

2. The aggregate of import from 1831 to 1840 was $1,801,000,000
Do of exports (same period) 1,091,800,000
Total value of cargoes $2,892,800,000
Of these cargoes about $2,013,600,000 were carried in American vessels, which employed a tonnage of 25,000,000 of tons; showing a ratio of about $80,600,000 cargo to 1,000,000 of tons.

And about $379,200,000 were carried in foreign vessels, which employed a tonnage of 11,400,000 of tons, yielding a ratio of about $33,400,000 of cargo to 1,000,000 of tons.

Thus we see that the average employment of American shipping stood in the same ratio to the amount of cargoes in the first term of ten years that it did in the last; and that the aggregate employment of American tonnage had increased in the second term, over the first, from 17,500,000 to 25,000,000 of tons—somewhat less than 47 per cent; that the ratio of employment of foreign shipping was, in the first term, about 1,000,000 of tons for every $68,000,000 of cargo, and in the second about 1,000,000 for every $33,400,000 of cargo; and that the aggregate of foreign tonnage had risen in the second above the first term from 2,200,000 of tons to 11,400,000,—exceeding, in the last term, the first ten years that it did.

We have thus furnished, from such official sources of information as have been within our reach, a general statistical view of the comparative employment of our shipping engaged in the foreign trade. We have shown the aggregate of American and foreign navigation employed at different periods; the amount of imports and exports, constituting the cargoes borne by this shipping, at these periods; the proportion in which this navigation has been distributed in our trade with the principal nations of the world; the increase of our shipping in the foreign trade, as derived from the returns of the registry, and the more accurate returns of the vessels built in each year; and we have compared these results at two different epochs in our commercial history.

Upon the whole, we derive from this review evidence of the following facts:

1. Of a gradually increasing proportion of foreign tonnage in our trade.

2. That that increase has not, in any equal ratio, attended upon an increase of trade, but—especially in reference to the shipping of the north of Europe—has occurred where the trade has been nearly stationary.

3. That, in the excitement communicated to our commerce by the excessive increase of banking and paper money, the foreign shipping interest has profited even more than our own—partaking of the tem-

*Until the close of 1834 these returns were compared yearly from the 31st of September; after that date they were compared from the 30th of September.

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porary gain of that system, without sharing in the the embarrassment which it brought upon the country.

4 That our navigation in general has fared best in our commerce with those nations with whom we have not negotiated reciprocity treaties.

5. That the results have been most to our disadvantage where the reciprocal privilege has been established on the broadest scale.

It is an inquiry of great moment to investigate the causes of these facts.

The aim of our government has been to establish reciprocity in trade. It seems to have been imagined that reciprocity consisted in equal privileges of importation and exportation in our own vessels and the vessels of the nation with which we established these relations; that the greater the scope given to these privileges of import and export, the nearer the approach to perfect reciprocity. And it seems, moreover, to have been deemed a matter of great interest to our commercial welfare that these regulations should not remain subject to the ordinary legislative power of our own and other countries, which might thus be at liberty to discard them upon any present inducement, but that it was greatly to our advantage to place them upon a treaty basis which should secure them against temporary changes or repeal.—This would imply that in seeking such treaties we were fully persuaded the chief benefits to be derived from them would result to our own population, and that it was our policy, therefore, to secure these benefits on the most permanent arrangement.

It seems proper to be but a reasonable conclusion that, in the commerce between any two nations, the vessels of each should have the privilege of carrying to the ports the products of the nation to which they respectively belong, and of bringing back the products of that nation to which they trade. Without such a privilege the alternative would compel each nation, after carrying its own products to the other, to return in ballast. This privilege has been always conceded by the navigation laws of the United States, and generally by those of England.

It is not so clear a point of policy to establish that, 1st. all cases of international commerce, the vessels of the two parties should be admitted into the ports of each, without discrimination in duties or charges; although, with respect to any large interest, such a regulation would be open to no fair objection. But it may be affirmed that many circumstances may exist, and do in fact exist, to justify a very frequent exception to this privilege.

In the opinion of the committee, it is also a safe and useful restriction, in all cases where entry without discriminating duties is allowed to the vessels of a friendly nation, to confine that privilege, of exemption from discrimination, to the importations of *articles the growth, produce, or manufacture of the nation* from whence they are brought: and it is undoubtedly granting a very important boon to any nation, to allow it to employ its vessels in bringing, without qualification or discrimination as to duties or other charges, into our ports the produce of *any part of the world* with which such vessels may find it useful to trade.

Whenever it might become our policy, or comport with our interest, to establish commerce with any foreign country upon the essentials of any or all of the above privileges, it is difficult to conceive a sufficient reason why these privileges should be secured upon the basis of a treaty, in preference to their establishment by legislation—the one being unalterable during the continuance of a treaty; the other being repealable at any period when the public interest might suggest the propriety of a change.

We have nevertheless concluded commercial treaties—generally stipulating for a continuance of ten or twelve years, with a provision for further duration until a year's notice be given—granting the broadest class of the privileges above defined, with almost every nation that was willing to meet us on these terms. As might be expected, these treaties have been accepted and ratified by such nations, having small maritime territories of their own, or being able to build and navigate their vessels at less cost than ours, have seen their obvious advantage in the arrangement. Such, particularly, has been the case with the powers of the north of Europe, including Russia, Prussia, Denmark, Sweden, the Hanse Towns, and the Netherlands. In England, on the other hand, have not been accepted by France and Spain; and, to the ease of England, as well as some other powers of less maritime resource, have been modified so as to restrain the privilege to narrower limits.

Our citizens have acquiesced, for nearly twenty years, in these arrangements, under the specious delusion that, as the system professed to be one of *reciprocal advantage*, we have gained by it reciprocal freedom of trade. The committee have already pointed out the fruits of this reciprocity.

In regard to England, we have shown that she engrosses nearly one half of the whole trade of the United States; that she was the first power that entered into what has been termed the reciprocity treaty with us; that that treaty, concluded in 1815, and still in force, contained two most important modifications: the first limiting the privilege to the prosperity of the two nations respectively, the second excluding from the operation of the treaty the whole circle of her colonies and foreign possessions. We have shown that the British navigation has increased nearly from about one-sixth of our whole foreign tonnage to nearly one half. We are aware that, notwithstanding these facts, there are many of our citizens who believe that our navigation has been benefitted by our commercial rivals: and that it is still our interest to persevere in maintaining the policy adopted in 1815, as a policy based upon those principles of free trade which have found so many earnest disciples in our own country, and so many zealous theoretical teachers in England.

We shall best understand the true value of this reciprocity, as established by our treaties, by resorting to the exemplification of it afforded us by England herself, and especially in the relations she has secured with our country.

The navigation laws of Great Britain, as they existed until the modifications which were introduced into them since the commencement of the present century, were constructed generally with a view to the following points:

First. The exclusive occupation of the fisheries and the coasting trade, which were rigidly secured to British vessels.

Second. To the augrossment of the largest attainable share of navigation in their commerce with the nations of Europe. The necessity of thus surrendering something to the shipping interest of other maritime powers on that continent, wrung from the British policy, as developed in the navigation act of 1651, the exclusive monopoly of the navigation of nation to bring its *own products* to England in its own ships. As some inconvenience was subsequently found to exist in procuring cargoes exclusively the product of the country nearest to Europe, the necessity of

[illegible] Pennsylvania [illegible] Mr. Ewing, of Ohio, [illegible] Mr. Cushing, of Massachusetts, [illegible] Mr. Fairfield, of Maine, [illegible] Mr. Bagby, of Alabama

ment, and assumed as a standard of expenditure for this administration, seventeen or twenty millions of dollars, and the application of land to the gen ral expenditure. This for the extent of expenditure he presumed would make twenty or twenty-five mil lions but adequate to the wants of the government He would do nothing for protection. Mr. W. dwelt at length upon the advantages of the English system of taxation &c. &c.

Mr. *Bell* briefly replied to the positions laid down by Mr. W.

Mr *Woodbury* rejoined, and then on motion, the senate adjourned.

JULY 27. The bill to provide for the settlement of claims arising under the 14th and 19th articles of the treaty of Dancing Rabbit creek was ordered to be engrossed.

The bill relating to changes in the post office laws was discussed at some length. The first section of the bill was stricken out, which related to a change in the price of postage. The section relating to the standard size for newspapers was so amended as to read "fourteen hundred and fifty square inches," instead of thirteen hundred and seven, as in the original bill. The clause, which first provide expenses remains. The bill, in this shape, was ordered to be engrossed, and subsequently passed.

The naval appropriation bill was taken up, and the senate resolved itself into committee of the whole, the item for the pay of officers and seamen from $2,335,000 to $2,800,000, and insisted on one or two other amendments, and receded from the remainder.

A committee of conference was appointed on the part of the senate, named by the chair, to consist of Messrs. *Evans, Bagby*, and *King*.

The tariff bill then came up, and Mr. *Evans* addressed the senate at very considerable length, and the debate was further kept up between Mr. *Woodbury* and Mr. *Simmons*; when, on motion of Mr. *Berrien*, the senate proceeded to the consideration of executive business, and, after some time spent therein, adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, JULY 21. A resolution reported some months ago, from the judiciary committee, declaring it inexpedient to enlarge the provisions within the provisions of the bankrupt law was taken up.

Mr. *Rosewell* argued in favor of including corporations in the bill, and the injustice of subjecting individuals to a law, while associations of individuals acted as they pleased with impunity. He argued that it is the duty of congress to exercise its constitutional power of regulating the currency, to prevent the exercise of power by the banks, by which the value of that money is perpetually changing, and contended that the term "mass" was intended by the framers of the constitution to include paper as well as gold and silver. The constitution declares that no state shall issue bills of credit. The provision, he argued, was for the purpose of breaking up the monetarial currency, by which, the money, at the present, the uniform value of money was broken up. This provision was inserted to prevent a state of things like the present, and to make money (whatever description, of the same) of equal value and in all places. Mr. R. then referred to the recent history of the banking operations, to show the great fluctuations in the value of paper money, and asked if congress could be said to be regulating the commerce and the currency" of the country, while they permit such disorders as these. He next showed the disastrous results of this irregularity in the currency, on trade and commerce, and concluded by repeating that he desired a vote of the house on the subject, and with a view of testing the question, he offered a resolution providing for the reconsideration of the report and resolution of the judiciary committee, with instructions to report at the next session of congress, a bill including mixed corporations in the act.

Mr. *Barnard* moved to lay the resolution of Mr. R. on the table. The vote was yeas 67, nays 103. So the motion was rejected.

Mr. *Rosewell* moved the previous question, thinking that its effect would be to bring the house to a direct vote on his resolution of instructions. The motion being seconded, the speaker said it thereby cut off the "instructions," and brought the house to a vote on the resolution reported from the judiciary committee, declaring it inexpedient to include corporations.

Mr. *Arnold* moved to lay the resolution on the table. The motion failed. Yeas 77, nays 103.

The morning hour now expired, Mr. *Arnold* sent in a bill for the reduction of the pay of members to the dock, and moved its reference to a committee of the whole. Its reception was objected to.

Mr. *Irvin*, from the committee on roads and canals, reported a bill making appropriation for improving the navigation of the Illinois, Missouri, Mississippi, and all other principal rivers of the United States.

Mr. *Holmes* asked if it would not be in order to amend by adding "and the Atlantic ocean."

The bill without the proposed amendment was read twice and referred to a committee of the whole.

Mr. *Hilmore* reported a bill making appropriation for the continuance of the Cumberland road through the states of Ohio, Illinois and Indiana; also, for the construction of certain harbors. Read twice and referred to a committee of the whole.

Mr. *Adams*, of Ohio, from the committee of ways and means, reported without amendment, the senate bill, which provides that in the payment of foreign ministers and agents, the value of the pound sterling shall always be computed at $4 84. It was read a third time and passed.

Mr. *Mason* also reported a resolution directing the committee on ways and means to consider the expediency of repealing or so altering the law regulating the meeting of congress, so that the sessions shall commence on the first Monday in November; also that after any session shall have extended to six months, the pay of members for the residue of such session shall be $6 per day only.

Mr. *Wise* objected, and the resolution was not received.

Mr. *Arnold* said the committee were robbing him, as he had taken up the subject.

Mr. *Barnard*, from the judiciary committee, attempted to make a report in relation to the collection of duties on imports, but the reception of it was objected to by Mr. *Wise*.

Mr. *Fillmore* observed that much inconvenience has been experienced from the delay on the naval appropriation bill; he therefore moved that it be taken up, and that all debate on the senate amendments thereto, shall cease at 12 o'clock tomorrow. The resolution was adopted—yeas 91, nays 71.

Several private bills were read and referred, after which the house resolved itself into a committee of the whole, and took up the naval appropriation bill. The first amendment of the senate was that increasing the appropriation for the pay of warrant and other officers.

Mr. *Wise* having the floor, replied at some length to a speech by Mr. *Adams* the other day, in which the latter complained of partiality in the appointment of midshipmen.

Mr. *Wise* said that during his (Mr. *Adams*) administration the pay of officers, 327 midshipmen had been appointed and of these 111 were from Virginia, Maryland and the District of Columbia, and intimated that the policy which governed him was sufficiently intelligible. He (Mr. *Wise*) was a candidate for office of respect in to power. But in regard to Virginia, the gentleman could not have got her a seat had he given her even all the appointments he had conferred. He (Mr. *Wise*) was ever busy in exerting up the abolition interest in the country, which was another source of the complaints of Virginia influence. Mr. *Wise* then adverted to some of the ranks of Mr. *Merriweather*, and then those of Mr. *Brown*, and defended the apprentice system as established in the navy.

Mr. *Cave Johnson* said he would not vote against the amendment. It had been pretended that the president and the senate were to take the whole charge of the management of the navy, and that the wise judgment of the house was not called to the operations they should require. Mr. J. resisted this doctrine with indignation. He thought a fleet in the Mediterranean was of no more service in protecting our rights than would a frigate in St. George's channel, and was unwilling to render the navy unpopular by boundless extravagancies.

Mr. *Cushing* moved to strike out the house and adopted the amendment. He maintained that the president had the right to appoint as many officers as he pleased unless restrained by law, and as he had acted according to the law of the last session, gentlemen should not refuse to pay the debts of government.

Mr. *Caruthers* then obtained the floor, and on motion, the house adjourned.

FRIDAY, JULY 22. Mr. *Botts* rose and said he had received a petition, which he had been requested to present, signed by a number, and as he had been informed, of persons of the first respectability in the town of Wattsburgh, in the state of Alabama, praying congress to adopt a resolution calling on the adjudicating president to resign his office, and, in the event of his refusal, to bring forward articles of impeachment against him. Mr. B. said he was at some loss to determine what direction should be given to the petition, but he supposed, for the present, it had as well lie on the table and wait for company. There would be a plenty of the same kind after a while.

No objection having been made, the petition was received and laid on the table.

The house then resolved itself into committee of the whole on the state of the Union, (Mr. *Saunders*, of North Carolina, in the chair,) and resumed the consideration of the bill making appropriations for the naval service, which had been returned from the senate with amendments.

Mr. *Caruthers* arose and said, that the question was, was the house right in striking out $400,000 for the repairs of the navy, or was the senate right in retaining it. Mr. C. saw no one right in show the impropriety or impudency of the action of the house, and he would adhere to that action. Mr. C. then replied to Messrs. *Adams* on the appointments of Mr. *Cushing*, and adverted to Tennessee's having but one appointment of midshipman, while the local attachments of Mr. Tyler and Mr. Upshur were showering them upon their own states.

Mr. *T. B. King* next arose and addressed the house, and argued that it was the policy of England to mitigate Mexico to hostility with the U. States, in order in arm the privateers of the world under the Mexican flag against our commercial marine, and thus destroy our maritime greatness. To sustain his positions he would call the attention of the committee to a sentence of a letter of Mr. *Jefferson* of the 1st June, 1816, contratulating a friend on the restoration of peace. Mr. Jefferson says:

"Our union, however, should be not to intermeddle in the affairs of Europe, but to consider themselves belonging to an American system, distinct from the Europeans in its interests and objects; connected with their commerce, but not with their quarrels. But whether Europe will permit us to enjoy the peace of their wars is the doubt. Governed by common sense, she would do it; but governed by her merchants, the interests of the nation will be sacrificed to theirs."

Mr. K. held in his hand a pamphlet containing one of the most eminent British merchants, published in 1835. He had time to read but a short extract from it. The writer says:

"We are approaching the verge of a novel combination of commercial necessities that will hitherto bind the relation in which we have hitherto stood with our colonies; we call them necessities because they will be felt, and be felt from conviction of the wisdom of such changes, but be the irresistible march of events. The new world is destined to become the arbiter of the commercial policy of the world. It is to this end, that its wealth, its economy, and peaceful policy of America, and not the growth of Russia, that our statesmen and politicians of whatever creed ought to direct their most anxious thoughts. It is there, and not in the effort of barbarian force, that the power and greatness of England are in danger of being superseded; yes, by the successful rivalry of America, shall we, in all probability, be phased second in the rank of nations."

Mr. K. therefore, urged that it would be a wise policy to have now a war establishment of officers in the navy, and maintained that our true policy was to support as many officers in time of peace as we might want in time of war. In order to display the deeds of the naval officers in the last war Mr. K. was prevented from reading a table when he was stopped by the expiration of the hour.

The committee then in pursuance of the resolution adopted yesterday proceeded to vote on the amendments pending or to be offered.

The first question was on concurring with the senate amend ment increasing the appropriation for the personnel of the navy by the sum of $110 803.

By ayes 66, noes 83, it was non-concurred in.

Then on a question was on concurring with the senate in striking out the following proviso in the original bill:

Provided, That, till otherwise ordered by congress, the pay of officers in the marine corps, existing appropriation, shall be applied to the payment of any officers in the navy appointed after this date, beyond the number in each grade on the first day of January, one thousand eight hundred and forty-one; and that the excess now in the service beyond that number shall be reduced as fast as deaths, resignations, and promotions will admit."

And inserting in lieu thereof the following:

Provided, That, till otherwise ordered by congress, the officers of the navy shall not be increased beyond the number, in the respective grades, that may exist on the first day of January, one thousand eight hundred and forty-one; and that the excess now in the service beyond that number shall be reduced as fast as deaths, resignations, and promotions will admit."

And proceeding to lieu thereof the following:

Provided, That, till otherwise ordered by congress, the officers of the navy shall not be increased beyond the number, in the respective grades, that may exist on the first day of January, one thousand eight hundred and forty-one; and that the excess now in the service beyond that number shall be reduced as fast as deaths, resignations, and promotions will admit."

Mr. Slade moved to amend the amendment of the senate by striking out the words "having regard to federal numbers." Rejected.

Mr. *Adams* moved to amend the amendment of the senate by adding after the words "federal numbers" (as the reporter understood) the words "of officers, seamen, and marines, apprentices and boys." Rejected.

Mr. *Burnell* moved to amend the amendment of the senate by adding a proviso that boys enlisted in the naval service, under the act heretofore passed, and found competent on examination for the discharge of the duties of midshipmen, should be promoted to fill such vacancies as might occur in the naval service.

Mr. *Wise* submitted that the amendment was not in order, on the ground that it altered and modified an existing permanent law.

The *chairman* decided that the amendment *was* in order.

And the question being taken, the vote stood: ayes 62, noes 76.

So the amendment was *rejected*.

Mr. *Slade* desired to move an amendment, which, he said, would carry its own explanation on its face.

He moved to amend the amendment of the senate by striking out the words "federal numbers" and inserting the words "free population," so that the proviso would read "having regard to free population."

[A voice, "that shuts out the niggers."]

And the question being taken (by tellers) the affirmative vote stood *ten*, the negative out counted.

So the amendment was *rejected*.

The question then recurred and was taken on concurring in the amendment of the senate.

The vote stood: ayes 46, noes not counted.

So the amendment of the senate was *non-concurred in*.

The next amendment of the senate is in the following words:

"Except in payment for materials previously contracted for and yet to be delivered."

The amendment was *concurred in*.

The next amendment of the senate is in the following words:

"*And provided also*, That the secretary of the navy may, in his discretion, apply the sum of one hundred thousand dollars of the amount hereby appropriated, and any balance of former appropriations, for the construction of a dry dock at Brooklyn, N. York, to the construction of a floating dock, at the same place."

Mr. *Fillmore* moved to amend the amendment by inserting the words, "if in his opinion such floating dock will supersede the necessity of a dry dock."

Agreed to.

The amendment of the senate as amended was then concurred in; but by what vote the reporter could not hear.

The next amendment of the senate purposes to amend the following item:

"No. 13. For improvement and necessary repairs of the navy yard near Pensacola, Florida, and for a naval constructor at said place, thirty-five thousand three hundred dollars." To read as follows:

"No. 13. For improvement and necessary repair of the navy yard near Pensacola, Florida, one hundred thousand dollars."

And the question being taken, the amendment, by ayes 53, noes 74, was *non-concurred in*.

[The speaker received a message in writing from the president of the United States. The chairman then resumed the chair.]

The next amendment of the senate appropriating $4,395, for survey of Nantucket shoals, an appropriati n of $7,365, to suppress the slave trade, support recaptured Africans and remove them to Africa (increased on motion of Mr. *Fillmore* at the request of the secretary of the navy to $10,543), was then considered.

Mr. *Adams* moved to amend the amendment by striking out the item of appropriation for the suppression of the slave trade. [It was, Mr. A. said a mockery.]

The amendment was *rejected*.

And the amendment of the senate, as amended, was *concurred in*.

On motion of Mr. *Fillmore*, the committee then rose and reported the bill and amendments, to the house.

And the question being on concurring with the committee in its amendments—

Mr. *Adams* expressed a wish to reply to a personal attack which, he said, had yesterday been made upon him.

Mr. A. said his purpose in addressing the house was to urge it to non-concur in the report of the committee of the whole, and to concur in the senate's amendment of the bill.

The main reason why he was in favor of the appropriation as restored by the senate's amendments was that the appropriation was for the purpose of paying the debts of the nation, and that a reduction in its amount would not be any saving of the public money, but would only delay its payment to those who had a just claim to receive it. The department had stated that a sum of money was wanted for paying the services which had already been, or soon would be rendered. The reduction of the appropriation below this amount would not save any thing, because the money wanted, it would only have the effect of embarrassing the navy department in meeting just claims upon it.

Mr. *Adams* then remarked he should now confine himself to some remarks having reference to what had passed yesterday in committee of the whole in which the gentleman from Virginia (Mr. *Wise*) as he was accustomed to do had thought himself justified in making a personal attack on him.

Mr. *Wise* arose to inquire if it was in order for the gentleman to reply to house a speech made in committee. He would not object thereto, if he was also allowed the liberty to reply.

The chair replied that it was not in order.

Mr. *Adams* then put a contingent case and supposed certain charges to be made against him by "a dead man of hell" and proceeded in reply to Mr. *Wise* in a strain of remarks characterised with indignation and argued that the excess of midshipmen's appointments given in his administration to Virginia might have been accounted for in two ways, if it had happened by his own agency. The first of the two modes of accounting for it was such as would naturally occur to base hearts and low minds and it would by such accordingly be imputed to abolition and personal ambition on his part. Mr. A. then proceeded to state that the various appointments had been made by the departments without any agency whatever therein on his part; and moreover of the sixty-eight captains and commanders now in service, not one had received his appointment as midshipman in his (Mr. A.'s) administration, and few indeed of those who were now lieutenants. Mr. A. never had enquired from what state the appointments were made, when he was president. It was a matter of indifference with him. He should not have regarded to the application that he was actuated by views of abolition, was this, that it was a charge he thoroughly disgised and as false as the heart from which it proceeded.

Mr. *Burnell* next addressed the committee and defended the policy propriety and justice of placing the so called apprentices on a system of perfect equality to privileges of advancement in rank with this "gentlemen" of the navy. The fault of their being kept in degradation was not in the law as adopted by congress but in the regulations of the navy department.

Was this a principle to be tolerated by that house? Who did not know that most of its members owed their station in society to their own exertions, which had raised many of them from as humble origin?—How would they feel if told that that floor was no place for them; they never could occupy it, they never could become "gentlemen" fit to hold such a station?

Mr. B. apologised for the warmth with which he spoke from his own location among sailors: they were in his heart of hearts: and if any man, should stand up to plead their cause, he would that man. But he had been excited by the facts of a case which he would lay before the house, and leave them to judge of it. He here detailed the case of a lad by the name of Johnson, who had exhibited at the department the most honorable testimonials from more than one of his officers as to his good conduct and capacity, but who had been met by the prohibition in the navy regulations. Mr. B. commented on this case with a vehement indignation.

He warmly eulogized the apprenticeship system as calculated to bring boys into the navy, out through the shadows, the gloom and the disadvantage and gentlemanly connexions, but over the bows, by merit. It opened the door to all, and ought to be so administered that nothing should stop a boy of meritorious character from rising to be secretary of the navy. The fault was not in the law, but in the regulations of the department. With this treatment of the apprentices, Mr. B. contrasted the management of the middies: showed that no examination was made of their physical or moral condition: the blind, the lame, the halt, the drunken, the abandoned, might be admitted. The entire system was a system of bold, naked favoritism from beginning to end.

Mr. B. next specified what he considered the favoritism thou had been shown to applications from the state of Virginia, and spoke in earnest reprobation of such a system of narrow state favoritism. The principle was that boys were ineligible for officers unless they came from a certain rank: was such a principle to be tolerated in a free republic? Sooner than submit to it he would see the navy not only, but this proud capitol and the government itself go down. The vital principle of freedom was equality of rights: if this was swept away liberty was dead.

Mr. *Wise* then arose and proceeded to reply to the remarks of Mr. *Adams*. Mr. W. said that the member from Massachusetts knew his own motives, but Mr. W. could not but think the attack of the gentleman on Virginia was not so much to vindicate Massachusetts as to wakes and stir up that fiery serpent which was destined one day to set this country in flames. To the remarks which he (Mr. *Wise*) had made, the gentleman had responded in his usual strain, and gentlemen had formed a ring round him as they would about a bull dog, to hiss him on—urging him to that which themselves dare not do, and inciting him to still greater bitterness against one whom they dreaded as much as they hated him.

[A voice. "Very modest, that."]

The gentleman had not been allowed by the rules of order to allude to Mr. W. as "the member from Virginia," and he had therefore chosen to imagine that the remarks in committee had been made by a demon of hell. And this came from a venerable man, who ought to have evinced some self-respect, and whose age ought to have admonished him to more decency of language. A man with one foot in the grave, and who could say how long the other could be kept out of it by a merciful Providence—a man so soon to appear before his Almighty Judge.—It was not very surprising, however, that his imagination should be haunted by visions of demons from the regions below, or that he should fancy he already heard their attacks and accusations. Some gentlemen said that Mr. W. ought not so to reply to an old man like him; but the house and the country would bear him witness that he had man had been long and often spared by him. He might reply in the words of a greater than he. [Here Mr. W. quoted the well known reply of Pitt to reflections in parliament on his youth].

Mr. W. then proceeded to state that the statements he had made were borne out by the navy register and specified thereupon and concluded by stating that he had ceased to respect the man who never respected himself, and that his old age alone protected him from further attack than by words alone.

Mr. *Ch. Brown* next addressed the house. Having concluded,

Mr. *York* moved the previous question.

And there was a second.

And the main question (on concurring in the amendments of the senate as amended by the committee) was ordered to be now taken.

And the first question was on concurring in the following amendment of the senate:

"Appropriating the sum of "two million eight hundred thousand dollars" for the pay of commission, warrant and petty officers and seamen, instead of "two million three hundred and thirty-five thousand dollars," as provided in the bill as it had passed the house.

The yeas and nays were asked and ordered; and on being taken, were: yeas 72, nays 105.

So the amendment of the senate was *non concurred* in.

The next question was on concurring in the following amendment of the senate:

Strike out the proviso in the house bill in these words:

Provided, That, till otherwise ordered by congress, no part of this, or any future or existing appropriation, shall be applied to the payment of any officers to the navy appointed after this date, beyond the number in each grade of the first day of January, two thousand eight hundred and forty-one, but that the excess now in the service beyond that number shall be reduced as fast as death, resignations and promotions will admit.

And in lieu thereof insert the following:

Provided, That, till otherwise ordered by congress, the officers of the navy shall not be increased beyond the number in the respective grades that may exist at the end of the present session of congress, nor of midshipmen, beyond the number now in service.—And all vacancies of midshipmen, when filled, shall be supplied from states, territories and District of Columbia, which at the time shall not have their due proportion of midshipmen, having regard to federal numbers in the service, provided suitable applications are made for the same.

The yeas and nays were asked and ordered; and, on being taken, were: yeas 40, nays 130.

So the amendment of the senate was *non-concurred* in.

The third amendment of the senate was *concurred in*.

The fourth amendment of the senate, as amended in committee, was *concurred in*.

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The next question was on concurring in the amendment of the senate which proposes to amend item 13, viz:

"No: 13. For improvement and necessary repairs of the navy yard near Pensacola, Florida, and for a naval constructor at said place, thirty-five thousand three hundred dollars."

By making it read as follows:

"No. 13. For improvement and necessary repairs of the navy yard near Pensacola, Florida, one hundred thousand dollars."

The yeas and nays were asked and ordered; and, being taken, were: yeas 52, nays 113.

So the amendment of the senate was *non concurred in.*

The other amendments of the senate (as amended) were concurred in.

And thus all the amendments were disposed of, [and the bill goes back to the senate].

Sundry executive communications were laid before the house, and

The house adjourned.

SATURDAY, JULY 23. A motion made yesterday to print an additional report of Mr. Steuart, one of the commissioners appointed to investigate the affairs of the New York custom house was considered. The printing was ordered by 84 yeas to 66 nays.

The house then ordered the printing of the usual number of documents upon the subject of the trade and commerce of the country. The resolution of the judiciary committee that it was not expedient to include corporations in a bankrupt law was rejected 113 to 53.

Mr. *Barnard*, from the judiciary committee, wished to report a temporary revenue bill in the form of a declaratory act as to the laws now in existence.

The report was in the course of reading, when Mr. *Cushing* of Mass. interrupted the reading and demanded the orders of the day.

The chair decided that private bills were the order. A motion was then made to go into committee of the whole, and lost 85 to 84.

Mr. *Barnard's* bill was then read, when a conversation arose as to the opinions of the committee—Mr. *Saunders* contending that it was a majority report. [The bill imposes 20 per cent. on the goods imported since the 30th of June, and upon all which shall be imported until the act is repealed.]

The house then went into committee of the whole, Mr. *Summers*, of Va. in the chair.

The army bill was taken up in committee, and debate proceeded.

Mr. *Gaines*, of Miss. made a speech about a rumour of the treaty just divulged in reference to the northeastern boundary, and founded an argument thereupon against reducing the army.

Mr. *Gilmer*, of Va. rebuked the allusion to this matter at this time as out of place, and out of character.

Mr. *Fessenden*, of Maine, more interested, replied with more spirit at this interference in relation to Maine matters by a distant representative.

Mr. *Black*, of Georgia, sided with Mr. *Gaines*, and the house adjourned to get rid of it.

MONDAY, JULY 25. Mr. *Fillmore* of N. Y. introduced a resolution to stop all debate upon the army bill to-day at one o'clock. The resolution was adopted by a vote of 91 to 56.

Mr. *Fillmore* moved that the house go into committee of the whole. The motion prevailed. Mr. *Summers* of Va. took the chair, and the navy appropriation bill was resumed. The question pending was upon concurring with the senate in the proposed reduction in which the senate refused to concur.

Mr. *Cave Johnson* was against concurrence, and argued that if the reduction was not secured now, it would not be secured at all. If the house waited for the committee to act upon the bill from the senate reorganizing the army, they would wait for a long time.

Mr. *Stanly*, of N. C. as chairman of the military committee, answered for the committee that if the house concurred with the senate, the other bill would be taken up. The remarks of the member from Tennessee were ill-timed and unjust.

Mr. *Adams* said he was for adherence to the bill of the house as it went from the house. He spoke at considerable length of the revenues, and the condition in which they had been placed by the assumption of power on the part of the president. He was amazed at the attempt on the part of the president to exercise the law-making power of collecting revenue. The thing was without a parallel, and many examples were cited to show the effect of an attempt to exercise power in such a high handed manner in the history of our government.

Mr. *Adams* alluded also to the bill which was reported from the judiciary committee on Saturday.—The bill, Mr. *Adams* pronounced to be an *ex post facto* law, designed to have revenue collected upon goods which for the want of an existing law could now come in free from duty.

Mr. *Everett*, of Vt. addressed the committee and stated in reference to the recent treaty that he apprehended for special purposes that the president did not mean to sanction the treaty which had been signed by the commissioners. There is some apprehension that this *we did* may prove a fact, and that we shall have ere long an explosion in reference to the treaty.

Mr. *Holmes* during the debate also made an allusion to the treaty, and seemed to think it might not be sanctioned.

Mr. *Warren*, of Georgia, continued the debate in reply to Mr. *Holmes*, of S. C. who was for keeping up the army at the same time that he was voting against any revenue for the support of the government. He (Mr. H.) was, Mr. W. remarked, for any extravagance, and he would never support a revenue bill which would give support to the government.

Mr. *Johnson*, of Md. considered all action in reference to rumors as premature and out of place.

Mr. *Allen*, of Maine, considered the discussion of a treaty not consummated as out of place. He could assure members of the house that Maine had rather have the treaty of the commissioners, if she has yielding any thing, she yielded to the necessity of the case, and she would yield every thing but honor to secure the blessings of peace.

The committee proceeded to vote upon concurrence in the amendments of the senate.

Tellers were demanded, and almost without exceptions, and by large majorities, the committee voted to concur. The only exception was upon one of the 14 amendments of the senate. These make payment for arrearages of $15,000 for the preservation of public property.

The bill was then returned to the senate, and the house next suspended the rules to receive the bill for the reduction of the pay and mileage of members of congress—twenty-five per cent being the proposed reduction.

Mr. *Arnold*, of Tennessee, spoke in defence of the bill.

He was followed by Mr. *Briggs*, who, after some remarks on the importance of the bill, and the interest the country would feel in the question, moved its reference to the committee of the whole on the state of the union, which motion is printed.

Mr. *W. Cost Johnson* and Mr. *Wise* gave notice of amendments, and debated them; when, after remarks by Mr. *Underwood*, and some further desultory discussion, motion was made to lay the bill upon the table, which was rejected by yeas and nays 108 to 54. And then, pending a motion that the bill be refused second reading—that is, that it be rejected—

The house adjourned.

TUESDAY, JULY 26. The bill to reduce the pay dieta and mileage of members of congress was taken up. The question was upon the second reading of the bill.

The yeas and nays were then ordered upon the question, *Shall the bill be rejected*, and the vote was in favor of rejection, 45, against it 134.

The bill was then ordered to a second reading.

Mr. *Everett*, of Vermont, contended that there was much demagoguery in this bill, and more in the votes which had been given for it. Many members who voted for it were among those most inattentive to the business of the session and most frequently absent. As this question had gone so far, and a majority of members had put their names upon the record in favor of it, he wished them to a test vote and to that end moved the previous question.

It was lost, by a vote of 71 to 67, and the debate proceeded upon the merits of the question.

Mr. *Lewis*, of Alabama, said he was in favor of the bill because it included a proposed reduction of the clerks in the employ of the government.

Mr. *Fillmore* of N. Y. continued the discussion, and was severe in his commentaries upon the abuse of the absent members. Inattention he considered the cause of much of the evil which had grown up, and absence often compelled a mid-day adjournment without a quorum.

The debate was further continued by Mr. *Gwinn*, of Mississippi, against reduction of mileage, by Mr. *Shields*, of Alabama, in favor of reducing the pay, and by Mr. *Bowne*, of N. Y. against the bill.

The previous question was again submitted, by Mr. *Pendleton*, of Ohio, and lost. The debate was further continued by Messrs. *R. W. Thompson*, of Indiana, *Gordon*, of New York, *Brown*, of Pennsylvania, *I. D. Jones*, of Maryland, *Bowne*, of N. York, *Shields*, Pennsylvania, *Gwinn*, of Miss. *Pope*, of Ky. *Burnell*, and *Turney*.

The previous question was then called and the main question ordered to be put, and the bill ordered to a third reading by yeas 89, nays 79.

The question then being on its passage, Mr. *Marshall* arose and spoke in opposition to it; after which on motion, the house adjourned.

WEDNESDAY, JULY 27. The following reports were received from committees, by unanimous consent of the house, viz:

Mr. *Stanly*, from the committee on military affairs, to which was referred the bill from the senate "entitled "an act to refund the balance due to Massachusetts for disbursements during the late war with Great Britain," reported the same with an amendment.

Mr. *Barnard*, from the committee on the judiciary, to which was referred the bill from the senate entitled "an act to amend the provisions of an act entitled "an act to regulate processes in the courts of the United States,' passed the 19th of May, 1828," reported the same without amendment. Read a third time and passed.

Mr. *John Q. Adams*, from the committee on foreign affairs, to which was referred the message of the president of the United States on the 24th ultimo, covering a communication from the minister plenipotentiary from France, proposing the establishment at the joint expense of the United States and France of a line of weekly steamers between the ports of Havre and New York, reported that the committee are of opinion that many weighty considerations recommended the consideration of this proposal; and are aware of none, except the amount of expense which it may occasion, which can counteract them; and recommend the adoption of the following resolution:

Resolved, That the president of the United States be requested to cause to be prepared and reported to this house by the secretaries of state and navy, at the commencement of the next session of congress, a plan for the establishment in concert with the government of France of a line of weekly steamers between the ports of Havre and New York, together with estimates of the expense which may be required to carry the said plan into effect.

The resolution was read and agreed to.

Mr. *Tillinghast*, from the committee on the library, to which the subject was referred on the 1st June last, reported the following resolution, which was agreed to.

Resolved, That the portrait of Columbus, presented by Arthur Middleton, esq. of S. Carolina, as signified in his letter to the speaker of this house, be accepted and placed in the library of congress; and that the thanks of the house be tendered to the donor for his interesting present.

Ordered, That the clerk furnish Mr. Middleton with a copy of this resolution.

Also from the same committee, to which was referred the resolution of the senate for the relief of Ferdinand Petrich, reported the same without amendment.

Mr. *Arnold's* bill for the reduction of salaries, pay, and mileage, was taken up and debated.

The question being on the motion to reconsider the vote ordering the bill to its engrossment—

Mr. *Campbell*, of Tennessee, who had the floor, went into a speech at length in favor of the general object of the bill, on condition that it could be amended in certain of its provisions. He then withdrew his motion to reconsider.

The bill and various motions growing out of it were then further discussed by Messrs. *Campbell*, *Shields*, *Somerville*, *Thompson*, *Williams*, of Md. *Fessenden*, *Houston*, *Cushman*, *Proffit*, and *Samuel Mason*.

[A message was received from the senate by Asbury Dickens, esq. their secretary, announcing the passage of the bill enabling the laws in relation to postage, &c. and asking concurrence therein; also announcing that the senate had receded from a portion, and insisted on others, of their amendments to the navy appropriation bill, and requesting the appointment of a committee of conference to meet the committee appointed on their part, consisting of Messrs. *Evans*, *King* and *Bagby*.]

And the question recurring on the original motion of Mr. *Arnold* to commit the bill to a select committee—

Further remarks were submitted by Messrs. *Sprigg* and *Powell*, (which gentlemen gave notice of certain instructions to the committee which they intended to move), Messrs. *Cooper*, of Ga. *Beeson*, *James*, of Penn. and *McKeon*.

The question was then taken on the motion of Mr. *Arnold*, and decided in the affirmative without a division.

So the subject was at length disposed of for the present, by the reference of the bill to a select committee, to consist of nine members.

And the house adjourned.

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CHRONICLE.

DANGEROUS APPLICANTS. For instance in the last district of New York, is 2,139, so far.

BANK TERMS. To the wretched condition of the New Orleans banks, which we detailed a fortnight since, we are now obliged to add a like disastrous condition of monetary affairs in St. Louis. The place would appear to be without a currency. Their papers state that, "All the notes of the banks which have been in good credit, are now discredited, and not a single bank note appears, which can by any chance take the confidence of the community. The State Bank of Missouri is doing little or no business—in a week's operations scarcely one of her notes can be seen.

The banks in Illinois are all suspended, and the last mail brings information that some of the branches of the Bank of Illinois, have been discredited. From what we can gather from the papers, we should judge the times are harder now in the west, than they have been within the last year or two at most."

The Union Bank, and the Mechanics and Traders' Bank of New Orleans, have suspended specie payments, leaving only the Louisiana and the Gas Bank, now paying.

At a recent bank convention in Virginia, Dr. Brockenbrough said—"I am aware that strong prejudices are excited against the banks and their operations. To them all the sufferings of the country have been attributed in a summary way by superficial observers. They may take their place alongside of the ancient old bugbear to children in mothers. They are not to be constituted guardians of the people or of legislative power on the country, they are mere creatures of both. They did not authorise the establishment of nine hundred banks in the United States; they did not create nine dollars upwards of two hundred millions of dollars; they did not originate the multitudes speculations into which them should proceed to engage. They have been sneered at by the public curse, as if were not the source of it. To change the figure, they have been intoxicated by the spirit of the times. Prosperity is now the order of the day, and they must take care not to furnish the means of excess to others."

CANADA. Among the arrivals at Quebec, on the 5th ult. in 1 vessel, were ships, barks and brigs, carrying 5,000 passengers, besides large ship loads of troops. The ship Lexington brought 301 average passengers, and the ship Victoria 425, with little sickness.

COTTON. The arrival at New Orleans, from the 1st to the 8th inst. consisted of 794 bales. Cotton 1 to 1½ pm 5 37 bales; 1 to 2 ½ Philadelphia 197; Baltimore 1 bale—total 7,342 bales, exclusive of the week 7,639 bales, and 1 among out in 21,333 bales—The total quantity received since 1st September 1841, 721,973 bales, against 713,242 bales.

Prices—Liverpool classification, for Liverpool and Havre, per statement 5,6½; ordinary 6; 7½; middling 7 or 8; fair 9; 10, good fair 11, 12, good 13 to 12.

DEATHS during the last week in New York and Philadelphia 162, of which 22 were under two years of age, and 17 aged 60 and upwards.

AN EARTHQUAKE was felt at Portau Prince on the 1st instant. No damage reported.

EXCHANGE. The law of the last session of the legislature of Maryland imposed on banks a license tax upon its face, that those engaged in trade to the banks setting forth, "the obligation to do the business, of every agency, in bills on London, Paris, or Bremen, &c. &c. or any agency received on the same, any bank note or other bank note discounted, &c. &c. shall be considered distinctive of which nature of business are subject and to this tax.

CELEBRATION. The city of Hottinger, which relied from New York on the 23d, had on board upwards of 300 persons, to celebrate Europe as consequence of that tremendous journey in ten days.

EDUCATION. Orville Taylor, esq. late superintendent of the schools in New York, announces that there are 80 000 common schools in the U. S. etc.

FANCY BITTLER belongs to the *dramatic persons* of the time. What would have suppressed a possible, as such a period as that of Fanny Kemble's hard times in America, and in a few short months (since May 1, 1841) to realize, for exhibiting herself in eight dollars half-eagles, which a person from Boston, and which 22 were for claimers, or backs of which have having 199 exhibitions in her own account in $140,000! Fanny expects during the time, including $8,000 and expenses, amounted to $45,000. The next proceeds, in $20 1800 it is probable has accepted in N. York and Orleans that per month to yield her an average of 10 per cent in [illegible] Mr. [illegible] business.

[illegible]

GERMAN SETTLEMENT IN VIRGINIA. The Germantown (10 C) Advertiser states that the arrival here of a number of German families, who, under the auspices of the German agricultural society, are proceeding to take possession of a purchase of 30 000 acres of land a few miles in Hardy and Hampshire counties, Virginia. These fifty families are to be all provided out yearly fifty more, and on their time in the same manner as until we have dispel families shall have been settled on the land. The great and benevolent programme has been in readiness in and about Philadelphia for some years past, and, doubtless, taking a true prospective view of the times, have been actively determined upon removing themselves upon a portion of the old but very unpeopled lands of the Old Dominion. The average price they pay is 23 cents per acre, and the time is represented to be well watered by numerous tributaries to the South branch.

IMPRISONMENT FOR DEBT. The act abolishing imprisonment for debt passed by the legislature of Pennsylvania, has been signed by the governor, in lieu of a suspension or thereto repealing the provision which required at the twenty days residence in that state to entitle a person to the benefit of the act.

"SPIRITUAL MEANING." The New York Commercial Advertiser states that a native American, resident in England has invented and sent in the model of a tuning fork, operated by electric power, which he offers to the first instance to his own government. An intelligent New York engineer is said to be in hand and will soon be in Washington with it.

NEW PATENT CARRIAGE. A board of officers, by the command of Maj. Gen. Scott, have recently been trying experiments with Jenks's patent carriage, and represented that for safety, ease, portability, and the quantity of powder used, the carriage exceeds all others in use. Gen. Scott also gives his concurrence to the conclusions of the board.

It is a matter of some pride to us Columbians that Mr. Jenks was a resident of this town when he invented the carriage. *Columbian (S. C.) Chronicle.*

MITCHELL, the ex member of congress, has been sentenced to the penitentiary in New York, for the sale of forgery of which he was convicted. While the recorder was addressing the prisoner his aged mother, dressed in a black silk gown, entered the court room and had her son by the hand, holding it until they left the room together.

NEAPOLITAN INDEMNITY. The last instalment of the indemnity was punctually paid on the 8th. June, at Naples, and a receipt obtained by the agency of Messrs. Green & Co. Paris, received New York in the Albany packet ship, on the 24th inst.

THE NEW YORK CUSTOM HOUSE, the building of which was commenced in 1834 and finished in May 1842, is now finished with its furniture complete. The entire cost was $900,000, and the furniture $5,000—and $905,000.

OBNOXIOUS ESSAYISTS. We have received a pecuniary notice to pay for publishing an essay—annual—against the use of Maine, distributing the disputed territory and the use of weapons of self-defence. The pecuniary objection is very nearly exercised. Tristram Bates, Jones & Co. of this city, who have published a little volume, and have been threatened on this account, offer to pay the various costs from N. York to Montreal and Niagara. *(N. Y. Post.*

PRIZES. At a meeting of the Royal Geographical society, Jomard read a paper, the substance of which relating to an essay on a subject which would probably soon be brought before the notice of the society. It was that a population of 3 000 000 of people, living in extending the river Jubo, in Africa, from east to west falls in such a considerable tract of country inhabited by a people, who are, not exceeding four feet in height, with very curious views of religion and government, and entirely resembling the type of Hottentots which singularly confirm and we see no reason why they should be not the notice of the Abougaw. Proceedings.

THE DIE OF PRODUCE. The Pittsburg Chronicle gives the following interesting statement of prices to the place in 1839 and in 1841.

	April 4 1839.	July 13, 1841.
Bacon, smoked,	9½ to 10	2 ½ 3
Lard,	10	4 ½ 5
Butter, keg,	12	5 to 6
do. tub,	12	6 to 7
Corn,	60	20
Wheat,	$100	$50
Pig Iron,	$12	$20
Lead,	6	3
Whiskey,	43 to 50	13 to 16
Molasses,	46	26
Salt,	2 12	81
[illegible]	211 50	64 50
[illegible]	[illegible]	21 75

[illegible] of prices [illegible] Europe, in paying off the public debts, [illegible] the last period.

"There are five governments unusually denominated the Great Powers, all of which have been since the peace, successfully engaged in reducing the enormous debts contracted by them during the long war which preceded. Great Britain, which is blessed with the greatest debt, has reduced that burden fifty millions sterling since the peace, and what is more, has by cheaper of government at a big consent of the public creditors reduced the amount of annual interest five millions. The people debt of Russia, according to the latest authentic accounts, was reduced to $821,000,000 in three years, leaving but in 1836 as high as $1,500,000,000. The state of the first cost of the Austrian empire is not very clear, but it is stated according to the best information, that it has been reduced since the peace more than 100 000 000 of American dollars. The debt of Prussia, which amounted in 1820, to 2 6 003 000 rix dollars had been reduced on the 1st January, 1832, to 162,626,000, and it has been undergoing a regular reduction since, and probably has been yet much exceeded $100,000,000. The funded debt of France has been greatly increased since the peace, by the assumption of obligations to foreign countries, and the payment of a thousand millions of francs to her own subjects who were deprived of their property in the revolution, but the amount of debt was in process of rapid reduction, until a period subsequent to the liquidation of our debt. It has recently been increased from a recent cause, and yet not to an amount equal to the previous reduction."

REVOLUTIONARY SOLDIERS. Thirteen old soldiers of the revolution were present and took a part in the celebration of the 4th inst. at Elizabeth, Essex, Mass. Twelve rode in the procession. The youngest of the twelve seventy-six, and the oldest ninety-two years of age, and the aggregate of their ages was hundred and seventy-nine all the same as those of old Mr. Mathusalah. The thirteenth was a Mr. Harvey, of Frankfort, who is one hundred and twenty years of age. After the procession had separated they assembled in the Museum, and here, says the Democrat, they had old Mr. Harvey, who talked with the aged veterans of days. Twelve of them as "boys"—for he himself has a son aged eighty-two.

REMNANT OF REVOLUTIONARY HEROES. The N. York Express, says "We informed there were but three of the revolutionary heroes that met together on the 4th, viz. Major Popham, aged ninety; Gen. Van Cortland, aged eighty, and their orderly sergeant, aged eighty-seven. What a contrast, that meeting, from the same look back over 66 years ago, when some two hundred assembled at the anniversary of our national independence. They are gone, we trust, to a brighter and a better world."

STEAMBOAT ITEMS. The British steamer Tevist, took fire on the 18th inst. while lying at Havana, where she was arrived from Vera Cruz. The damage and amount insured is not said, the steamer was also filled with sugar by her engines. The damage was considerable but not to be known.

The West India mail steamers. A late number of the British Queen's Service Journal announces that for some time past the mail steamers of the Royal Mail Company have not lived for fear of 24 000 per annum that the contractors have said the admiralty to lose the 10 knots their agreement, but it is likely the admiralty will purchase the boats of them, in the course of July, the service series will be placed under the direction of the board.

Canal Steamboats. W. lately notice the first iron canal steamboat constructed by Capt. Sam Sloan, and owned by Thomas Ogden, Esq. They have been in operation and are said to answer very expectant. It is now announced that a steamboat propelled by a locomotive, rigged in a steamer, is to be put on a line of packets, carrying 40 passengers, and drawing only 22 inches water, fitted as a commodious passage boat, and moving at an average rate of seven miles an hour, on the Lancaster canal, in Lancashire, between the Chesapeake and Ohio canal. Sun is called the Gaiant.

TOBACCO. Inspection of last week in Baltimore consisted of 1 224 hds. Maryland and 648 hds. Ohio—total 1 872 hds. Prices continue to tend to demand, but and place are dull to our last quotations.

New Orleans, July 8th. About 700 bales sold during the week, at fair prices—but 24 ½ and 25 for X ordinary and fine, selected and fine parcels 1 cent higher. Quotations are—ordinary 5 ½ 6; fair, 7 ½ 8; fine, selected 8½ 9; good fair 9 ½ 10; fine, selected 11 12; good fair 11 12.

U. STATES MILL. A correspondent of the Journal of Commerce, N. Y. says, "On the 25th June, I saw a letter in a gentleman's office, at Portland, Maine, and on the 27th I saw the same letter, in Boston, three miles back, 70 miles. What would our grandfathers have thought of this?"

VETERAN CLERGYMAN GONE. The venerable deacon John Wheaton, of East Bridgewater, (Mass.) died at his residence in that town on Wednesday the 20th instant, *one hundred and seven years.*

VAN DIEMAN PRISONERS. Samuel Chandler and — Wan, tried and "not guilty" argued at Hobart Town, 7th June, in 1841, have escaped from duress and returned home.

WHEAT. The fine parcels of new wheat just brought in this place, at Cincinnati, commenced by quotations from 75 to 80. Another lot of 50 bushels sold about from Indiana brought $1 23. Wheat paid quoted at N. York at $1 21 1 20.

At Cincinnati new wheat is now selling at 50 cents. The new crop of wheat in our fertile brought into market on the 1st August, will largely outstand a quite bushel. Below that, it is really low for a million.

NILES' NATIONAL REGISTER

FIFTH SERIES.—No. 23.—VOL. XII.] BALTIMORE, AUGUST 6, 1842. [VOL. LXII.—WHOLE NO. 1,610

THE PAST—THE PRESENT—FOR THE FUTURE.

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CONGRESSIONAL PROCEEDINGS. CHRONICLE

THE TARIFF BILL has been debated by some of the best speakers in the United States senate every day since last Monday week. The amendments reported by the committee to whom it was referred have all been negatived. The motion made by Mr. BECHANAN to strike out the 27th section, which continues the distribution of the proceeds of the public lands notwithstanding the increased duties in the bill, was negatived on Tuesday last by the following vote:

YEAS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Cuthbert, Fulton, King, Linn, McRoberts, Preston, Rives, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs Archer, Barrow, Bates, Bayard, Choate, Clayton, Conrad, Crafts, Crittenden, Dayton, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Indiana, Sprague, Tallmadge, White, Woodbridge—26.

THE NAVY APPROPRIATION BILL has finally passed both houses, the house having receded from most of their amendments, and amongst them the increased appropriation. The bill contemplates that the navy shall remain as to number of officers, &c. as it was at the commencement of the present administration. Enlistment of colored persons in the service is in future forbidden.

THE ARMY APPROPRIATION BILL passed the house of representatives on Thursday with the amendments proposed by the committee of the whole, requiring the disbandment of the second regiment of dragoons, and replacing civil officers as superintendents at the National armories, in lieu of military.

THE TREATY WITH GREAT BRITAIN has not yet been submitted by the president to the senate, although his approval of its provisions cannot be doubted. It was negotiated we presume throughout, with his full knowledge and concurrence. That its provisions are such as to ensure its early ratification by the senate, we have little question, although there certainly have been some indications of a party opposition to it. In case it is made a party question, a procrastinated debate will no doubt ensue not only in the senate, a vote of two-thirds of which body is required for its confirmation, but in the house also, for though the constitution gives to the executive and senate *the treaty making power*, yet the house occasionally claims the right to either grant or withhold the appropriations which treaties require in some cases in order to be carried into operation. If the terms which are reported of this treaty be correctly stated, it will require a vote of a considerable amount of money as one of its conditions, and must therefore of necessity come under discussion in the house. The session will probably in any event be protracted somewhat by this circumstance; if contrary to our anxious hopes, the question assumes a party complexion, the delay will be seriously increased.

The topic during the negotiations, with very few exceptions, has, we are proud to say, been very appropriately treated. Our attitude as to foreign relations, has been truly national, and we fervently hope it will remain so. The executive have had the enjoyment of full confidence in this sphere at least, and so far as we can yet judge, they have well requited that confidence. Both governments have been most judicious in their selections of agents to conduct the negotiation. We doubt whether with the limits of either domain, there are two men more competent, or better disposed to settle the intricate difficulties and preserve honor and peace, than Lord Ashburton and Mr. Webster.

The curiosity which is in the mesotime abroad as to the terms of the treaty, has been partially allayed by publications which are no doubt in the main correct, although perhaps not strictly so, so far as relates to the boundary line. From the various versions given and sources of information of our own we conclude that the following will be found not far from the mark. As the treaty will of course be discussed in the senate in secret session, we shall not know its particulars for some time.

Negotiations we understand were commenced in relation to the northeastern boundary, by propositions made by the commissioners of Maine and Massachusetts, and which Lord Ashburton declined. He then made his propositions, and they were in turn rejected. Mr. Webster then proposed his terms as of the United States, and the negotiation assumed more the character of a compromise of difficulties, which finally resulted in agreeing upon a conventional line, and sundry stipulations by which each party conceded something for the cause of amity—nothing it is believed of honor or character.

This line in many particulars corresponds with the line proposed by the King of the Netherlands when acting as arbiter on the subject, but as an equivalent for concessions of territories made by Maine and Massachusetts in new acceding to that line, the U. States are to receive a variety of valuable considerations, not contemplated by the award alluded to.

The line is to be from the Mooumsoot, to the St Johns' as at present, then along the middle of the St. Johns' to the mouth of the St. Francis, up the middle of that river to Lake Pohengamook; thence southwesterly, straight to the northwesternmost head of Connecticut river. The portion of Madawaska settlement, south of the St. Johns' to belong to Maine. This point was warmly contested by Lord Ashburton, but his finally yielded.

The British pretensions agreeeably to the famous survey of Featherstonhaugh and his associates, came far south of the St. Johns' and included the Aroostook; all this of course they relinquish. For the sterile tract north of the St. Johns' which Maine has heretofore claimed and now relinquishes, the U. States are now to have the free navigation of the entire St. Johns' river, a very important acquisition to Maine particularly;—one account says, that in addition to the free navigation, we are also to have the privilege of entering any British port with lumber from the St. John's on payment of the same duties that British vessels pay.

The British are besides to relinquish to the United States, Rouse's Point, the key of Lake Champlain, which after partly fortifying in 1816, the United States had to relinquish to Great Britain on its being ascertained to be within her limits. An island of some importance in Lake Superior is also ceded to us, and a considerable strip of territory heretofore supposed to belong to New York, New Hampshire, and Vermont, but which turns out to lie north of the 45th degree of latitude, and therefore belonged to Canada.

It is thought that the line from the St. Lawrence through the great Lakes as high as the Lake of the Woods, has also been adjusted.

In consideration of those premises, the U. States agree to pay to Maine and Massachusetts $300,000 for the territory they relinquish. The expenses of the Aroostook war, as it was termed, is also assumed by the United States, as it would of course have been, if no treaty were made.

So much for the boundary. Other points in dispute are said also to be amicably and honorably settled—but if so, no intimation of the terms has transpired.

We do not allow ourselves for a moment to doubt the confirmation of the treaty by the British ministers, or the approving smile of the Young Queen, upon the successful labors of her talented representativa on his return home.

FOREIGN ARTICLES.

The steamers now promise to furnish us with regular weekly intelligence from Europe. During the last week we have had three arrivals of steamers, the last, the Columbia brings Liverpool dates to the 19th July.

The Belgian steamer British Queen, under command of Lieut. Eyckloth, of the Belgian navy, left the Schelde the 7th and Southampton, England, on the 10th and arrived at New York on the 27th July, bringing London dates to the 9th and Paris 7th. She brought little news of importance. The experiment so far, of running this steamer, on account of the Belgian government, has been a losing concern.—The two voyages she has made have already exhausted the fund appropriated to meet the probable losses of four voyages.

The Great Western, Capt. Hoskens, with 70 passengers and an average cargo, principally of dry goods, left Bristol on the afternoon of the 16th, and reached New York on the morning of the 30th July, say in 13½ days. She came up with the French flag at half mast; in consequence of bearing intelligence of the unfortunate fate of the duke of Orleans, heir apparent to the crown of France, whose death is detailed below. This we consider as a very eventful incident for France and probably for the world. The undisguised indignity with which the duke of Orleans received and the reluctance with which he succumbed to the terms of the treaty of the 15th July, by which the affairs of the East were arranged and a general war so averted in relation to Turkey and Egypt, rendered the duke more than ever a favorite with the republican or opposition party in France, and they looked to the probability of his speedy succession to the throne with more complacency than they ever have, or perhaps ever will again view the accession of any junior member of the Bourbon family. It was generally expected that Thiers would have been selected as prime minister by the duke had he succeeded Louis Philippe.

This death almost certainly entails a regency upon France, provided it retains the present government. The infant son of the deceased duke, now heir to the throne, is only four years of age. Louis Philippe is in his 69th year. The duke of Orleans was born at Palermo on the 2d Sept. 1810, and was consequently in his 32d year of age. He married the Princess Helene of Mecklenburg Shwerin, on the 30th January, 1837. The count de Paris, their oldest son, was born the 24th August, 1838, their second son, the duke de Chartres, was born the 29th Nov. 1840, and the princess, *enciente* at the moment of her husband's death, was absent at one of the watering places.

The next eldest son of Louis Philippe, and consequently entitled from precedence to the regency, if one be established, is the DUKE DE NEMOURS. Whilst both the dukes of Orleans and de Joinville by their gallantry, one at the head of the French army in Africa, and the other as an active officer in the navy, had happily chorded with the enthusiastic disposition of the French people, and by familiarity become favorites more or less, of all classes, the duke de Nemours, on the contrary, by an effeminate life, and high toned aristocratic bearing, is regarded if not

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with comparative aversion, at least without a sentiment of warm attachment, and his association is with the royalists. Looking at this condition of France at this moment,—weighing the probabilities that glimpse from the future,—we cannot but feel more solicitous than ever for the preservation of the life of Louis Philippe,—for on that we apprehend more than ever that the peace of Europe is now suspended.

GREAT BRITAIN.

Sir Robert Peel's new tariff bill passed the house of lords on the 8th ult. by a vote of 52 to 9, and is now the law of the realm. Various other topics of interest have been acted upon and progress with but little difficulty. Mr. Hume's motion to enquire into the unauthorised increase of the national debt to the amount of £2,395,500, was negatived. A motion to go into committee on the distress of the country, failed after a warm debate, ayes 48, nays 194.

The municipal corporation bill—the linen manufacturers' bill (Ireland)—and the prison bill, had all passed.

The supply bill was debated on the 8th, and the distress of the country was admitted and deplored by all the speakers. The revenue for the year ending 5th July, however shows an increase of three million pound sterling over that of the preceding year, as an increase from the post office, excise and stamps, but a decrease on customs.

In the house of commons on the 7th, Mr. Bannerman moved a reduction of the duty on foreign grain till the 1st of January, in view of the existing distress. The motion was negatived by a large majority.

In the house of lords, on the 15th instant, the second reading of the bill for the better protection of the queen being called for, Lord Brougham, in supporting the bill, said that the state of public feeling, if any thing had happened to her majesty, might be judged of by the grief which now pervaded France, in consequence of a recent melancholy accident in that country.

The duke of Wallington said he felt confident he was only expressing the deep feeling of the house, when he declared his sympathy with those who mourned the fate of the prince alluded to.

The bill was then passed.

The court of England was to go into immediate mourning for the duke of Orleans.

Birmingham dates of the 14th ult. represent the operations of the potteries at Burslem and of the neighboring collieries as threatening very serious disturbances in consequence of an attempted reduction of 7d. a week on wages. The turnouts paraded in ranks extended for seven miles. They committed some violence upon those that had gone to work.—Detachments of yeomanry were called out, but they waited the arrival of regulars, some of whom had reached the district.

FRANCE.

The death of the prince suspended all business in Paris. The king is said to have sustained the misfortune with manly fortitude. "If it had been me" he exclaimed as he held his dying son in his arms.—The queen exclaimed 'what a dreadful misfortune has fallen upon our family—*but how much greater it is to France.*"

The result of the elections which took place in France on Sunday the 17th July, were not yet ascertained—so far as known 254 conservatives and 173 of the different shades of opposition had been returned, and parties were disputing which had the victory. The minister will not have so large a majority as he was expected. The opposition ventures even to affirm that most of the conservatives are inimical to M. Guizot, and that one of the Paris deputies (M. Jacques Lefebvre) has been deputed to the premier, Marshal Soult, to express the repugnance of his constituents at seeing the direction of foreign affairs entrusted to the *acknowledged* organ of British influence.

They lost ground in Paris, which the opposition make much of.

ALGIERS.

News from Algiers of the 5th has arrived in Paris, announcing further success on the part of the French army in Algiers.

The government received the following telegraphic despatch from Algiers, June 30: "The column Medeah has a second time destroyed the fortifications of Fort Beghaz. All the surrounding tribes have submitted. Our troops return because there are no more enemies in the field. All the heads of the tribe Beni Moussa made their submission yesterday in Algiers. The east seems disposed to do likewise. Trade is getting up again!

MOROCCO AND THE UNITED STATES. A letter from Gibraltar, dated June 22d, in the Madrid journal, says: "An officer of the American squadron having solicited an audience of the emperor of Morocco, for the purpose of representing to him the complaints of two agents of the U. States, was refused, although, it must be admitted, in terms of exquisite politeness. The representative of England, however, had an audience on the same day, the motive of which is not known. The American officer immediately embarked on board a Spanish vessel, to report the result of his mission to commodore Morgan."

RUSSIA.

The Augsburg Gazette states from St. Petersburgh, June 20, "We learn that the farmers of taxes on liquors have advanced 150,000,000 to the emperor for carrying on the works of the Moscow rail road. Some of the Russian peasantry do not as yet perfectly understand or appreciate the ukase that regulates their future connection with their lords, but it is untrue that any disturbances have occurred in the empire on this question.

The Wurtzburg Gazette of July 4th states that "the rumor of the detention of a conspiracy in Russia is not confirmed; but we are assured of the discovery of traces of a secret society. The emperor, it is said, would have exiled to Siberia many members of the first Russian families.

TURKEY.

Correspondence from Constantinople of the 17th June, announces that three of the five great powers, viz: Austria, France, and England, have determined to have recourse to force to compel Turkey to recall the present governor of Syria, and to protect equally with its other subjects, the Christians of Lebanon. The conference where this resolution has been entered upon, was held at the palace of the French ambassador at Therapeia. The ambassadors of England, France, and Austria successively represented that they had exhausted all honorable means of remonstrance. The divan has treated their complaints with silent contempt, or has replied by evasive answers. It remains only to abandon the Christians of Syria to the cruelty of their oppressors, or stain the Christian name, or else to deliver them by force. Austria, France, and England could not adopt the first course; and consequently it remains to force the porte to fulfil its engagements in respect to its Christian subjects. The ambassadors of Russia and Prussia have disapproved of this course without the direct and positive instructions of their respective courts, which they have asked, lest their conduct might be a precedent in respect to Poland. The grand powers however are no more bound in virtue of the conventions for maintaining the liberties of Syria, than all Europe is bound by the treaty of Vienna to preserve the nationality of Poland. The ambassadors of the three powers have not been drawn away from their posts. The Austrian secret instructions were sent to Malta ordering it was supposed the parade of imposing naval forces before Beyrout. The present grand vizir Izzet Pacha has left the conference, and the ambassadors and ministers may be expected accordingly from him. By the last news from Syria, the Albanians were overrunning the whole country, although the grand vizir had given his word to the English ambassador that the Albanians should not leave the walls of Acre.—Murder, rapine, and infamous violence are every day being committed by these undisciplined hordes. It is evident that the Ottoman Porte is a declining power; while the rest of the world is marching on, Turkey halts with one hand upon the sabre and the other on the Koran.

THE EAST.

The British steamer Prometheus reached the Turkish capitol on the 25th, with the family of sir Stratford Canning. She brought the intelligence of the events that had taken place at Tripoli, and which have been matter of much excitement at Constantinople. Mehemet Pacha, the newly appointed governor of that regency, was put to sea on the 28th, with a five frigate, a frigate, a corvette, and schooner. Other troops will follow in transports.

The Greek Patriarch is dead. Germanos, archbishop of Therapea, has been elected in his place.—His nomination will probably be confirmed by the porte. The politics of the new prelate are probably Russian, or he would not have been chosen.

London Herald, of the 16th.

The Augsburg Gazette, in a Constantinople letter of the 15th ult., states—"That on the 11th a conference of the representatives of the five great powers was held at the residence of Baron de Bourquency, the representative from France, in which sir Stratford Canning expressed himself with great energy as to the propriety of compelling the porte to do justice to the Christians of Syria, and was warmly supported by M. de Bourquency and the Austrian ambassador. The Prussian ambassador is stated to have promised his concurrence, but the Russian charge d'affaires, M. de Titoff, is said to have observed, that the moment is not arrived for energetic demonstrations. The letter adds, that a change of ministry in Turkey, favorable to reform, at the head of which will be Chourew Pacha, and in which Reschad Pacha will be minister for foreign affairs, is daily expected"

Formal refusal on the part of the colonel led to an animated discussion, in the course of which the pachas went so far as to say that they would take him by force, to which the colonel replied, pointing to the frigate. 'He is there, go and take him if you can.' The pachas were then told that a number of sheiks have also taken refuge on board the frigate, having resisted. Some sheiks have been arrested, and it is said that the Maronite patriarch being in danger, arrangements are making to protect him against a *coup de main* of the Turks.

VENEZUELA.

The correspondent of the French Courier of the United States, dated Caracas 6th July, 1842, writes: "I am pleased to state that Venezuela has entered decisively upon the right path and therefore cannot fail to make if not a rapid, at least a satisfactory progress. It is the conviction here that the new states of South America cannot prosper, unless it will be able to establish in them order and tranquility. This is the conviction of all enlightened minds, and the masses themselves partake of it. General Paez above all wishes it and is as far as lies in his power it will not be disturbed. It is in fact upon the good motives of this influential man, that the tranquility and happiness of Venezuela will still for a long time depend. This is perhaps grievous in one aspect, but it is a fact that must be acknowledged under pain of compromising the future of a country, in which determinations have been determined his name is worth an army and one will should weigh in the political balance as much as the will of all.—This situation of Venezuela is, I admit, exceptionable, but it would prove to be the cause of regret, if it had been productive of evil. This influence, I should say, this superiority, of one chief animated however with the best intentions, is the realization of the idea that I have always been formed in favor of the new states of South America, which will only prosper, I repeat, so long as a firm hand, and a powerful and enlightened will, will be able to maintain them in order and tranquility. In his last message to the legislative body General Paez had demanded that the mortal remains of Bolivar should be transported to Caracas—the capital of his city, and that the highest honors should be rendered on the occasion to the memory of that great citizen. This proposition, as was readily foreseen, was received with enthusiasm by the people of Venezuela, and it has

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Don
Some stands the best chance and is the friend of Paez, who in his retirement will doubtlessly be more powerful than at the head of the administration.

M. D. B. Urdaneja, president of the supreme court; and M. Santos Michelene, as vice president of the republic. General

LATER.

The steamer Columbia arrived at Boston on the 1st inst. bringing the Liverpool Mail of the 19th July. The Britannia reached Liverpool on the 16th. Markets remained unaltered. Funds in both France and England had recovered from the depression experienced upon the death of the duke of Orleans.—In France the universal expression of grief is now succeeded by high toned party dissensions as to the anticipated regency. A royal ordinance convokes the chambers for the 26th July, with a view it is said, to pass a regency bill, and that that will be the first trial of strength. The ministerial papers announce that it is the intention of the king and government to have the duke de Nemours appointed regent. The opposition are in favor of the duchess of Orleans having it. M. Thiers is said to have espoused her cause.

Six men were killed by the locks erecting at Hawley giving way. Two hundred houses and nearly all their contents had been destroyed by another fire at Bohchor, Fitiove. A fire at Constantinople on the 19th Juno destroyed 150 houses and reduced 1,000 persons to ruin.

From the manufacturing districts accounts are truly appalling. The difficulty amongst the colliers and in the pottery districts increase. Troops are pouring in to suppress them. In Manchester, Leeds and Stockport, the excitement is increasing. Some idea of the state of things may be formed from the fact that the following resolution has been adopted at a meeting of the anti-corn law association held at Manchester:

"*Resolved*, That believing this country to be on the eve of a revolution, and being utterly without hope that the legislature will accord justice to the starving millions, a requisition be forthwith prepared, signed and forwarded to the members for this borough, calling upon them (in conjunction with other liberal members), to offer every opposition and impediment to the taxation of a prostrate people, for the purposes of a broad taxing aristocracy—that the wheels of government may be at once arrested, through the rejection or prevention of votes of supply."

At public meetings held at Leeds, Liverpool and a variety of other places, the speakers have indulged in a strain of language of the most dangerous and revolutionary character.

GERMANY.

Dreadful storm. Berlin, July 7. On the 5th of July, about six in the afternoon, a storm from the west and northwest entirely laid waste the environs of sixteen villages in the principality of Halberstadt and the county of Mansfeld, and of several villages in the Dutchies of Anhalt Dessau and Anhalt Bamburg. The hailstones were as large as pigeon's eggs, and some twice that size, and weighed 2 ounces.

AUSTRIA.

The Courier de Lyon, of the 19th inst. announces a serious disturbance to have broken out at Signina between the Jews and Christians. The government was obliged to interfere by force; but the people tore up the pavement and attacked the soldiers with stones; who fired on the multitude, killing fifty persons and wounding many. The disturbances still continued, and no Jew dared to make his appearance in the streets.

CHINA.

By the steamer Great Liverpool from Alexandria, we have received private letters from China, which mention the return of sir Henry Pottinger to Hong-Kong from Macao, and his intention to join the expedition to the north in ten days, and proceed with it to Pekin. The general opinion at Macao and Hong Kong was, that the plenipotentiary was determined to take all responsibility upon himself, and direct the most decisive measures to be adopted to bring the war to a close by a simultaneous attack on Pekin by the land and sea forces.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Charles Mason to be chief justice, T. S. Wilson and Joseph Williams, to be associate judges of the supreme court of the territory of Iowa, their former commissions having expired.

DIPLOMATIC. M. de Bacourt, the respected minister of France, left this city on Sunday last, to embark, on a visit of leave, for his own country, induced, we regret to learn, by continued ill health. We sincerely unite in the wishes of his numerous friends here for its early restoration.

The Chevalier Adrian Martini, for the last eight years charge d'affaires of his majesty the king of Holland, having been appointed by his sovereign to reside at the court of Denmark, had his audience of leave of the president on Thursday last, and has left Washington on his return to Europe. We cannot resist so deserving a gentleman to close his long residence among us without expressing the respect and good wishes which we know to be sincerely entertained for him at the seat of government, where his amiable disposition and unexceptionable deportment will cause him to be remembered with affectionate regard. [*Nat. Int.*

M. A. De Saligny has been conferred on him the title of officer of the legion of honor by the king of France, as a testimony of his high satisfaction at the manner he discharged his duties as charge des affaires at Texas.

THE BOUNDARY AND A DINNER. The Washington correspondent of the New York Union says: I have met with a friend who has given me some account of the dinner, at the house of the secretary of state, on Saturday (July 23) in celebration of the settlement of the northeastern boundary question. The president, the whole cabinet, Lord Ashburton and suite, Mr. Fox and suite, the commissioners from Maine and Massachusetts, a few senators, and those of the gentlemen engaged in the northeastern boundary surveys, then in the city, Major Graham and Captain Talcott, made up the company. The most harmonious and peaceful spirit prevailed. Mr. Webster gave as a toast: "Queen Victoria: long may she continue to reign over a prosperous and happy people." Lord Ashburton gave, "The president: perpetuity to the institutions of the United States." The President gave, "The commissioners: blessed are the peacemakers." Mr. Fox gave, "Lord Ashburton, who has always manifested the most friendly sentiments towards the United States." Lord Ashburton said in reply, "That at his time of life nothing certainly but a strong regard for his kinsmen on this side of the Atlantic, a desire to see removed all causes of dispute between them and his countrymen at home, and that nothing might remain to interrupt the friendly regard, and a confidence that a settlement might be made of all those controversies which every honest man in either country would approve, could have induced him to undertake such a voyage and such a task."

The secretary of war was then toasted with some pleasant allusions to his business being spoiled by the commissioners, &c.

NATIONAL SYMPATHY. On the annunciation on Saturday of the death of the duke of Orleans, the French warsteamer Gomer fired mourning guns every 15 minutes, which were answered by the fort at Governor's Island and the U. S. ship North Carolina, and by H. B. M. ship Warspite.

The Gomer had the tri-colored flag at half-mast, and her yards a cockbill, in opposite direction, on the fore and main-mast, so as to present the appearance, when looking at the ship stem on, of three crosses, diminishing in size as they rose.

The United States ship had the American flag at half-mast, and French flag also at the fore, half mast. The Warspite wore her flag and the French flag in the same manner. The American flag at Fort Columbus was also half staff.

The funeral service was celebrated at the church of St. Peter, in Barclay street, by M. G. Lahbe, at 9 o'clock, and the French residents are to meet tomorrow evening at Delmonico's, to talk, in concert with the consular authorities, and the French naval officers, some fitting testimonial of national respect. [*N. Y. Amer.*

CHARACTER AT STAKE. "Look at the hope of the fathers and see the degeneracy of the sons," would be the language of a stranger versed in the story of American liberty, who hears the new talk of reputation. We cannot in this country estimate the value of American example; it is only when we are abroad in Europe, sustaining the purity and honor of republicanism, its very breath, and are met by an appeal from the advocate of old and barbarous institutions to some discreditable fact, that the blush rises on our cheek, and we feel not only that we are temporarily discomfited, but that the cause of humanity has received a wound. We know that the greatest charges that can be brought against us as a nation are partial; either soon to pass away or affecting only a portion of the land, but the injury is the same. The wife of Cæsar was to be without suspicion, and republicanism should be equally jealous of honor.—People abroad do not stop to distinguish by which member of the national family they have been defrauded of their investments. They made their loans on the general good faith and character of American citizens, and though but a very small portion of the states have suffered dishonor by any false conduct, yet all are injured by suspicion. Millions throughout the world, the oppressed and suffering of every degree, are looking to America to fulfil the promise of her revolution. Upon her behaviour depends not indeed the existance of freedom, for that is inextinguishable; but perhaps long ages of happiness or misery are to be passed by many nations as America is true or false to her creed.

[*N. York Union.*

THE EXPENSES OF THE NATION. The receipts into the treasury during first half of the year 1842, as far as ascertained on the 20th July, 1842, by the statement is—

From customs,	$7,974,689 80
From lands,	705,000 00
From miscellaneous sources,	54,124 32
From loans,	1,594,479 29
From treasury notes,	8,490,536 15
From trust funds,	148,662 15
Total,	$18,967,513 02

And the amount of expenditures of the government the first half of the year 1842.

Civil list, miscellaneous, and foreign intercourse	$2,935,167 28
Military establishment,	3,620,347 57
Naval establishment,	3,039,512 73
Interest, &c. of the public debt,	164,231 77
Reimbursement of interest and treasury notes,	6,921,065 01
Trust funds,	125,288 93
	$16,805,613 29

Of the sum received from customs, $500,000 the secretary states, was paid in treasury notes prior to the first of January last, will not appear on the books of the Register until 1842. Some of the moneys from the lands were also received in 1842.

OFFICIAL.

Treasury notes outstanding August 1, 1842.

Amount outstanding of the issues prior to the act of January 31, 1842, viz.:

Amount as per records of the office		$4,033,177 90
Cancelled in the hands of the accounting officers	$3,375 00	
		$4,007,802 90
Amount of notes issued under the act of 31st Jan. 1842		7,451,764 88
Deduct redemed of this issue, viz: Amount entered in the books of the office	$2,498,328 39	
In the hands of the accounting officers	57,221 21	
	2,555,749 54	
		$8,896,015 28
		$12,903,818 16

Treasury department, register's office, Aug. 1, 1842.

T. L. SMITH,
Register of the treasury, U. S.

THE ARMY.

We learn from New Orleans that the steamboat *Thomas S. Horney*, from Cedar Keys, has arrived at that place, having on board one hundred and eight Florida Indians, among whom are Hallek Tustenugee and 47 other warriors, on their way to Arkansas. Maj. Capers, captain Canby and Dr. Baily are in charge of the Indians.

THE NAVY.

The United States frigate Potomac arrived at Boston on the 31st ultimo from the Brazil station. She has made a good run home.

United States sloop of war Boston, capt. Long, sailed from Macao or vicinity about March 30th, for Manilla.

The United States sloop of war Concord, from Norfolk, sailed from Laguayra on the 10th of July for Carthagena.

The Pensacola Gazette of the 16th instant says: "The frigate Macedonian will sail in a day or two for the United States of North America. The brig Dolphin is now absent on a cruise; the sloop-of-war

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Ontario is at anchor at the navy yard, and two French ships-of-war, the Brilliante and the Dunois, are to remain here during the winter months."

The United States brig Boxer, lieut. com. Bullus, sailed from Port Royal, (Jamaica), 3d inst. for Trinidad de Cuba.

The United States ship Fairfield, com. Morgan, from Algiers, arrived at Gibraltar 15th ultimo.

PORTSMOUTH NAVAL STATION. A greater number of men-of-war have been built at Portsmouth than any other harbor in the country:

	Guns.	Launched.
Faulkland,	54	1690
Bedford,	32	1696
America,	50	1774
Raleigh,	32	1776
Ranger,	18	1777
America,	74	1782
Crescent,	32	1797
Scammell,	14	1797
Portsmouth,	24	1798
Congress,	36	1799
Washington,	74	1814
Porpoise,	14	1821
Concord,	18	1828
Congress,	44	1841

To these may be added the Alabama, 74, and Santee, 44. These ships are still on the stocks, though built and launched 15 years.

The America 74 was presented by the Continental Congress to Louis XVI. king of France, and afterwards captured by the British, from whose model many English ships were built. The Asseline 50, was built by colonel, afterwards governor Langdon, and her original model in mahogany, about three feet long, was a few years ago presented by Mrs. Sylvanus, his daughter, to the Portsmouth Athenæum, and is now in the cabinet of that institution.

[*New York Union.*

STATES OF THE UNION.

PENNSYLVANIA.

RIOT IN PHILADELPHIA. *Conflicts between whites and blacks.* The well known inveterate hostility existing between the laboring whites, and colored population of the southern section of the city, again broke the bounds of law on Monday last, and a fearful riot ensued.

It appears that the colored people had determined to make a formal display in celebration of the emancipation of their brethren in the British West Indies. Without exactly knowing the object, they ostensibly proposed it as a temperance procession. Banners, however, were displayed which sufficiently indicated their object in selecting the day they did for the parade—answering to the anniversary of the event alluded to. Amongst those banners, one in broad letters was inscribed "Liberty or Death" another "Free Trade and Sailors Rights."

When the procession reached Fourth and Plumb streets, in the district of Southwark, it was attacked by a volley of stones, thrown by the whites, and a mischievous boy provoked a fight with one of those in the procession, a lad of about equal size, which was the origin of the whole serious results that followed. The black boy was considerably beaten by the white one, at which a black man struck the white boy over the head, and then a general fight, in which bludgeons took part, ensued—and continued during the whole day. The blacks were seriously beaten at the onset, but rallied and threshed the whites—from Fourth and Plumb streets, the crowd of both colors ran to Fifth and Shippen, then up to Sixth and South, fighting with clubs, sticks, stones, brickbats and whatever missiles they could obtain, until they reached the corner of sixth and Lombard streets, within the precincts of the city. Some of the blacks took refuge in their own meeting houses in that neighborhood, and their procession having been dispersed, the whites went to work and destroyed houses and property indiscriminately, so that they belonged to or were occupied by blacks.

During the fight of course many were seriously hurt. One white man had his arm broken from a blow inflicted by a huge club in the hands of a black; another white man was stabbed with a knife or dirk in the eye; a black man, named Meteialf, had his right eye laid open by a blow from the weapon of a white, and some fifteen or twenty others more or less seriously injured. The most desperate of the blacks was a deaf and dumb man, who did much mischief, and seriously injured several whites ere he was arrested by the police.

Persons and property were now assailed—many, both whites and blacks were dreadfully injured, before the latter finally gave way and sought safety in flight or concealment. Their domiciles were then attacked and much damage sustained. The police arrived, and attempted to restore order. Some twenty of the rioters were taken into custody, and desperate and sometimes successful efforts were made by the mob to rescue them. Towards the close of the day the mob were infuriated by the discharge of a musket from a house in Bradford's alley, occupied by colored people, and wounding three young men; the police were found it necessary to protect the negroes by taking them into custody; one, however, was dragged away and dreadfully beaten; and another was battered with sticks and staves, the officers themselves being compelled to yield to the rush of the mob. Another colored man fled from the fury of the whites to the roof of the house, where he was assailed by a storm of missiles. His cries for mercy for a moment seemed to arrest the fury of the mob, and "shame! shame!" was heard on every side. A rope was then thrown him, and he was drawn into the house, and by the exertions of several gentlemen the mob were prevailed upon to remain without. As the police were taking him away, however, the rioters made a fierce assault upon him, but were repulsed by a portion of their own body; a fight ensued amongst themselves, and the negro escaped and darted into another house, which was afterwards barricaded, and the colored man protected from further injury.

Throughout the evening the tumult was continued, and arrests were occasionally made where the storm of riot was most violent. Six black persons, badly wounded, were taken to the police office, where their wounds were temporarily dressed, and the worst of them taken to the hospital for further attention, where three or four others remained during the night for safety. Many succeeded to be the person who had fired and wounded some of the crew, was found by officer Widmer, in Lombard, between 7th and 8th sts. He refused to surrender himself to his keeping—that he would take him out the back way, and thus rescue him from the immense throng of persons that filled the street in front, clamorous for summary vengence upon his person. To this expostulation of the officer the black resisted, and as force was about to be used to take him, the door was boldly thrown open, the accused hurled headforemost out to the crowd, the country was hurled on the pavement, a hundred clubs and other missiles were levelled at his person. The blows were heard to fall fast and heavy upon him, and the blood flew in every direction. He could make no resistance, and after a few minutes beating, he was dragged along the street by the head and shoulders, covered with blood, and to all appearance dead. The crowd followed after in an immense body, hooting and hurrying in exultation. He was brought by the officers to the police, where, after dressing his wounds and administering stimulants, he was pronounced as to be able to be removed to the hospital. His head and whole person are dreadfully cut and bruised, and his life is in a critical situation.

At about 9 o'clock, suddenly, and without an intimation that the building had been entered, a large four story edifice in Lombard street, near Seventh, known as "Smith's Hall," newly erected by a wealthy colored man named Bias, was discovered to be on fire. The firemen hurried to the spot, but their efforts were confined to the saving of buildings surrounding it, and in less than a half hour the walls fell, crushing a small two story brick house next door, to the east, and knocking out its walls. This hall, it was understood, was a substitute for "Pennsylvania Hall," destroyed satisfaction, and supposed to be devoted to the same purpose—the discussion of abolition questions. It was entirely destroyed in less than an hour—thousands of persons standing looking at the destruction.

Before this fire had been subdued, another was discovered issuing from the colored Presbyterian church, in St. Mary street, which had been quietly entered and fired. This building was also destroyed.

After midnight the police were left in quiet possession of the field.

Next morning the excitement burst out anew and extended to the Schuylkill, millers, laborers, sailers, and boys crowded every corner; most of them Irishmen armed with shilelahs and clubs. Two black men exhibited themselves, which was the signal for an attack. Both were set upon by the mob in the most furious manner, and barely escaped with their lives. They were horribly beaten and cut, and but for the interference of Dr. Dewey, at the foot of Walnut street, who put them into his storehouse and locked them up, would doubtless have been killed.

A messenger was sent to the sheriff for aid. The deputation of that officer, under charge of officer Saunders, to the number of about sixty persons, showed themselves upon the ground, each distinguished by a green ribbon tied to the breast of his coat. They passed along Walnut street to the wharf, down the wharf to Pine, the belligerent party all the while increasing in numbers. At Pine, they turned from the wharf, and by the time they had passed half of the second square towards the heart of the city, the crowd pressed on so close, that it was necessary to quicken their pace, which was soon heightened to a full run, the mob in hot pursuit, loud in threats and imprecations. The posse of the sheriff ran across the commons to Spruce street, but being headed off at Schuylkill, Third and Spruce, ran down Third to Pine, along which they made the best of their way to the city. The crowd pursued them down Third and Pine streets—night hint, and heat and frightened him almost to death. The police officers suffered in many cases very severely.

To add to the difficulty the authority of the mayor is limited to the city bounds. But it being ascertained that the county commissioners had refused to pay their sheriff's posse, his honor immediately called on the first brigade of city volunteers, pledging himself personally to the amount of $1,000 to pay expenses. The military were under arms by three o'clock. At one o'clock the councils convened and authorized the mayor to make his disposal. The decision, energy, and humanity with which this officer seems to have acquitted himself, entitles him to the thanks of the community. He was however knocked down in the street by some of the rioters, whom he was endeavoring to disperse. A great number, whites and blacks, of those arrested, were examined and committed by the magistrate during the day.

About a thousand bayonets, under command of determined officers, remained upon post during the night, and kept the mob down.

Towards evening and after night on Monday the colored population fled in the utmost terror in every possible direction—some escaping into Jersey, some over the Market and Callowhill street bridges into Kensington, and many taking their way with all the haste in their power to the upper liberties and districts of Philadelphia. Numbers sought refuge in the watch houses—the S. E. watch house alone seventy females were confined all night. Many hid themselves in alleys or contrived to get into yards and concealed themselves in sheds and other outhouses. The greater portion of stores and dwellings had their doors inside. Large bodies of men, women and children of color, were collected on the meadows below the point house.

KENTUCKY.

A MILITARY ENCAMPMENT formed with the double object of improving discipline and celebrating the anniversary of independence, was formed, near Lexington on the fourth inst. The Artillery, Light Infantry, Greys, and Grenadiers, from Lexington, and the Harrodsville Guards, the Versailles Artillery, the Stampay Ground Artillery, and the Georgetown Artillery reported themselves in soldier like order and answered to roll call. There was an immense assemblage of ladies and gentlemen on the camp ground on Sunday the 3d, when divine service was performed in the forenoon by the rev. J. D. Matthews, of the Presbyterian church, Lexington, and in the afternoon by the rev. E. Stevenson. A still larger concourse attended the grand parade on the anniversary, when the troops were reviewed by the governor, and an appropriate oration was delivered by Charles S. Morehead, esq.

ILLINOIS.

THE MORMON EXCITEMENT appears to increase. The developements which may be gathered from the publications of the state, are truly startling. It appears that the prophet of the sect, Joseph Smith, and his associates, have about six thousand votes under their immediate control, sufficient to give them the balance of power between parties in the state. It is alleged that they have found out how to make a profitable market of this power. At the presidential election they generally voted for General Harrison, but at the last election they supported the Van Buren candidates. They are now accused of having contracted to support the same party at the election which occurred this week, in consideration of which the city of Nauvoo had a charter granted to it with very extraordinary powers. The predominance of the sect is secured to great extent indeed, if the version of the charter given by the Sangamo Journal be correct. It states that they are authorised to punish any violation of their city ordinances by imprisonment for life, and one of their ordinances prohibits any one from speaking disrespectfully of Smith, under severe penalties."

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Again, "any citizen who, in passing through Nauvoo, may think proper to speak with contempt of Smith, may be arrested, *with or without* process, and be imprisoned SIX MONTHS, or compelled to pay a fine of FIVE HUNDRED DOLLARS!!".

Authority is given for the establishment of a university, and legislative powers conferred upon its officers equal to those possessed by the legislature itself. Another section authorises the city council to "organize the inhabitants of said city, subject to military duty, into a body of independent military men, to be called the "Nauvoo Legion," the court martial of which shall be composed of the commissioned officers of said Legion, and constitute the *law making power*, with full power and authority to make, ordain, establish and execute all such laws and ordinances as may be considered necessary for the benefit, government and regulation of said Legion."

The Journal adds, "Smith has been appointed *lieutenant general*—an office, never before held but by one individual in this country—Washington. Under this appointment, he claims that in time of war he is the head of the army of the United States."

At a military parade on the 4th of July, the number of troops under arms, as reported to the Galena Advertiser by a gentleman who passed through Nauvoo on that day, was *twenty-five hundred*.

The Mormons, it is further stated however, have concluded to have a ticket of their own, and they have nominated Adam W. Snyder for governor of Illinois, and John Moore, for lieutenant governor. These nominations, it is said, will be supported by the whole sect. It is further stated that Smith anticipates a requisition upon Gov. Boggs for the governor of Missouri, for his person; that he is determined not to be given up. He has state arms, and is prepared to use them. The Mormons say their prophet shall not be taken while one is left to defend him. Meantime Gen. Bennett has published two more letters, containing what he calls his disclosures. He charges Smith with murder and other crimes, and among other matters publishes the following affidavit.

"State of Illinois, } ss.
Hancock county, }

Personally appeared before me, Hiram Kimball, an alderman of the city of Nauvoo, Francis M. Higbee, who being duly sworn according to law, deposeth and saith that Joseph Smith told him, that John C. Bennet could be easily put aside or drowned, and no person would be the wiser for it, and that it ought to be attended to—and he further remarked that the sooner this was done the better for the church, fearing, as he said, that Bennett would make some disclosures prejudicial to said Smith. This was about the time of Bennett's withdrawal from the church—or a short time before—and further this deponent saith not. FRANCIS M. HIGBEE.

Sworn to and subscribed this 30th day of June, A. D. 1842. HIRAM KIMBALL, *alderman.*"

Another affidavit, signed by Melissa Brandle, is published, confirming a portion of Bennett's statement. Bennett concludes by saying that he is going to Missouri, to have Joe taken to justice, and then he intends to proceed to New York and publish a history of the saints. Unfortunately, this Mormon business has been so mixed with political affairs in Illinois, that it is difficult to ascertain the whole truth.

LATER. DISAPPEARANCE OF ELDER CYRUS PRATT. The Warsaw Signal, a paper published near Nauvoo, states that information had been received at Warsaw, of the sudden disappearance of elder Orson Pratt, a prominent Mormon. It is left a question whether his disappearance was caused by Joe Smith's treatment of his wife, and by some wrong doing in the church. He confirms General Bennett's statement relative to Joe Smith's attempt to seduce Mrs. Pratt. It was supposed by some in Nauvoo, that he had committed suicide, and about 500 persons were out in search of him.

PRESIDENTIAL, 1844.

J. C. CALHOUN.

The Washington correspondent of the U. S. Gazette, writes on the 23d inst. "Among the curious matters that I have heard reported in the metropolis, is the strong attempt recently made, and now avowed, to have Mr. Calhoun the nominee of the loco foco party. A caucus has been held, and circulars issued, to call upon the leading loco focos in the different states to rally for Mr. Calhoun. I have not seen one of these circulars, but I understand that they have already been despatched. The success of Mr. Calhoun and his friends will be the signal for a rally for southern *interests*, but I doubt whether he can succeed. Mr. Van Buren appears to have the voice from the Hermitage. Still the effort is being made, and you will soon see the result."

A Boston paper states that Mr. Calhoun has written that he intends to be a candidate. The Richmond *Enquirer* pronounces both those tales as false. Many of the southern, and especially the leading South Carolina journals are now constantly publishing articles in favor of Mr. Calhoun, as a candidate for the next presidency.

GENERAL SCOTT.

The Scott Pennsylvania convention assembled at Harrisburg on the 26th ult. Delegates from ten counties and from Philadelphia city, attended. They principally consisted of the anti-masons, and Thaddeus Stevens was a prominent member. The *Telegraph* says: "The representation was more numerous than any convention favorable to Harrison before he had been a candidate for the presidency." A letter from Gen. Scott, dated the 15th July, in reply to some question put to him by some of his friends in Harrisburg, says: "that in his opinion, it is not only the duty of an executive officer in an elective government to appoint to office persons of that general party which elected him—that I am of opinion, that the exceptions to the general rule, if any, ought to be exceedingly rare.' He also declares himself in favor of countervailing restrictive duties at home, 'until the other great commercial nations can be forced to practice upon, as well as to propagate in speeches and writings the liberal doctrines.'"

J. BUCHANAN.

The "democratic" convention which met at Harrisburg on the 23d March last, appointed a committee for the purpose, who have now issued an address, urging the claims of JAMES BUCHANAN, esq. to the next presidency—and recommending that a state convention be held at Harrisburg, on the 8th January next.

MARTIN VAN BUREN.

The ex-president, Mr. VAN BUREN, has returned to his residence at Kinderhook, by way of the lakes, having been very cordially received and entertained during his extensive tour, without respect to parties. He spent some time with ex-president JACKSON, at the Hermitage, and with Henry Clay at Ashland, was publicly entertained at St. Louis, and many other places in his route. We have met with no public expression of his friends by way of nomination for the next presidency as yet, though we have no doubt that he is looked upon by a large proportion of his former supporters, as being of course their candidate.

HENRY CLAY.

The whig papers very generally throughout the country, are hoisting the Clay flag. Several whig state conventions have nominated him, amongst them, North Carolina, Georgia, Maine, and Delaware. Many other state conventions are expected to assemble shortly—numerous minor conventions in various directions have named Mr. Clay as their favorite.

JOHN TYLER.

Although no actual nomination has been made and the expressions, letters, and toasts uttered by Mr. Tyler during the campaign of 1840, in favor of the one term principle are reiterated by those opposed to him as proof that he will not be a candidate for reelection, yet meetings have been called in several of the principal cities, Philadelphia, New York, Cincinnati, &c., at which resolutions have been adopted approbatory of his administration and looking it is supposed to his being again a candidate.

REVOLUTIONARY REMINISCENCES.

The following communication from one amongst the prominent men of "seventy-six," sketching lively incidents and outlines of characters connected with the origin of the American revolution, was written to the first editor of the National Register. It was obligingly handed to us some time since, and ought to have appeared earlier. Both the writer and he to whom it was addressed, as well as all of whom it treats, have passed from the stage of action. They have left works behind them, however, which will endure beyond the age of granite monuments.

Quincy, February 13, 1818.

MR. NILES: The American revolution was not a common event. Its effects and consequences have already been sensibly felt over a great part of the globe. And when and where are they to cease?

But what do we mean by the American revolution? Do we mean the American war? The revolution was effected before the war commenced. The revolution was in the minds and hearts of the people. A change in their religious sentiments of their duties and obligations. While the king, and all in authority under him, were believed to govern, in justice and mercy according to the laws and constitutions derived to them from the God of nature, and transmitted to them by their ancestors—they thought themselves bound to pray for the king and queen and all the royal family, and all in authority under them, as ministers ordained of God for their good. But when they saw those powers renouncing all the principles of authority, and bent upon destruction of all the securities of their lives, liberties and properties, they thought it their duty to pray for the continental congress and all the thirteen state congresses, &c.

There might be, and there were others, who thought that their religion and my conscience, but had certain habitual sentiments of allegiance and loyalty derived from their education; but believing allegiance and protection to be reciprocal, when protection was withdrawn, they thought allegiance was dissolved.

Another alteration was common to all. The people of America had been educated in an habitual affection for England as their mother-country, and while they thought her a kind and tender parent, (erroneously enough, however, for she never was such a mother,) no affection could be more sincere. But when they found her a cruel Beldam, willing, like lady Macbeth, to "dash their brains out," it is no wonder if their filial affections ceased and were changed into indignation and horror.

This radical change in the principles, opinions, sentiments and affections of the people, was the real American revolution.

By what means this great and important alteration in the religious, moral, political and social character of the people of thirteen colonies, all distinct, unconnected and independent of each other, was begun, pursued and accomplished, it is purely interesting to humanity to investigate and perpetuate to posterity.

To this end it is greatly to be desired that young gentlemen of letters in all the states, especially in the thirteen original states, would undertake the laborious, but certainly interesting and amusing task, of searching and collecting all the records, pamphlets, newspapers, and even handbills, which in any way contributed to change the temper and views of *the people*, and compose them into an independent nation.

The colonies had grown up under constitutions of government, so different, there was so great a variety of religions, they were composed of so many different nations, their customs, manners and habits had so little resemblance, and their intercourse had been so rare, and their knowledge of each other so imperfect, that to unite them in the same principles in theory, and the same system of action was certainly a very difficult enterprize. The completing the accomplishment of it in so short a time and by such simple means, was perhaps a singular example in the history of mankind. Thirteen clocks were made to strike together; a perfection of mechanism which no artist had ever before effected.

In this research, the glorious love of individual gentlemen and of the state was of little consequence. The MEANS AND THE MEASURES are the proper objects of investigation. These may be of use to posterity, not only in nation, but in South America, and all other countries. They may teach mankind that revolutions are no trifles; that they ought never to be undertaken rashly; nor without deliberate consideration and sober reflection; nor without a solid, immutable, eternal foundation of justice and humanity; nor without a people possessed of intelligence, fortitude and integrity sufficient to carry them with steadiness, patience, and perseverance, through all the vicissitudes of fortune, the fiery trials and melancholy disasters they may have to encounter.

The town of Boston early instituted an annual oration on the fourth of July, in commemoration of the principles and feelings which contributed to produce the revolution. Many of those orations I have heard, and all that I could obtain I have read. Much ingenuity and eloquence appears upon every subject, except those principles and feelings. That of my honest and amiable neighbor, Josiah Quincy, appeared to me, the most directly to the purpose of the institution. Those principles and feelings ought to be traced back for two hundred years, and sought in the history of the country from the first plantations in America. Nor should the principles and feelings of the English and Scotch towards the colonies, through that whole period ever be forgotten. The perpetual contrast between British principles and feelings, and those of America, the next year after the suppression of the French power in America, came to a crisis, and produced an explosion.

It was not till after the annihilation of the French dominion in America, that any British ministry had dared to gratify their own wishes, and the desire of the nation, by projecting a formal plan for raising a national revenue from America by parliamentary

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taxation. The first great manifestation of this design, was by the the order to carry into strict executions those acts of parliament which were well known by the appellation of the *acts of trade*, which had lain a dead letter, unexercised for half a century, and some of them I believe for nearly a whole one.

This produced, in 1760 and 1761, AN AWAKENING and a REVIVAL of American principles and feelings, with an enthusiasm which went on increasing till in 1775, it burst out in open violence, hostility, and fury.

The characters, the most conspicuous, the most ardent and influential in this revival, from 1760 to 1766, were—first and foremost, before all, and above all, JAMES OTIS; next to him was OKENBIDGE THATCHER; next to him Samuel ADAMS; next to him John HANCOCK; then Dr. Mayhew, then Dr. Cooper and his brother. Of Mr. Hancock's life, character, generous nature, great and disinterested sacrifices, and important services, if I had power, I should be glad to write a volume. But this I hope will be done by some younger and abler hand. Mr. Thatcher, because his name and merits are less known, must not be wholly omitted. This gentleman was an eminent barrister at law, in as large practice as any one in Boston. There was not a citizen of that town more universally beloved for his learning, ingenuity, every domestic and social virtue, and unexceptionable conduct in every relation of life. His patriotism was as ardent as his progenitors had been ancient and illustrious in this country. Hutchinson often said, "Thatcher was not born to be hanged, he was determined to die one." In May, 1763, I believe, he was chosen by the town of Boston, one of their representatives in the legislature, a colleague with Mr. Otis, who had been a member from May, 1761, and he continued to be re-elected annually till his death in 1765, when Mr. Samuel Adams was elected to fill his place in the absence of Mr. Otis, then attending the congress at New York. Thatcher had long been jealous of the unbounded ambition of Mr. Hutchinson, but when he found him not content with the office of lieutenant governor, commander of the castle and its emoluments, of judge of probate for the county of Suffolk, a seat in his majesty's council in the legislature, his brother-in-law, secretary of state by the king's commission, a brother of that secretary of state a judge of the superior court and a member of council, now in 1760 and 1761, soliciting and accepting the office of chief justice of the superior court of judicature, he concluded as Mr. Otis did, and as every other enlightened friend of his country did, that he sought that office with the determined purpose of determining the decision in favor of the ministry at Saint James's and their servile parliament.

His indignation against him heneeforward, to 1765, when he died, knew no bounds but truth. I speak from personal knowledge of the fact. Indeed I spent from 1758 to 1765, I attended every superior and inferior court in Boston, and recollect not one in which he did not invite me home to spend evenings with him, when he made me converse with him as well as I could on all subjects of religion, morals, law, politics, history, philosophy, belles-lettres, theology, mythology, cosmogony, metaphysics, Locke, Clarke, Leibnitz, Bolingbroke, Berkley, the pre-established harmony of the Universe, the nature of matter and spirit, and the eternal establishment of coincidences between their operations, fate, foreknowledge absolute—and we reasoned on such unfathomable subjects as high as Milton's gentry in Pandemonium; and we understood them as well as they did, and no better. To such mighty mysteries he added the news of the day, and the little tittle of the town. But his favorite subject was politics, and the impending threatening system of parliamentary taxation and universal government over the colonies. On this subject he was so anxious and agitated, that I have no doubt it occasioned his premature death. From the time when he argued the question of writs of assistance to his death, he considered the king, ministry, parliament, and nation of Great Britain as determined to new model the colonies from the foundation, to annul all their charters, to convert them all royal governments; to raise a revenue in America by parliamentary taxation; to apply that revenue to pay the salaries of governors, judges and all other crown officers; and, after this, to apply the surplus of revenue as they pleased to be applied to national purposes at the exchequer in England; and farther, to establish bishops and the whole system of the church of England, tythes and all, throughout all British America. This system, he said, if it was suffered to prevail would extinguish the flame of liberty all over the world; that America would be employed as an engine to batter down all the miserable remains of liberty in Great Britain and Ireland, where only any semblance of it was left in the world. To this system he considered Hutchinson, the Olivers, and all their connections, dependants, adherents, sholickers, entirely devoted. He asserted that they were all engaged, with all the crown officers in America, and the understappers of the ministry in England, in a deep and treasonable conspiracy to betray the liberties of their country, for their own private, personal, and family aggrandisement. His philippics against the unprincipled ambition and avarice of all of them, particularly of Hutchinson, were unbridled; not only in private, confidential conversations, but in all companies and on all occasions. He gave Hutchinson the soubriquet of "Sir Nicholas" and made it universal among him but by the name of "Summa." His liberties of speech were no secrets to his enemies. I have sometimes wondered that they did not throw him over the bar, as they did soon afterwards, Major Hawley. For they hated him worse than they did James Otis or Samuel Adams, and they feared him more—because they had no revenge for a father's displacement of a seat on the superior bench to impute to him as they did to Otis; and Thatcher's character through life had been so modest, decent, unassuming—his morals so pure, and his religion so venerated, that they dared not attack him. In his office were educated to the bar two eminent characters, the late judge Lowell and Josiah Quincy, aptly called the Boston Cicero. Mr. Thatcher was tall, very slender, his constitution delicate. Whether his physicians overstrained his vessels with mercury, when he had the small pox by inoculation at the castle, or whether he was overplied by his numerous and laborious, the small pox left him in a decline from which he never recovered. Not long before his death he sent for me to consult my care upon some of his business at the bar. I asked him whether he had seen the Virginia resolves: "Oh yes.—They are men! They are noble spirits! It kills me to think of the patriotic letter and resolves of Virginia. I long to be out. I will go out. I will go out. I will go into the court, and make a speech which shall he read after my death as my dying testimony against this infernal system of parliamentary taxation." Seeing the violent agitation into which it threw him, I changed the subject as soon as possible, and retired. He had been confined for some time. Had he been abroad among the people, he said, they would complained so pathetically of the "lethargy and stupidity that prevailed," for town and country were all alive; and in August became active enough, and some of the people had conducted to unusual excesses, which were more lamented by the patriots than by their enemies. Mr. Thatcher soon died, deeply lamented by all the friends of their country.

Another gentleman who had great influence in the commencement of the revolution, was Dr. Jonathan Mayhew, a descendant of the ancient governor of Martha's Vineyard. This divine had raised a great reputation, both in Europe and America, by his publication of a volume of seven sermons in the reign of king George the second, 1749, and by many other writings, particularly a sermon in 1750, on the 13th January, on the martyrdom of Charles, considered by non-resistance; in which the saintship and martyrdom of king Charles the first are considered, seasoned with wit and satire, superior to any in Swift or Franklin. It was read by every Whig, celebrated by friends, and abused by enemies. During the reigns of king George the first and king George the second, the reigns of the Stewarts the two Jameses, and the two Charleses were in general disgrace in England. In America they had always been held in abhorrence. The persecutions and cruelties suffered by the ancestors of the Stewarts, they had been transmitted by history and tradition, and Mayhew, seemed to be raised up to revive all their animosity against tyranny, in church and state, and at the same time to destroy their bigot, fanatical and inconsistency. David Hume's plausible, elegant, fascinating and fallacious apology, in which he varnished over the crimes of the Stewarts, had not then appeared. To draw the character of Mayhew would be to transcribe a dozen volumes. This transcendant genius threw all the weight of his great fame into the scale of the revolution, 1761, and continued it there with zeal and ardor, till his death in 1766. In 1763, appeared the controversy between him and Mr. Apthorp, Mr. Caner, Dr. Johnson, and archbishop Seeker, on the bishops and establishment of a society for propagating the gospel in foreign parts. To form a judgment of this debate, I beg leave to refer to a review of the whole, printed at the time, and written by Samuel Adams, though he some, very absurdly and erroneously ascribed to Mr. Apthorp. If I am not mistaken, it will be found a model of candor, sagacity, impartiality, and close correct reasoning.

If any gentleman supposes this controversy to be nothing to the present purpose, he is grossly mistaken. It spread an universal alarm against the authority of parliament. It excited a general and just apprehension that bishops and dioceses and churches, and priests and tythes, were to be imposed upon us by parliament. It was known that neither king nor ministry nor archbishops could appoint bishops in America without an act of parliament; and if parliament could tax us they could establish the church of England with all its creeds, articles, tests, ceremonies and tythes, and prohibited all other churches or assemblies, but the church shops. Nor must Mr. Cushing be forgotten. His good sense and sound judgment, the urbanity of his manners, his universal good character, his numerous friends and connections, and his universal influence with all sorts of people, added to his constant attachment to the liberties of his country, gave him a great and salutary influence from the beginning in 1768.

Let me recommend these hints to the consideration of Mr. Wirt, whose life of Mr. Henry I have read with great delight. I think, that after mature investigation he will be convinced that Mr. Henry did not give the first impulse to the ball "of independence," and that Otis Thatcher, Samuel Adams, Mayhew, Hancock, Cushing, and thousands of others were labouring for several years at the wheel before the name of Mr. Henry was heard beyond the limits of Virginia.

If you print this, I will endeavor to send you something concerning Samuel Adams, who was destined to a longer career, and to add a more conspicuous, and, perhaps, a more important part than any other man. But his life would require a volume. If you decline printing this letter, I pray to return it as soon as possible to

Sir, your humble servant,

Mr. Niles. JOHN ADAMS.

BENJAMIN BARTON.

ONE OF THE EARLY SETTLERS OF WESTERN NEW YORK.

It is one of the happy peculiarities of a republic like ours, that instead of possessing, as is the case generally under monarchies, a very few distinguished men, whose actions constitute the history of the nation, our history, at least up to this time, is told in the lives of thousands of our citizens, though no one of them of overweaning superiority though each is an essential iogredient of the community, a component part of the republic. Hence, in the memories of our pioneers we gather the true character and incidents of our early settlements. From the lives and correspondence of the patriots of the revolution, we catch the true spirit of the times in which they lived. The most interesting impress of any age is derived by tracing the efforts of its enterprizing men. It is wholesome, too, to take lessons from their experience, and diffuse instruction from their examples. The memoirs of patriots are the most precious relics of a republic.

Those reflections were induced by meeting with an obituary notice of the late BENJAMIN BARTON, esq. of Lewistown, New York, whose memory deserves to be cherished and perpetuated. The notice reached us in the columns of the Rochester Evening Post, of the 5th ult. whose editor inserts it under the caption of "*Progress of Civilization—Notices of the Dead, No. 3.*" The editor says—

"A friendly hand has traced for a Buffalo paper a sketch of the life of the venerable Benjamin Barton—together with a note for which, we were about to throw together after hearing of his decease.

The sketch thus presented exhibits an outline of the progress of Western New York, from its primitive condition to its present palmy state—from the rudeness of savage life to the refinement of an enlightened people revelling in all the comforts of civilization and the enjoyments of life.

How great is the contrast presented between the condition of this region at the time of Barton's death, and that which existed when he subscribed his name in 1788 as a settler in the wilderness—extraordinary "leases" which some white men formed with the Indians for obtaining possession of all Western New York for the moderate term of nine hundred and ninety-nine years!—documents which we traced out, after much research, where they had lain long-forgotten among the archives of this state at Albany—documents which were designed, as we know—from living witnesses, to lay the foundation of a NEW STATE in Western New York—as Vermont had just previously been erected from the northeastern counties of New York.

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From the Buffalo Commercial Advertiser.

Major Benjamin Barrow, who died on the 15th June, at his late residence in the village of Lewiston, was born in the county of Sussex, state of New Jersey, March 2, 1777, consequently at his death he was in his 72d year. Major B. in August 1788, when quite a youth visited the Niagara frontier, at which time there were no [few] white residents between Buffalo and Lake Ontario. He left Jersey and purchased a magnificent farm of more than a mile square on the west bank of the Seneca Lake, seven miles south of Geneva. Much of this farm was under tolerable inequivalent to a large orchard of apple trees, having formerly been the site of an Indian village. In 1792, major B. was married at Canandaigua, to the kind and affectionate companion who yet survives him, and with whom he lived in great happiness for nearly half a century.

Major B. removed to the spring of 1807, from his residence on the banks of the Seneca Lake, to the village of Lewiston, in Niagara county, then containing about ten or twelve small log dwellings.—Between 1800 and 1805 he was for three or four years the sheriff of Ontario county, which then embraced all the territory of New York west of Seneca Lake, from the Pennsylvania line to Lake Ontario, which has since been subdivided into fourteen counties. During the time he held the office, he had serve a criminal process upon an Indian residing on the Buffalo Reservation for the crime of murder, he having killed a man in a broil at a Indian tavern near where the Mansion House in Buffalo now stands. He made the arrest, but was not permitted by the Indians—they being the strongest party—to take the prisoner with him to Canandaigua. Determined not to be frustrated in this way, he called upon the chief, and impressed upon them the propriety of permitting the laws to be executed; they agreed to send him at Fort Niagara, he accompanied by major *Moses Porter*, and determine what should be done. It resulted in a pledge from the chiefs that they would be responsible for the appearance of the prisoner at the sitting of the court. This agreement was faithfully performed—the Indian had his trial, was convicted and sentenced to be hung, but subsequently pardoned by governor *George Clinton*, and banished the states; in went by the English name of Stiff-arm George, and is yet, or was a few years ago, residing on the Allegany Reservation in the state of Pennsylvania. Previous to the formation of Fort Niagara, under Jay's treaty, by the British government, no white man could travel on the frontier without being liable to arrest by the Indians and taken to the fort as a deserter, unless he could exhibit to the Indians a pass from the commander of the garrison, which pass, as the Indians could not read, was a large wax seal having on it a peculiar impression.

During major B's early rambles on the frontier, he foresaw the brilliant prospects and immense trade which would in time flow through these great inland seas. And as soon as the nile strip on the Niagara river was surveyed by the state, who was the owner, he attended the sale at the surveyor general's office in Albany in 1805, and made large purchases. At this sale he met with judge and general *Porter*, and formed with them a connection of friendship and business which continued uninterrupted to the day of his death. They leased from the state the portage round the Falls, built mills at the Falls and vessels on Lakes Erie and Ontario, and established the carying trade on the American side of the Niagara river. After his removal to Lewiston in 1807, then in the county of Genesseee, he was for one or two years the sheriff, after which time he never asked for, nor held any civil office, except commissions of other town offices which are rather burdensome than otherwise, but he always held it that it was every one's duty to bear his share of such labors.

Major B. was an American in heart and principle, and loved his country and its institutions before all others. He was a strong advocate of the war of 1812, and during the early part of it gave his whole efforts and influence to its support. In 1813, when the Niagara frontier was invaded and laid waste with fire and sword by the enemy, major Barrow was a large sufferer, his houses, stores, mills and other property being burned up and laid waste; for all of which, several years after the war, he received from the government a very partial remuneration. This severe pecuniary loss, flowing from the progress of the war which he had aided to bring about, and which he had given his untiring zeal in supporting, did not in the least change his views or feelings in what he considered a just and proper act of the government; but on the contrary, called him more fully into action.

In the spring of 1813, when his friend and partner Gen. *Porter* raised his brigade of volunteers, which during that campaign so much distinguished themselves, Maj. Barrow joined them as a special quartermaster for the corps, under a commission from Gov. *Tompkins*. In this department his services were soon found so useful, that in July, while the army lay on Queenston Heights, he received from the president a commission as deputy quarter-master general in the regular army, in which he continued until the final close of the war.

When peace took place, Major Barrow returned with his family—which he left at the commencement of the war—to Lewiston, his favorite place, and commenced rebuilding and repairing the injury his property had received during the war. For the last fifteen years he got rid of all kind of business except agriculture, to which he was much attached.

During a long life Major Barrow has been eminently a useful man. Thrown in his minority upon the world he went his own way, without a friend to aid him, but possessing talents, industry, perseverance and economy, he overcame all obstacles and rose to wealth and honors. He originally had a most constitution, from robust constitution, from early exposure, in surveying the country in winter and summer, to rains and snows and hard fare in living, he became, as age crept on him, subject to rheumatism and other chronic complaints, which entirely broke him up, and for the last four or five years he enjoyed but little good health.

He was naturally modest and unobtrusive, decisive and honest in his principles, upright in all his dealings, never oppressive to those indebted to him, but rather extending to them additional assistance, generous and obliging in disposition, always ready to lend a helping hand to his fellow-creatures, without any desire for, or attempt at show or ostentation, for which he had an entire disregard, but treating the great respect and civility, to which he was entitled, wherever he met with the humble garb of poverty or more rich attire; a kind husband, an affectionate father, a good neighbor, and an unflinching friend.

DEATH OF THE DUKE OF ORLEANS.

From Galignani's Messenger.

The details of the melancholy event are as follows: Yesterday (July 13) at 12 o'clock, the duke of Orleans was to leave Paris for St. Omer, where he was to inspect several regiments intended for the corps of operations on the Marne. His equipages were ordered, and his attendants in readiness. Every preparation was made at the Pavillion Marsan for his journey, after which his royal highness was to join the Duchess of Orleans at Neuilly. At 11 the princes left Paris into a carriage, intending to go to Neuilly to take leave of the king and queen and the royal family. This carriage was a four-wheeled cabriolet, or calèche, drawn by two horses a la demi-Daumont,—that is, driven by a postillion. It was the conveyance usually taken by the prince when going short distances, drawn by two horses, and without having suffered one of his officers to accompany him. On arriving near the Porte Maillot, the horse, rode by the postillion, took fright, and broke into gallop. The carriage was soon taken with great velocity up the Chemin de la Revolte. The prince, seeing that the postillion was unable to master the horses, put his foot on the step, which is very near the ground, and jumped down on the road, when almost half way along the road which runs direct from the Port Maillot. The prince touched the road with both feet, but the impetus was great that he staggered, and fell with his head on the pavement.

The effect of the fall was terrible, for his royal highness remained senseless on the spot. Persons instantly ran to his assistance and carried him into a grocer's by the side of the road, about 400 yards, opposite Lord Seymour's stables. In the meantime the postillion succeeded in getting command over his horses, turned the carriage round, and came to the door of the house where the prince was lying. His royal highness never recovered his senses. He was placed on a bed in a room on the ground floor, and surgical assistance was sent for. Dr. Baunu, a physician in the neighborhood, was the first who came. He bled the royal sufferer, but this produced no good effect. The news of the accident was conveyed to Neuilly. The queen immediately set out on foot, and the king followed her. His majesty was to be at Paris at 12 o'clock to hold a council of ministers. His carriages, which were ready, soon overtook their majesties, who entered them, with Madam Adelaide and the princess Clementine. They proceeded to the house into which the duke of Orleans had been taken. He, by that time, was nearly lifeless.

It may be easy to imagine, but it will be impossible for any one to describe, the grief of the majesties and royal highnesses at the spectacle they beheld. Dr. Pasquier, jr., the prince royal's first surgeon, had just arrived. Soon afterwards the duke d'Aumale and Montpensier came from Courbevoie and Vincennes. Dr. Pasquier was very soon compelled to announce that the case was of the most serious nature; for every symptom showed that there was an effusion on the brain, and every minute the evil seemed to increase. A few words pronounced by the prince royal's German language gave a momentary hope, but this is quickly vanished. Marshal Soult, marshal Gerard, the ministers of justice, foreign affairs, the interior, the marine, finances, and public worship, arrived, and were admitted into the deathbed chamber of the royal duke. The chancellor, the prefect of police, generals Pajol and Aupick, with the officers of the household of their majesties and princes, hastened to the spot, and remained outside the house in a space kept clear by sentinels stationed around. At 2 o'clock, as the ease became more and more desperate, the king sent for the duchess de Nemours, who had remained at Neuilly. She came, attended by her ladies in waiting.

No pen can paint the afflicting scene presented by the chamber when the duchess de Nemours came, and added her bitter tears to those of the rest of the family. The queen and princess were on their knees by the bedside, praying and bathing with their tears the hands of their departing son and brother, so intensely beloved. The princess was fainting again from sobbing almost to suffocation. The king stood by silent and motionless, watching with painful anxiety every fluctuation in the countenance of his expiring heir. Outside the house the crowd continued every minute to increase, every one overwhelmed with consternation. The cure of Neuilly and his clergy immediately obeyed the royal summons, and came to Sablonville. Under the influence of powerful medicaments, the agony of the dying prince was prolonged. Life withdrew, but very slowly, and not without struggling most painfully against the destruction of so much youthful strength. For a moment respiration became more free, and the beating of the pulse was perceptible.

As the slightest hopes are grasped at by hearts torn with despair, this seems of dissolution was interrupted by a momentary calm, but the gleams soon passed away. At 4 o'clock the prince showed the unquivering symptoms of dying life, and in another half hour he rendered his soul to God, dying in the arms of his king and father, who at the last moment pressed his lips on the forehead of his lost child, hallowed by the tears of his afflicted mother, and the sobs and lamentations of the whole of his family. The prince being dead, the king drew the queen into an adjoining room, where the ministers and marshals assembled, threw themselves at her feet, and endeavored to offer her consolation. Her majesty exclaimed, "what a dreadful misfortune has fallen upon our family; but how much greater is it to France!" Her voice was then stopped by her sobs and tears. The king, seeing marshal Gerard absorbed in grief, took his hand, pressed it with an expression conveying his sense of his bereavement but, at the same time, a firmness and magnanimity truly royal.

The mortal remains of the prince were placed on a litter covered with a black pall. The king at first refused to get into the carriage, declaring her resolution to follow the corpse of her son to the chapel at Neuilly, where he was to be carried. Consequently, a company of the 17th light infantry was hastily marched down from Coulbevoie to line the procession on each side, and thus those brave men who had shared with the prince royal in all the dangers of the passage of the Iron Gates and the heights of Mouzaia, in Africa, served as the escort of his now lifeless body. Several of the men wept, and called back to their minds the brilliant valor with which the duke of Orleans had assailed the enemy, and, at the same time the mild and delicate benevolence with which he had ever tempered the necessary rigor of warfare. At 5 o'clock the mournful procession moved towards the chapel at Neuilly.—General Athalin walked at the head of the bier, which was carried by non-commissioned officers. Behind followed the king, queen, princess, Adelaide, duchess de Nemours, princess Clemetine, duke d'Aumale, and duke de Montpensier. These came Marshals Soult and Gerard, the ministers, the general officers, the household of the king and princes, and an immense number of other persons.

The sad and solemn procession moved along the Avenue de Sablonville, and crossing the [illegible] road entered the royal park, and tr[illegible] Neuilly length to the chapel. Here [illegible] the whole princes and princesses, [illegible] their majesties, and before the altar [illegible] prostrating themselves under the [illegible] their beloved child and royal family [illegible] ship of God. In [illegible] remained in sec[illegible]

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king conferred with his ministers. At 7 o'clock M. Bertin de Vaux, one of the deceased prince's orderly officers, and M. Chomel, who was his royal highness' first physician, set out for Plombieres, where the duchess of Orleans is taking the waters. Amidst all their own affliction, during this interval, with the thought of the deprivation sustained by this unfortunate princess was never out of the minds of her royal relations, and her name was repeatedly invoked with the tenderness of affection. It was resolved that the Duchess de Nemours and the Princess Clementine should go to her with letters from the king and queen. Their royal Highnesses commenced their journey at 9 o'clock, attended by Mademoiselle Angelet and general de Remigny.

At 10 o'clock the duke d'Aumale, accompanied by the Count de Montguyon, who was one of the prince royal's aides-de-camp, went to the Pavillon Marsan, and in obedience to an order from the king, put seals upon all the deceased prince's effects. Adjudant Larne, one of his majesty's orderly officers, was sent off to the Chateau d'Eu, to bring back the Count de Paris and the Duke de Chartres, who had been sent there for the bathing season. At 11 o'clock last night the duke d'Aumale returned to the place at Neuilly, and there remains, as well as the duke de Montpensier. One courier was dispatched to the duke de Nemours, and another to Toulon, with orders for a steamer to be despatched to the coast of Sicily, where it is believed the squadron of admiral Hugon now is, and consequently the Prince de Joinville will be found.

After the above full and minute details little more remains to be said at present on this astounding occurrence and, indeed, from other quarters, we have only been able to glean the following: When the prince royal first perceived that the postillion had lost all command over the horses, he stood in the carriage, and looked with earnest attention along the road before him; but, seeing the road clear, he sat quietly down again; but, rising once more, after running about 150 yards, and calling to the man, who was in the seat behind, had disappeared, and probably fearing that the man had been thrown off by the violence of the motion, his royal highness took the resolution of getting out. When he did so, the royal duke was found to have a severe contusion on the left temple, and several wounds on his legs. The blood was flowing from his mouth and nose, and ever from his eyes. When examined by the surgeons and other medical men called to him, a fracture in the skull was discovered, and left little or no hope. The man which had been entered in German, and which are alluded to above, are said to have been—"Shut the door, there is a fire."

The precise age of the duke of Orleans was 31 years 10 months and 10 days, having been born at Palermo, in Sicily, on the 22d September, 1810.—His royal highness, who was educated at the college of Henry IV, passing regularly through all its classes, and who subsequently followed the courses of lectures at the Polytechnic school, spoke several languages with great fluency, holding conversations in English, German, and Italian, with perfect ease.—His manners, habits, and sentiments, all showed the good effects of his popular education. There was a gay, chivalrous character in the disposition of the prince which at once gained the hearts of all who had the happiness of becoming acquainted with him; and when the respect due to his rank and station was not violated, he wore a friendly and even familiar deportment, which put even those who were strangers to him at once upon their ease in addressing him.

ROYAL AGRICULTURAL SOCIETY OF ENGLAND.

ENGLAND AND THE UNITED STATES.

The great dinner of the society took place on the 14th, and it is thus spoken of by the correspondent of the London Morning Chronicle:

Bristol, Thursday, July 14. The great dinner of the royal agricultural society of England took place this afternoon at four o'clock. It was given at a pavilion expressly erected for the purpose, immediately in the rear of the Victoria room. The assemblage was immense. Upwards of 2,400 persons were present. The appearance of the pavilion (than which no building in the world was ever better constructed for the purpose for which it was designed) was very imposing. It was filled in every part: but crowded no where. All the arrangements for the accommodation, as well as for the ingress and egress of so great a multitude, were perfect. The convenience of every one appeared to have been consulted—every one was at his ease, every one in the right place, every one pleased. A long and deep gallery at the back of the principal table afforded accomodation to a host of ladies, who seemed throughout the evening to enter into the spirit of the proceedings with true feminine earnestness. It was impossible to ascertain the names of a tenth part of the eminent and distinguished persons who were present. A few of them, it is true, were conspicuous at the chief table. But the great bulk of them, dukes and lords, and members of parliament, were undistinguishably mingled amongst the mass of yeomanry. Where so many were unrecognized it may be hardly judicious to name any; yet it may be said that there were present the duke of Cambridge, the duke of Beaufort, the duke of Richmond, earl Spencer, earl Somers, the earl of Ducie, earl Fortescue, the earl of Zetland, the hon. Edward Everett, (American minister), the marquess of Downshire, the marquess of Worcester, baron Knesebeck, lord Ebrington, Mr. William Miles, M. P., sir Thomas D. Acland, M. P., sir Charles Lemon, M. P., Pendarves, M. P., and Mr. G. Berkeley, M. P.

After two toasts had been announced, the chairman arose and said:

The next toast I have to propose to you is the health of the foreign ministers present (cheers). I am aware that in strict diplomatic language the name "foreign minister" must be applied to his excellency on my right hand, representing the United States of America; but in the reception you will give him I am sure you will show you do not forget that his ancestors were our ancestors [ardent cheering]—that we are united by the ties of one common language, and of blood [cheers]—that it was from these shores those enterprising men embarked who, in a wild desolate waste, built up a nation, which, in a comparatively brief period, raised up a mighty nation [continued cheering]. In a word, to use the language peculiar to our class, it is the children of Old England who have taken the possession of the western continent under a tenure which I trust they will find both advantageous and interminable [loud and continued cheering]. I am sure, sir, I need not ask me to request his excellency, when he communicates with his ministers on the other side of the Atlantic, to assure them how welcome they will always be to the shores of the mother country [cheers], to remind them that our affections at least are based on good will [cheers], and that we earnestly pray they may long continue to be united with us in the bonds of good will and mutual advantage [cheers]. I will not longer detain you from the expression of good feeling when I am sure you are prepared to exhibit, when I propose to you the health of the honorable EDWARD EVERETT, the minister of the United States (loud and long continued cheering.)

MR. EVERETT, on rising, was hailed with a tumult of applause. He said:

I beg you to believe me duly sensible of the kind feelings which you have been pleased to express towards me and my country [applause]. I assure you, sir, without hesitation, that I want words to do justice to my emotions. To be received with so much kindness so far from my home, by such a company as this, I confess almost overpowers me. And let me say that there is no part of this great and prosperous country where such a reception could be more welcome to me than it is here [cheers]. It is a singular circumstance that the history of North America goes back to this very place. The first chapter was written in the chamber of the merchant adventurers of Bristol [great cheering]. I am not now alluding to the coincidence which I mentioned the other day—that Columbus himself was once resident here. That was a mere casual circumstance. I refer now to the more striking fact that Sebastian Cabot, the great discoverer of North America, who, in 1497, sailed forth from these waters, discovered Newfoundland, and ran down the coast of North America to the Gulf of Florida, was a native of Bristol, fitted out his venturous voyage by the enterprise of Bristol merchants [great cheering]. You all know that it was under the auspices of the Plymouth company that the settlement of my native New England began, and that the rock upon which the fathers of New England first set foot was from that circumstance called, and is to this day called of North Bristol [loud cheers]. The father of William Penn, the great founder of Pennsylvania, lies buried in the vault of St. Mary, Redcliffe, and Bristol, I have no doubt that in his youth he was accustomed to hear the stories of the navigators of this port on coming back from their adventures in the western world, and that it was thus that his thoughts were first directed to a settlement in those distant regions [cheers]. It seems to be the purpose of the merchant adventurers of Bristol at this day to keep up the communication, which they were the first to establish between the two countries. At an early hour this morning I went up to the tower of Blaise Castle—a lofty point, commanding a panorama, than which one more beautiful my eye never rested upon [cheers]. In that exquisite panorama there was one object apart from all the beauties of nature which particularly excited my attention. I could scarcely discern it; but, at the distance, I did distinguish the mast of the Great Western steam ship [cheers], which the day after to-morrow is going again to launch upon the deep [cheers]. Your chairman has requested me, in my next communication with home, to let the people of North America know the kind feelings expressed towards them at this table. Why, in 14 days from the time that vessel sails, she will carry the tidings, and almost before their central cheers have died away here, they will be re-echoed from beyond the waves of the Atlantic [great cheering]. I assure you that this communion, between us, resting upon common descent, cemented by common language, strengthened by kindred feelings, is not confined to speculations of business or considerations of commercial advantage [cheers]. No; that is the least important part of it. This common origin, this kindred blood, this revered and common ancestry makes us one people [great cheering]—one people for every purpose but that of political jurisdiction—[cheers]—for every purpose social, literary, moral, intellectual; it does in fact make us one people [loud cheering]. Every letter that emanates from your press is immediately received and welcomed by the reading public in our country, and most happy am I to learn, as I do, that our authors are received with favor here [applause]. My respected friend Dr. Buckland, told you yesterday with how much pleasure he had perused the geological work of a transatlantic co-operator in that field of science. He told you at the same time that he had lent his copy of that work to Mr. Pusey, who had become so much enamoured of it as to forget to return it [laughter and cheers]. I do not intend that Dr. Buckland should be a permanent loser by the forgetfulness of his friend [laughter]: for I assure you that as soon as I can send to the United States he shall have another copy [laughter] in the meantime I can tell him that his own excellent works upon every branch of the science of geology are as well known to the U. States as they are in Great Britain [cheers]. We have kept our eye particularly upon what has been doing in this country for the improvement of agriculture.

The climate of the New England states, although more severe than that of England—running into either extreme to a greater extent—and yet on the whole not greatly dissimilar; we are consequently enabled to derive instructions from all the works that issue from the British press relating to agriculture. None are read by us with greater avidity (cheers). For instance, the subject which was yesterday treated with so much ability, in the lecture delivered by Mr. Smith of Deanston. The subject of drainage and sub-soil ploughing has received a great deal of attention from our farmers, and I intend that Mr. Smith's excellent pamphlet shall be transmitted to the United States by this same steam ship, and I have no doubt that it will be received there with the greatest satisfaction (cheers). I wish the intelligent agriculturists of this country understand that the seeds of instruction which they scatter here are actually sown broad cast in North America (great cheering). You cannot, by your improvements, lessen the bone of a pig, or improve the fleece of a sheep, or render finer the fleece of a sheep, but in due time the advantage is felt across the Atlantic (loud cheers). I am glad that the proceedings of this most peaceful of pursuits has an effect far beyond the material interest or material advantage. I believe that people and nations must be good friends, with all others who are engaged together in the advancement of such pursuits (loud cheers); and whilst Mr. Smith is teaching us his system of thorough draining, I believe it will, at the same time, aid in drawing off the bitter waters of international jealousy (great cheering). I believe it will create a warm and genial soil upon the surface for the cultivation of peaceful fruits of harmony and good-will (redoubled cheering). I have taken up too much of your time (cries of "no, no," and "go on.") I most cordially respond to the wish you have expressed for the perpetuation of peace between the two countries (cheers). I wish from the bottom of my heart, for nothing else but the speedy and honorable adjustment of all the questions in discussion between us (cheers), and most happy am I to say, that from all the means of information at my command, such an effect is likely to take place (loud and long continued cheering). These little clouds once blown over, I wish our two nations to engage, heart and hand together, in the pursuit of all the great objects which improve the condition and ennoble the character of man (great applause); and England and America once united, I believe, if necessary, they

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might bid defiance to the world in arms (enthusiastic cheering). I will add nothing more than to renew my heartfelt thanks for this most unexpectedly kind and cordial reception from this great and respectable company.

His excellency resumed his seat amidst the most rapturous applause the whole company rising and continuing to cheer for several minutes. After the lapse of a short time,

Mr. EVERETT again rose and said: It is unnecessary to say, sir, that after having so recently occupied the attention of the company, I should not rise again except by your special command. I have been honored by your request to propose to the meeting a toast which I am sure will be received with the utmost enthusiasm; it is "Prosperity to the state of Ohio, by under whose auspices we are assembled this day" (cheers). This is a duty which, I assure you, I perform with the highest satisfaction (applause). It is, in the first place, undoubtedly a debt of gratitude I owe, sir, as the organ of the council, were yesterday so kind as to inform me that you had done me the honor of making me an honorary member of the institution; a distinction of which I am sure I shall always preserve a grateful recollection (cheers).—But it is for reasons far above any of a personal character that I perform this duty. I am satisfied, from what I have seen and heard, that there is no institution of the kind in the world which is doing at this moment a greater amount of good than the Royal Agricultural society of England (loud cheers). Let me add, that the good it achieves appears to me to be good of the very highest character (renewed cheering). It has been said that he is the greatest benefactor of his race who can make two blades of grass grow where one grew before, (cheers). But by the labors of this society, seeing the able, sagacious and learned men whom it brings together, seeing how it centralizes the results of science with the man of practice—seeing how it bleeds those of the highest station in the realm of the farmer and cultivator of the soil, I am satisfied that it is not only making two blades of grass grow where one grew before, but that it is producing this good in a quadruple ratio (loud cheers). This fact, I am told, has been proved by statistics. Statements have been made in figures whereby it is as plain as the face of day, that by the improvements effected in agriculture within the last generation, and more especially within the last fifteen years, not two blades only, but four, and even six have been made to grow where one grew before (cheers). This is not only to be a benefactor; it is humanly speaking, to be a creator (loud cheers). If you can double the quantity of food that pertains to man, do you not double the extent of your territory (cheers)? Is it not as if you stretched forth your wand, and out of the bosom of this encircling sea could make another England to your (cheers); could make another isle like this sprung from the depths of the sea, with all its

"Deep waving fields and pastures green,
A gem set in a silver sea (loud cheers)"

(enthusiastic cheering—loud and long continued.)—All this added to your dominion—all this subjected to the sway of your youthful and beloved sovereign (ardent cheering)—all this without cost of a pound, except what comes back in benefit to the people, and without the shedding of a single drop of human blood (great cheering). What is there in all the conquests of all the Alexanders, all the Cæsars that ever wasted mankind, compared to a victory like this (continued cheering)? These are the peaceful triumphs of your society, triumphs not confined to your own kingdom, but of which all nations share the benefit, and to which all nations wish "God speed" (enthusiastic cheering). I will take up no more of your time than to propose the toast which I intended to me, and wish, with all my heart, "success to the Royal Agricultural society of England. (Continued cheering).

The toast was drunk with enthusiasm.

POLITICS OF THE DAY.

LETTERS FROM MESSRS. FILLMORE AND WISE.

From the Buffalo Commercial Advertiser.

TO THE ELECTORS OF THE COUNTY OF ERIE, (N. YORK.)

Washington, July 18, 1842.

FELLOW CITIZENS: Having long since determined not to be a candidate for re-election, I have felt that my duty to you required that I should give you seasonable notice of that determination. The chief causes which have brought me to this resolution, being mostly of a personal character, are unimportant, and would be uninteresting to you or the public.—It is sufficient to say that I am not prompted to this course by any thing in the present aspect of political affairs. Many of those who have I desired to withdraw from the last congressional election; but owing to the importance of that contest, the desire for unanimity, and with the hope that if the administration were changed, I might render some essential local service to my district and those generous friends who had so nobly sustained our cause, I was induced to stand another canvass. But how little have we all dreamed, disappointed! How is that sun that rose in such joyous brightness to millions been shrouded in gloom and sorrow. The lamented HARRISON, around whom clustered so many hopes and anticipations, is now no more. For reasons inscrutable to us, and known only to an all-wise Providence, he was cut down in the moment of triumph, and in his grave lie buried the long cherished hopes of his friends.

The veneration which every true patriot must feel for the high office that has been filled by a WASHINGTON and a MADISON forbids that I should speak harshly of the lamented President. Yet it is deeply to be deplored that Mr. TYLER seems to labor under a mental hallucination—as unfounded in fact as it is mischievous in its consequences—that the great majority of the people in country are seeking to circumvent him. It may be difficult to trace the origin of this mental malady without a previous knowledge of the antecedents of the patient.

But I doubt not, if its source could be ascertained, it would be found in that curse of all governments, the artful and unprincipled courtier, who insidiously whispers his way into the confidence of those in patronage and power, for no other purpose but to wield it to subserve his own selfish ambition or gratify his personal and vindictive feelings. I do not believe that the author of this mischief intended, which have overwhelmed his former friends with shame and sorrow, and filled them with indignation, have resulted from the unaided promptings of his own mind. I believe it is the opprobrium of our responsible advisers; but in my opinion if you could see the fawning parasites that hang around him to flatter his vanity, and the "*chosen Jeeps*" that distil the malignant poison of jealousy and misrepresenting, for their own base purposes, all would be explained. The world would then see that a breach has been made between the President and his former friends, and that the country has been brought to the brink of ruin, to minister to the malignant spleen of some disappointed aspirant to political fame or to gratify the unholy ambition of a few, who are trembling in hope but in a state of anarchy and confusion. These creatures have practised upon his unsuspecting victim until he see in every friend a foe, and in every measure and action a design to ruin his fame." He has been thus driven on from folly to madness, from secret jealousy to open betrayal, and at last, in a fit of insane hostility to his former friends, who devoted him to power, and in a fruitless and vain hope of securing a re-election, he has been induced to throw himself into the treacherous arms of his former enemies. What may be the result of this course time alone can determine. I fear it had its origin in weakness, wickedness and perfidy, and that its consummation will produce the bitter fruits of disappointment to those who glory in their shame.

Thus you see the origin, progress, and consummation of all our difficulties. We have struggled hard under every discouragement to carry out the true whig principles of 1840, and give relief to the country. Our progress has been opposed and our efforts thwarted at every step by the peculiar friends of the executive on the floor of congress. The power under our control has poured out malicious libels upon our devoted heads until every patriot is sick at heart; and when all these have been braved and overcome, then the veto at a single blow strikes to the ground our labors, and the revenues and credit of the nation.—But I am unwilling to dwell upon a subject so painful and humiliating. I speak of it now "more in sorrow than in anger," and cannot regard it as an awful warning to select no man, even for a continguent station of such vast power and responsibility, whose talents and integrity are not equal to it; and I regard it as an additional proof that our only security, against treachery and inordinate ambition is found in the one-term principle, that takes away all inducement in the executive to use his power to secure a re-election. Still I would not despair, but hope for the best. Our constitution contemplated the possibility of such an infliction, and therefore has wisely provided against its duration by limiting the presidential term to four years. It is true that much evil may be done in that time, but there is consolation in the thought that we can say to the destinting flood of tyrannical usurpation and folly that sweeps over the land, "thus far shalt thou go and no farther."

My time will not permit me to touch upon the general subjects of legislation or policy, or even to hint at the threatening aspect of political events.—A devoted and patriotic majority in congress has struggled hard against every embarrassment for more than seven months. A tariff bill has just passed the house that would at once restore credit to the government and bring relief to the community, but the prospect now is that all our anxious toils are to end in naught, unless we submit to the will of a single dictator, and yield up our record his edict. Whenever sacrifice a suffering country may demand, patriotism requires us to make; every thing may be yielded but principle to an honest difference of opinion, but, nothing to a tyrannical exertion; and I trust we shall not be driven to the dangerous extremity of yielding all power to the caprice of one man, or of dividing our Republic into two and run upon our common country. It is a dreadful alternative, but if presented I also trust that the constitution will be maintained at every hazard, regardless of all consequences.

But, fellow citizens, I have said more than I intended, and regret that I have no time to say it more briefly. I cannot, however, consent to bring this hasty letter to close without expressing the deep emotions of gratitude that fill my heart when I look back upon your kindness and devotion. Pardon the personal vanity, though it be a weakness, that induces me to refer for a moment to the cherished recollections of your early friendship and abiding confidence. I cannot give vent to the feelings of my heart without tears.

It is now nearly fourteen years since you did me the unsolicited honor to nominate me to represent you in the state legislature. Seven times have I received your evidence of your confidence, by as many elections with constantly increasing majorities; and at the expiration of my present congressional term I shall have served you three years in the state and eight years in the national councils. I cannot call to mind the thousand acts of generous devotion from so many friends who will ever be dear to my heart without feeling the deepest emotions of gratitude. I can never cease to be your friend and lover. You kindly took me by the hand and gave me your confidence and support. You have conferred upon my distinction and honors for which I could make no adequate return but by an honest and untiring effort faithfully to discharge the high trusts which you confided to my keeping. If my humble efforts have met your approbation, I freely admit that next to the approval of my own conscience, it is the highest reward which I could receive for days of unceasing toil and nights of sleepless anxiety.

I profess not to be above or below the common frailties of our nature. I will therefore not dissimulate the fact that I was highly gratified at my first election to congress, yet I can truly say that my utmost ambition has been satisfied. I aspire to nothing more, and shall retire from the exciting scenes of political strife to the quiet enjoyments of my own family and fireside with still more satisfaction than I felt when first elevated to this distinguished station.

In conclusion, permit me again to return you my warmest thanks for your kindness, which is deeply engraved upon my heart. I remain sincerely and truly, your friend and fellow citizen,

MILLARD FILLMORE.

From the Philadelphia American Sentinel.

The following letter was received by Mr. HARRY, the secretary of the corporal's guard of the city and county of Philadelphia, in answer to one addressed by him to the hon. HENRY A. WISE, announcing the fact of his election as an honorary member of that association.

House of representatives, Washington, July 16, 1842.

SIR: I received yesterday your polite letter, apprizing me of my unanimous election as a member of the corporal's guard of the city and county of Philadelphia.

Please present to the guard, and to every individual member of it, my sincerest and warmest salutations—I will not say my thanks. I had a claim to be one of you, and it was due to a brother patriot, to fraternal sympathy, which binds men in a great common cause, to recognise him as one of yourselves. You are one of us—one of the guard here, every where! The composition of corporal's guard was given to us by the dictator himself, in the resemblance of disappointed ambition, with scorn on his lip and contempt in his eye. We proudly took him at his word, and assumed the name. We are—the corporal's guard! Few in number, but able and efficient in power, in wisdom, in virtue, in firmness of purpose and decision of action, to teach a proud tyrannical majority humility and respect, and their one man how mighty a few may be to overthrow the strong and self-confident, with the weapons of truth and the constitution. Few, but a guard—the life guard of the constitution and the country. Not the

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guard of Jerry Tyler, but the guard of the sacred trust he holds for a free people—the guard of popular rights and of republican principles. Not the guard of the spoils, but the guard of public property and of the government's just powers against the plunder and rapine of the spoilers. Not the guard of federalism, but of freedom.

If the president be our man, he is elect of the people, responsible to the people, in office, with the power and patronage of the chief magistracy in his hands, and in immediate contact with congress. If he should wield a considerable influence upon public men and measures, we should not be surprised; but we are surprised that he has so limited an influence under the circumstances in which he is placed by Divine Providence and the votes of the people, and friends as he is the members of the president's guard. Why is this? The reason is too palpable; that one man—not one officer, not elect of the people—whom the people never trusted and never will, without the power and patronage of the presidency, not responsible, not sworn, in private life, far distant from the metropolis, has the power, the extraordinary and unaccountable power, over a majority of blind worshippers in congress, to array them in such hostility to the constitutional authority of John Tyler and the executive department in his hands, as in their very madness to cry out, "Let the country perish credit! starve manufacturers! starve the government! starve the people! so that John Tyler be thwarted, and until our god, our man, shall come unto all the knots of difficulty and distress!" This is a tremendous power in one man! It is to guard against it and its adherents, their folly and wickedness, their favorite and his selfishness, their slavishness and his dictatorship, that we organize a corporal's guard of the country, the constitution, the government and its departments, the people and their rights, and of republican liberty! If we are to be ruled, the people shall not starve, the government shall not be deprived of its supplies for the sake of one ambitious man. Yours truly,

Henry B. Hirst, esq., secretary, &c.

COLLECTION OF DUTIES.

SPEECH OF MR. ADAMS.

In the house of representatives on Monday, July 25th, when the super bill was under consideration, Mr. John Quincy Adams took part in the debate. In the course of his remarks he said—He had been desirous to ask his friend from New York, (Mr. Wang) whether, among the letters he received, there were any against the retrenchment of the public expenditures, or any which gave him satisfactory information as to the mode in which retrenchment was to be obtained to satisfy all these appropriations? How did he stand now? The president of the United States, without any authority of law, was now levying revenue on the people of the United States, by virtue of his own sole authority, precisely as Charles I. had levied ship money on the people of England. For the resistance of that tyrannical exactment John Hampden had suffered imprisonment and a fine of £20,000 sterling; but how did it end? The block on which the head of Charles at last fell presented the answer. That was precisely our own state at this day in regard to the public revenue. The secretary of the treasury had expressed himself as in doubt whether a dollar could be legally collected after the 1st of July; he had since been called upon by a solemn vote of the house to say whether he had changed his opinion; and what did he say? That he had! By no means. There was not a particle of evidence in his reply that his opinion was altered one hair's breadth: he took very good care to say no such thing; but he told the house that it was the opinion of the attorney general, and he had consequently issued circulars to all the collectors in the United States to go on and raise money from the people on the basis of this opinion of Mr. Attorney General, and by authority of the executive. Mr. A. desired to speak with all respect of that gentleman's character, talents and attainments, but at the same time he could not but remember his opinion in regard to the Mississippi election; that was his legal opinion, just as this was; and notwithstanding all the eloquence with which it had been maintained in the house, he could not forget that its effect was to bring the house to a decision which they had themselves rescinded at a subsequent session.

There were other legal opinions expressed by the same gentleman during his membership in this house, in which Mr. A. had as little confidence. All these things had not inspired a very high opinion of his judgment as an authority in law: while on the other hand, he scarce knew one man of any respectable standing in either house or out, who had not expressed an opinion to the contrary: nor was there, he believed, a man of any legal eminence on that floor who would rise and say he agreed in opinion with the law officer of the government. On the contrary, what had the house witnessed on the 30th of June last? A promising young statesman from Ohio, (Mr. Weller), a gentleman excessively opposed to gags, and to all precipitate legislation, rose in front of the chair with a bill which was to be passed that same day through the house, through the senate, and through the president of the United States, to enable the executive to collect revenue. Well, this promising young statesman, with the best of intentions, thought had miserried, the house saw another gentleman from New York, also a lawyer of high character, and a member of the judiciary committee to boot, rise in his place and introduce a bill which was to do the same object. He had made a similar effort to carry through his bill in a day, and with no better success. And why this extraordinary haste and precipitation? Why, but from the conviction that not a dollar of revenue could be raised unless a law was passed to authorize it? And what had they seen since then? It might be in order for him to refer to what had been done where, but he might suppose that in the senate, a late secretary of the treasury, (Mr. Woodbury), a man who of course would not let a question like this pass unanswered, had also himself a distinguished lawyer, had, in the very teeth and eyes of the constitution, introduced into the senate a bill to raise revenue—a money bill—which the constitution said from the commencement to the end of the house of representatives—a bill for the same purpose as these in the house—to put a patch over the great rent in the constitution created by the raising of revenue on executive mandate without the least authority of law.

Mr. A. had heard it said that one of the authors of the famous compromise, the distinguished senator from Delaware, of which compromise was the present final condition of this government) had expressed an opinion that, after the 30th of June, revenue might be collected though no law should be passed for it, but that the other distinguished party to that proposition had declared in the plainest and most decisive terms, an opinion directly the reverse. The judiciary committee of this house, little as they agreed as to what was expedient now to be done, agreed perfectly that some remedy must be provided for such a state of things. What was the remedy? It was that in the very case of the British ship-money over again—a case in which millions had been raised without law, and all on the sole opinion of the attorney general, not even sanctioned by the opinion of the law of the treasury, who acted under it, nor by any respectable lawyer in the country.

And yet the house had one of the most extraordinary cases that ever was reported from the judiciary committee—an *ex post facto* law, sanctioning the levying of ship-money, which had now continued for nearly a month in full operation. That committee had received no letter which gave sanction and assume the responsibility of this outrageous violation of the constitution in one of its tenderest and most vital parts—an *ex post facto* taxing of the people; a tax on their property, which, at the time was now free; and a tax levied by executive authority, without even the form of law. This being our state at present, he wanted to know if his friend from New York had received any letters which inspired the house how the twelve millions for the army, the eleven millions for the navy, and the four or five millions in addition, were to be raised, or were to be done without? Had the gentleman any letters on that subject? Had any Fortunatus presented himself with a purse deep enough to settle all the demands? The bills ran up to twenty millions, and yet there was not a dollar in the treasury not otherwise appropriated," when not a dollar was there to appropriate! We were becoming a laughing-stock to the world.

It was now pretty well understood that our quarrel with England was so far settled that there was not the most distant prospect of a war with that power. And yet he had heard it said that people, because a treaty had been agreed upon with her we must keep up our army. Gentlemen who had voted to reduce it now were strong for keeping it up, and were increasing it, because, forsooth, our difficulties with England were settled! Mr. A. would not agree to that process of reasoning. He wished the house to hold on to its previous resolution. Let us retrench; if we could do nothing else, let us do that. The whigs were taunted with not retrenching as they promised. Now, of all retrenchments in which a government could engage, there was none like the retrenchment of a standing army. Gentlemen cried out for retrenchment, and yet talked of increasing the army to 12,000 men. Mr. A. would venture to say that forty millions would, our past appropriations of this year if we accepted the estimates of the secretaries of war and of the navy, the recommendations of the commander-in-chief and of our own military committee. He was therefore for adhering to the proviso in the bill. Let us stop the appropriations. True, this would not, of itself, reduce the army. There must be a concurrence on the part of the executive; he alone could disband this second regiment of dragoons, and if the house refused money to pay them, he probably would. The action of the house was not definite; the president could make appropriations for something else, and so continue the corps; but it was a strong expression of the opinion of the house the estimates they could give; and that was what he wanted to see.

A similar case had recently occurred in regard to the navy. The house had then refused to concur in the senate's amendment going to strike out a reduction made by the navy board. Now, if they acted in regard to the navy, *a fortiori*, they ought to take the same course in regard to the army. As to the navy there might be a diversity of opinion, especially as there was a standing law for its increase, and regular appropriations for that object had been made for four years together. But no such law existed for increasing the army. In the navy the money was for services already rendered; here they were for services yet future. He hoped the house would agree to insist, and if the other bill to reduce the army should come up in the meantime, no harm would be done.

COMMERCE AND NAVIGATION.

REPORT OF THE COMMITTEE ON COMMERCE CONCLUDED.

So far, therefore, as regards the direct intercourse between England and the United States, the committee are convinced that the advantage in the compact has gone to our rival. Still it is not the purpose of the committee to infer that a better state of things would result for our navigation if the privileges of the treaty were mutually denied. Such a position might lead to retaliatory acts of restriction, and, as it is, tend, merely injure the trade of both. The committee, however, present these facts to disabuse the public mind of an impression that the reciprocity system, grounded on the treaty, has, under any circumstances, produced a positive benefit to this country. They wish to show that, in its best condition, it is but an arrangement mutually beneficial to the adoption of foreign nations by its value to *them*; and, in unison with which we can find no better argument than that, perhaps, its abrogation might bring upon us a greater evil. In the point of view, we have no ground reason for the perpetuation of the system by permanent treaties, and would much prefer, if it is to be continued, that it should be placed upon the footing of temporary stipulation or annual legislation.

Whilst we are allured by the term of "reciprocal privilege," and our commercial rivals are attempting to persuade us that these arrangements are founded upon a mutual interchange of good, we cannot close our minds to the perception that the benefit is but the illusion of a name, and that the good is all upon one side. At the very moment that we are indulging in the fancy of this reciprocation of liberal principles in the accommodation of our trade, we find either an onerous embarrassing duty upon, or a stern and rigid exclusion from, articles of every kind of Anglo-Saxon product, except one which the necessities of that nation have rendered indispensable to her prosperity—Wool—and yet, amidst all this, the elaborate recommendations of the doctrines of free trade are addressed to our minds in every form in which British opinions can reach us, we look in vain at every point of contact in which our interests, in return, can be imported into to England's, for the slightest concession to that lauded principle which is pronounced to be the glory of the principle age.

The treaty of 1815 excludes the colonies. The empire of Great Britain covers a large portion of every quarter of the globe. It is a vast nation interested by sea and ocean. Its products embrace every conceivable thing that is grown, wrought, or taken in any part of the world—from the fisheries of the arctic circle to the fruits of the tropics. There is no object of manufacture or mechanical skill, no wealth of the mines, no fruit of the earth, no treasure of the sea, that does not furnish occupation and gain to some portion of her subjects. The necessary intercommunication between the several parts of this great empire furnishes support to the largest amount of shipping in the world. Confining her commerce and navigation to her own field, Great Britain has scope enough for all requisite encouragement and protection to her shipping. This intercommunication and navigation is reserved exclusively to herself. It is placed by her laws, in effect, as regards other nations, upon the same footing as her coasting trade.

The United States occupy a very peculiar relation to this power. Upon our northern and northeastern border, the British dominions lie contiguous to our territory for more than two thousand miles. Upon

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the south, her islands form almost the first land seen by the voyager as he approaches this continent.—The great path of our trade is intercepted on the north and on the south by her colonies. The shortest voyage we can make to northern Europe brings us almost in sight of Nova Scotia; the shortest to southern Europe, Africa, Asia, and South America, passes along the shores of the West Indies. All these portions of her empire she has excluded from the reciprocity system. It is true, she has given us liberty to trade directly to and from any one of her colonies; but that is the extent of the privilege. Even that is modified by a designation of ports at which we may enter. She, of course, has the right to regulate the duties by which our products may be introduced into her colonies, and the right, also to establish the commercial regulations between her several colonies.—These functions have been exercised by her with an adroit skill, to increase her navigation by the carriage of our products. Most of the articles produced in the United States are introduced into her northern American colonies at low duties, and from thence are carried to the West Indies in British ships at duties equally low or altogether free, whilst the direct trade in the same articles, from the United States to the West Indies, is encumbered with duties altogether incapable of competition with the circuitous route.

Since the application of steam to the navigation of the Atlantic has been so successfully brought into practice, great changes have occurred in the course of trade. These changes are likely to result a totally new condition of the commercial interests of this country, requiring the adoption of new measures in our policy. The shortest line of communication between the American and European continents, as we have already intimated, touches Nova Scotia and England. A passage of twelve days from land to land is not unusual. Every Nova Scotia port the United States is but another day. Our present relations with Great Britain secure this communication entirely to her shipping. No American citizen can enter into the competition with her subjects. The voyage from Liverpool to Halifax, from Halifax to Boston or New York, and the same reversed from Boston or New York back to Halifax, and thence to England, generally four terms or seasons—the time occupied in the Atlantic; two short ones between our ports and Halifax. By the existing regulations, English shipping may occupy all four of these terms; our American but two, and these the short ones. So, in a circuitous voyage from England to Halifax, thence along our coast to the British West Indies, and thence back to England, the American shipping is confined to the short sections of this circuit; the English has the privilege of the whole. If, pursuing the policy which she has already begun, Great Britain should so regulate her duties upon the circuit we have described, she may readily transfer the greater portion of the carriage of our most bulky commodities of export to Europe to her own vessels. It is only to establish, as she has already done, in any of her near colonies an entrepot for American products at low duties, and to encumber the same articles, bound directly from the United States to England, with high duties, and she will have accomplished a complete monopoly of this trade.

In seeking for reciprocity in our relations with this government, it would seem to the committee to be a cardinal point to place this colonial commerce upon a footing altogether more just to our claims than it at present occupies; and that we are entitled to demand of a friendly power, with which we stand under so many affinities of commerce and good will as we do with Great Britain, that we should either be allowed to participate with her in the carriage of our own commodities from and to any part of her dominions, or that regulations should be adopted which shall prevent her from monopolizing that carriage to herself. In asking this, we adopt her own principle, at commerce, and fortify it by the same arguments which have prevailed in the adjustment of her own policy. A conspicuous example of her tenacity for this principle, in an analogous case, is furnished from her own history.

By the navigation laws of England, even a British ship was forbidden to import the produce of Asia, Africa, or America, *except from the country where they were produced.* This prohibition was made with a view to prevent other nations from establishing entrepots of foreign merchandise in the neighborhood of England, by which the vessels of foreign nations might have secured to themselves the benefits of the long voyage, and left to England only the short voyage from the entrepot to her own ports. It was a device to employ her own navigation on the longest lines of commerce.

This interdict was found eventually to produce great embarrassment to British merchants in foreign ports. They could not, in America, Asia, or Africa, make up a cargo of commodities of various origin—being confined to the productions of the country.—The result of this complaint was a repeal of this provision. "Lord Wallace," says Mr. McCulloh, in noticing this act, "originally intended to extend this principle to European ports, or to make it lawful for British ships to import all unprohibited articles from wherever they might find them. But it was supposed by some that foreign ships might be more cheaply navigated than ours, and that foreigners, taking advantage of this circumstance, would import the Asiatic, African, and American products required for our consumption into the contiguous continental ports, and would consequently restrict the employment of British ships to their carriage thence. We believe that these apprehensions were, in a great measure, visionary. But the law is so contrived as to avoid even the possibility of danger on this head; such of the products of Asia, Africa, and America as are required for home consumption, being, with trifling exception, inadmissible from Europe, and only admissible when by a British ship, in British ships, or in ships of the country or place of which the goods are the produce and from which they are brought. The only exceptions to this rule are articles from Asiatic and African Turkey, imported from the Levant, and bullion."

We are placed in something of the same category, notwithstanding our policy. British navigation system, and it has already grown to be a source of discontent and irritation in the intercourse of the two nations.

It is not the design of the committee to present an examination of the evil complaints growing out of the colonial system of Great Britain, which have produced the memorials and other expressions of public opinion in reference to that system, now laid before the committee. They are relieved from the necessity of such an exposition by the very full and satisfactory report upon this subject from the committee of commerce, which has been laid before the house. They will, however, take occasion to say that, in view of the great defect of reciprocity in the regulations between the two governments, and of the complaints growing out of the exclusion from our navigation, they are of opinion that it is better, even at once, to throw this intercourse back to the condition in which it was left previous to the year 1830, than to continue it on the grounds it now occupies. It could not be worse for us; and it would then, at least, present an equality of relations which we can not well sustain as our rival.

The committee have, in accordance with this view, prepared a bill for the establishment of reciprocal commerce with the British colonies, framed on the principles of the act approved on the 1st March, 1833, which they submit with this report.

It is apparent, from an inspection of the official documents relating to our commerce with the British colonies, that an immense trade is carried, greatly disproportioned to our own, has grown up both upon the lakes and upon the Atlantic. Some have attempted to account for this disproportion upon the supposition that the British increase is merely nominal, and is to be ascribed to the greater activity of British shipping in the short voyages between the United States and the colonial ports upon our borders. It is said, also, that, on the lakes, the British employ twenty-five steamboats, where we have but five, and that there are more small vessels sailing under the British flag than under our own. These facts constitute the evidence of the justice of our complaint, and demonstrate conclusively that the present arrangements operate very much more to divert the navigation of our neighbors than for our own. It is one of the most striking incidents that have followed the settlement of this colonial question in 1830, that a commerce has sprung up, which, in its products, is to these colonies; that vast quantities of flour, grain, provisions, and other commodities, are continually shipped from our border ports into Canada, to be borne thence, in British vessels, either to England or other British possessions—thus transferring the carriage of our produce to British ships, without the possibility of competition or interference from us.—This produce goes into Canada, either free or at low rates of duty, and is shipped thence to the West Indies free; whilst, if borne directly in our vessels, it would be cumbered with a heavy duty. We have no accurate statistics of our exports on the lakes, but it is well known that not much less than three millions of bushels of wheat have been exported in one year to Canada, and that it is all shipped, by the St. Lawrence, to the West Indies, to England and other places. Flour commands scarcely a smaller sum in Detroit than it does at New York and the St. Lawrence is daily increasing in importance as the great channel of the trade of a large portion of the territory of the United States—a trade under Anglo-American control, and maintained to the advancement of British navigation and the injury of ours.

The existence of such a trade under such circumstances is a remarkable commentary upon the want of sagacity and foresight in the administration of our commercial concerns, and makes a power of appeal to the consideration of congress. The navigation returns of 1840 show, that in the four ports on lake Ontario of Sanket's Harbor, Genessee, Oswego and Niagara, this trade furnished employment for 1,000 tons of British shipping, and but 45,419 tons of American; that the British tonnage entered in the same year at Detroit was 12,830 tons; whilst the American did not exceed 993 tons. We have not compiled us in our official tables of the navigation of Cleveland, Buffalo, and other ports of importance—an omission which ought henceforth to be corrected; they doubtless would show the same inequalities.

We have further proof of the great activity and value of this trade to the British possessions, in the fact and intelligence that it has given to the trade on the Welland canal, which have risen, as the committee are informed, from £12,000 to £50,000 sterling per annum. This canal has been purchased by the government and enlarged in capacity to enable it the more freely to vent the great trade which has been pressed upon it from the United States. The enterprise of our country is thus made subsidiary to the wealth, revenues, and navigation of the British colonies, and in the same degree prejudicial to our own, through the policy of our government.

The existing arrangement has designated certain ports in the British northern colonies, as well as in the West Indies, into which only our shipping is allowed to enter; whilst, on the British side, their vessels enter not only our ports in the United States, but also sail from ports in their own dominions which are forbidden to us. The allowance of such a discrimination in the arrangement cannot but work, as it has done, to the disadvantage of our shipping, by enabling British vessels to monopolize such commerce as is confined to the locality of the forbidden ports.—The effect of these regulations will be seen in the following statement of tonnage entering the United States in the commerce with the the British American colonies.

		Tons.
1830—American tonnage entered		130,527
1831—British	"	4,002
1831—American	"	92,678
1832—British	"	82,557
1832—American	"	74,001
1833—British	"	108,671
1833—American	"	209,938
1834—British	"	208,064
1834—American	"	173,278
1835—British	"	239,993
1835—American	"	261,832
1836—American	"	287,251
1836—British	"	278,659
1837—American	"	377,523
1837—British	"	246,678
1838—American	"	148,996
1838—British	"	266,229
1839—American	"	276,297
1839—British	"	341,121
1840—American	"	332,099
1840—British	"	373,149
1841—American	"	387,817

The existing arrangement went into operation in 1830, and this exposition is particularly worthy of the attention of those who show the increase of British tonnage from that date.

From these facts, the committee feel justified in assuming the position, that in order to establish a just and mutual reciprocity in the employment of the navigation of the two countries—throwing out of view every question relating to reciprocity in *trade* with Great Britain, in regard to which the most striking and oppressive inequalities exist, as we have already intimated—it is essential—

First. That all the ports of the British American colonies should be open to the admission of American vessels on the same terms that British vessels are admitted into our ports; and

Second. That American vessels shall have the privilege of carrying freely from the British colonies, and to all foreign countries, all commodities of the same class of description as those which are ordinarily imported by the British colonies from the United States, on the same terms that British vessels may carry them.

These conditions are no more than are now substantially permitted by our laws to British vessels; and it is quite obvious to the committee that there can be no fair reciprocation without the allowance of them to our trade. The arrangement for such a privilege might be easily made by the designation of a

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list of articles, of the class of those the growth, produce, or manufacture of the United States, which are usually imported into Canada, New Brunswick, Nova Scotia, and other British provinces; which list should form the staple of a carrying trade open to vessels of the United States.

Passing from the illustrations of the reciprocity system with England, we proceed to examine those with other nations.

The reciprocity with England we have shown is of a limited kind—confined to articles the growth, produce, or manufacture of the contracting parties.—The treaties with most of the other European powers are on the broadest scale of privilege. The grant to the parties the liberty of importing into each other's ports, all kinds of produce, of whatever part of the world, regardless of the origin of the commodity and of the place whence imported, in the vessels of each.

The privilege far transcends that conferred by the British treaties, in that it omits the qualification from which the policy, and in great part the language of our treaties have been borrowed. In the British treaty with Prussia in 1824, and with the other northern powers of Europe which are copied from it, the privilege of importation of articles not the growth, produce, or manufacture of the countries of the respective parties, is qualified by the further condition, that they shall be such articles as "can be legally imported" into the ports of either. This qualification has a reference to "the enumerable articles" defined in the British navigation act, to which, as have been heretofore alluded, and which, by those laws, cannot be legally imported into Great Britain except in British ships, or ships of the country of which they are the products, or of the country from which they are imported.

In all reciprocity treaties with the same powers we have in our reservations, there is no class of "enumerated articles" known to our system of navigation. The privilege, therefore, conferred by our treaties comprehends almost every article of commerce, and extends almost over the whole world. In fact, we have accorded to these powers, so far as navigation is concerned, unlimited free trade.

The practical operation of reciprocity treaties we have already shown. They have filled our harbors with foreign flags, and have condemned the American ship owner to become a quiet and passive spectator of the workings of a system which is ruining his business and its emoluments in his own port and under the encouragement of his own Government, to foreigners; transferring them without an equivalent in the increase of commerce or wealth, to capitale good of any kind. They are assailing the prosperity of our mechanics and workmen employed in the building and fitting out of ships, by introducing large amounts of foreign built tonnage into our trade, and in the same proportion discouraging and suppressing that most valuable branch of our industry. They are clutching the trade of our ports, by supplanting the American sailor and substituting the foreign seaman in his place to conduct American commerce. In short, they are rapidly and inevitably, costly overwhelming and overthrowing the most cherished fundamental principles upon which, for more than half a century, we have been endeavoring to build up a commercial marine power.

All that has been said by the British writers we have before quoted, in reference to the impolicy of a reciprocity treaty with a country that is able to build and navigate ships cheaper than we can, applies with peculiar force to the case presented by our Government in the treaties we refer to.

The powers with which we have concluded these treaties we speak especially of those of the north of Europe—are well known both to build and navigate their vessels cheaper than we can do. It is not affirming too much to say that the material employed in ship building is to be procured in the Baltic States at rates of cost much below that for which they can be obtained in the United States; that the wages of labor employed in this occupation are, in these countries, at least one half less than ours; and that those paid to seamen and all others concerned in the navigation of their ships may be placed at an average of 33½ per cent less than we usually paid in the United States; whilst all the expenses of victualling and providing for these vessels are quite as cheap if not cheaper than are those by our ship owners. We do not furnish examples of these several items of cost and expense, only because the fact we have stated is notorious and has been so often brought to the view of the country as to render it unnecessary.

Yet with these powers we persuade ourselves that our treaties have placed our commerce upon a reciprocal footing. To say nothing of the high, and even prohibitory duties, which, in several of these states, are brought by their tariffs into contrast with our low duties, we have consented to open the trade of our whole country of seventeen millions of people to the subjects of these powers in exchange for the privilege of a trade which, on their side, is confined to the supply of the wants of a much smaller circle of population, and, in reference to some of them, to some few ports whose commerce, in comparison with ours, is certainly limited, if not in an inconsiderable, at least, to a very inferior amount of demand. It was going far in the way of concession, to grant the privilege of *direct* transportation to the produce of the respective countries with whom these treaties are formed.

But it is scarcely conceivable what adequate motives of good policy could have presented themselves to our government to justify the opening of our entire trade with all the world to the vessels of these powers, —endowed as they are with such capacities for cheap navigation,—and to admit their ships and seamen into a participation of our trade, on the whatever trade their merchants might think proper to embark. This we have nevertheless done; and the consequence is that congress is receiving from all quarters deep complaints of the injuries we have inflicted upon our own navigation—an injury which is now in rapid progress of mischief, and which, if not arrested by timely legislation, must result in laying up our own shipping in the ship docks, and in the surrender of our carrying trade to the friendly rivals whom our policy has done so much to favor. Our ship owners, before they can find employment for their vessels, are obliged to wait in their own ports, until the Swedish, Danish or Hanseatic shipping have taken off as much freight as they can carry,—or to adopt the alternative of sending their vessels abroad in ballast and fixed by their competitors, though at the sacrifice of all fair profit. This is the great offering which we have made to the genius of free trade—an offering which finds so much approval on the other side of the Atlantic; and which, we may venture to assert, will be recommended to our continued favor as both a liberal and a wise concession. We question, if every political economist of Europe who takes an interest in the success of that newly discovered theory of reciprocity which throws the blessings of free trade upon Europe and its brethren of the west.

The committee think it time that the attention of the country was awakened to the importance of a change in this policy. We have made the experiment and it has failed. It only remains for us to retrace our steps. We wish to such an action the committee present, for the adoption of the house, a resolution which, if adopted, we remember in his judgment it shall be proper, to give the prescribed notice for the termination of such of our reciprocity treaties with European nations as have extended the reciprocal privilege of trade beyond the limits of articles "the growth, produce, or manufacture" of the respective countries; and also to make known the desire of this government to enter into a treaty of foreign trade upon principles of reciprocity which shall not extend beyond the all usage of equal duties to the direct importation of the products of the contracting parties; and to intimate that such an arrangement shall be either the subject of occasional legislation, or, if of yearly stipulation, that it shall be renewed upon such terms and on any time of its repeal at any time upon twelve months' notice.

Notwithstanding the disadvantages which may result from an engagement to foreign, in any case, the right of imposing discriminating duties against foreign navigation, the committee conceive that a limited exemption of the vessels of friendly powers, upon a reciprocal footing, as but a just concession to that liberal spirit of commercial intercourse which characterises the commerce of the world; but they think also that that concession is extended as far as it ought to go, when it embraces the direct trade between the parties, in their respective products.

The notice suggested by the resolution, would affect, at the expiration of twelve months from its date, the treaties at present existing with Denmark, Sweden, the Hanseatic republic, Prussia, Austria and Russia—the treaties with these powers have already extended beyond their original limitations, being subject to be discontinued upon one year's notice.—The remaining treaties in which the reciprocity principle is adopted on the broadest scale, may be made the subject of considerations as the term of their duration approaches. The few treaties of this character which we have entered into with the South American states, Brazil and Venezuela—have produced no inconvenience, and may therefore be left upon their present basis.

In the recommendation of this resolution, it is not the purpose of the committee to express any complaint or objection against the treaties referred to, on their provisions in these treaties may have been other provisions in the due regulation of our commercial intercourse with these powers may be renewed in future negotiations.

The act of the 2d of March, 1815, presenting the terms upon which this government is willing to relax its discriminations against foreign shipping, is still in force. There is no desire to repeal it. The continuance of this act will be regarded as an indication of the extent to which the United States are willing to go in the application of the principle of reciprocity. The subject being, at all times, within the control of congress, will enable us, at once, to correct any injurious effect which might result in any particular case to the detriment of our commerce or shipping.

The committee, in completing this review of the navigation of the country, have but little to remark upon that engaged in the coasting trade. The prosperity of this, the most valuable branch of our marine, is in a great measure secure against those influences which are likely to injure the shipping employed in foreign commerce. It is guarded against all foreign competition from abroad. It is solely dependent for its success upon the vigor and enterprise of our domestic industry. The exchange of our continually multiplying domestic products between the different states of the union, and the rapid intercourse engendered by these increasing sources and supplies of internal commerce amongst ourselves, have been steadily adding to our coasting vessels and steamboats; the increase of which, even under the most depressing conditions of our foreign commerce, is a gratifying evidence of the capacity of the country to maintain a great trade independent of the whole world, and would seem to point out, with peculiar distinction, the value and the necessity of fostering those employments which contribute to the wealth and power of the nation in the face of all foreign hostility.

A tabular statement of the increase of our coasting tonnage, presented in the same shape as that which we have presented in reference to our tonnage engaged in the foreign trade, will furnish, at a glance, the evidence of the condition of this portion of our shipping. The tonnage of enrolled and licensed vessels, before referred to, in Nos. II, though liable to the objections we have stated, will also lend some aid in forming an opinion on the subject.

Statement showing the tonnage of enrolled and licensed vessels built in the United States; also the number lost or condemned, and the balance of increase to each year.

Year ending.	Quantity built.	Lost or condemned.	Actual increase.
	Tons.	*Tons.*	*Tons.*
December 31, 1830	46,414	7,351	29,289
1831	40,231	7,982	32,348
1832	71,556	7,664	61,891
1833	86,647	5,353	82,694
1834	65,707	4,321	60,382
From September 30, 1835, to September 30, 1836	66,983	5,619	61,361
1837	62,618	4,162	71,478
1838	71,275	6,208	65,067
1839	65,922	7,729	54,193
1840	62,187	13,174	49,013

Before leaving the question of the navigation of the United States, the committee desire, in the briefest manner, to advert to a subject referred to their consideration, and to present their conclusions upon it. They allude to the resolution *respecting the propriety of altering the present mode of measuring and computing the tonnage of our vessels.**

The method is prescribed by the 3d section of the act, entitled "an act for the registering and clearing vessels, regulating the coasting trade, and for other purposes," approved on the 1st of September, 1789.

Great and serious complaints have been made against this method of measurement, founded upon what seems to be a well sustained opinion, that it has exercised a very prejudicial effect upon the structure and strength of our vessels. The collecting, in foreign ports, as well as our own, of a duty, estimated by the tonnage of the vessels, has rendered it an object of economy in the construction of ships and other vessels, to obtain the largest capacity of hold in a manner that shall afford the smallest amount of nominal tonnage under the rule of measurement as established. The consequence of this, it is alleged, has been to encourage the adoption of models, which, in producing the desired result, have led to a sacrifice both of strength and speed in the vessel.

Until very recently the mode of admeasuring tonnage in England was substantially the same as that established by our act of 1789 The same complaints against the method of measurement which prevail in this country, have also been made in England, and the consequences has been a change in the method of ascertaining the tonnage, by substituting one which furnishes a result much nearer to the actual capacity of the vessel, and which is not liable to be evaded by changes of structure. This improvement of the method of measurement was established by act of parliament, 5 and 6 William IV., chap. 56

* The committee refer to the resolution of Mr. Ayrault, suggesting an inquiry into the propriety of altering the mode of admeasuring the tonnage of vessels.

The committee, without further comment or explanation, beg leave to refer the house to a letter addressed by Mr. Foster Rhodes, a naval constructor of great experience, now in the service of the government, to the secretary of the treasury, upon this subject, and which they have appended to this report.—That letter, in the opinion of the committee, contains all that is necessary for a proper appreciation of the changes suggested. In accordance with the views there expressed, the committee submit a bill.

The committee have then discussed the principal topics, which have been referred to their examination, connected with the commerce and navigation of the country.

The policy of meeting the restrictions imposed by foreign nations upon our products by countervailing duties, is a subject which has been submitted to the committee on manufactures, and is mentioned in their report. The great injustice which has been done to the United States in the commercial systems adopted by countries with whom we have manifested a desire to maintain the most friendly intercourse, and to whom we have tendered the most liberal relations, has been a theme of long and earnest remonstrance on the part of our citizens. The excessive duties levied upon our tobacco, and almost every other product of our soil, by England; the severe restrictions imposed upon our tobacco by France, and the refusal by other powers to receive our products except on terms of great disadvantage to our producers, have ever been met, on our side, by what may be called, in comparison, an exceedingly moderate scale of imposts upon every commodity which enters into our trade from those nations. We have labored to represent the feeling of this country upon the subject, both through our regular diplomatic representatives and through special agencies and missions charged with the duty of bringing these questions to the attention of the proper authorities to whom they were addressed. So far these efforts have met with no success.

It cannot justly be made a topic of complaint if, after this long delay and frequent remonstrance, we should at last resort to such retaliatory measures as may place us upon the footing which our transatlantic rivals have themselves assumed as the basis of their commercial intercourse with us. There would be neither apparent nor real harshness in the procedure if we should place duties of twenty, fifty, or a hundred per cent. upon the products of those nations which do not hesitate to encumber ours with four, five, six hundred and even more than a thousand per cent. We should prefer to avoid this course towards nations whom, from every consideration of respect and common interest, we are glad to recognise as friendly powers; but the policy they have chosen to pursue towards us scarcely leaves us an alternative. The committee therefore concur with the suggestions which have been made by the committee on manufactures on this subject.

A report has already been made by the committee on the inland drawback question, which renders a further consideration of it unnecessary. They will report a bill adapted generally to meet the views of the petitioners in the cases that have been submitted in the several memorials upon this subject.

In conclusion, the committee present with this report, in conformity with the various suggestions which it contains—

A joint resolution requesting the president, at such time as his shall seem advisable, to give the proper notice for terminating such treaties with European powers as have established the privilege of importing on equal terms other articles than those the produce of the countries in whose vessels the importations are made;

A bill to establish reciprocity in the commercial regulations of the United States in their intercourse with certain British colonial posts; and

A bill to alter the mode of admeasuring the tonnage of ships and other vessels.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

JULY 28. Mr. *Phelps* reported from the committee on revolutionary claims, the bill from the house directing warrants to issue for the bounty land due on account of the services of Major General Hugh Brigadier Gen. Armand, and Major de la Colombe.

Mr. *Preston* called up the resolution which he submitted some two or three days since, to the effect that all sums hereafter paid for the extinguishment of the Indian titles shall be reimbursed out of the proceeds of the sales of the lands acquired under the treaty. Mr. P. desired it simply to take its place on the calendar.

Mr. *White* thought as this matter conflicted directly with a principle which had been fully debated at the last session, and had been the object of the whig party for the last ten years, it should not be thus hastily disposed of, and moved its reference to the committee on public lands.

Mr. *Preston* replied at some length, holding out the idea that to commit the resolution to the committee on the public lands would be committing the lamb to the wolf.

Mr. *Allen* addressed the senate at large, insisting that the resolution did not go far enough, and that he should at the proper time move to amend it so that money for the extinguishment of Indian titles should be reimbursed out of any of the public lands.

Mr. *White* replied at great length, and after a few remarks from Mr. *Morehead*,

Mr. *Evans* moved to postpone its further consideration until to-morrow, with a view to take up the revenue bill, which motion prevailed.

The bill to provide for the claims arising under the 14th and 15th articles of the treaty of Dancing Rabbit creek was read a third time and passed.

The bill to provide revenue from imports was then taken up; when

Mr. *Crittenden* rose and addressed the senate at some length against the amendment of the committee on finance in the senate, reducing the duty on cotton bagging from five cents a square yard to three and a half.

Mr. *Calhoun* followed, declaring the duty as laid by the amendment too high, and moved to reduce it to two cents a square yard; on which he asked the yeas and nays.

The debate was kept up until a late hour between Messrs. *Walker*, *Evans*, *Cuthbert*, *Barrow*, *Preston*, and others; when

On motion of Mr. *Morehead*, the senate adjourned at a few minutes before 6 o'clock.

JULY 29. Mr. *Buchanan* presented a memorial from James O'Connor in relation to steam boilers.

The paper states that Mr. O'Connor has discovered the exact degree of heat at which an explosion must inevitably take place, and gives tables in support of his theory. He measures it at 308 degrees. A cubic inch of steam at 308 degrees contains but 108 atoms of water and 70,092 atoms of caloric.—From his table it appears that a boiler cannot be heated up to 308 degrees without producing certain and inevitable explosion. It is proposed that all boilers should be furnished with a thermometer, whose bulb should be immersed in the water, and thereby indicate its exact degree of heat. The immersion of the bulb of a thermometer in the steam does not indicate the degree of heat, but the degree of heat or elastic force of water in a boiler. The elastic force of steam is in arithmetical progression, and not geometrical, which governs the increase of the elastic force of water. It appears truly strange (says this document) and not easily to be accounted for, that the elastic force of water is increased in geometrical progression, while the steam generated from it and found in the same boiler has but an increase of elastic force in arithmetical progression. It is a still stranger, and remarkable coincidence, that the elastic force of water and steam should be the same within 308 degrees of heat, while the rules which govern the increase of elastic force of the two fluids vary so much from each other.

The bill to regulate enlistments in the naval service of the United States, came up in its order, when—

Mr. *Bagby* explained the object of the bill, and moved to so amend it as to include in its provisions "*the marine corps.*"

Some discussion ensued.

On motion of Mr. *Preston*, the bill was so amended as to include the army.

Mr. *King* suggested that "musicians" be added, and the amendment then read that no blacks should be enlisted in the army, navy, or marine corps, except as cooks, stewards, servants, and musicians.

The question was then taken on the amendment and decided as follows:

YEAS—Messrs. Allen, Archar, Bagby, Barrow, Bayard, Benton, Berrien, Calhoun, Conrad, Cuthbert, Felton, Graham, King, Linn, Mangum, Preston, Rives, Sevier, Smith, of Conn. Sturgeon, Walker, Wilcox, Woodbury, Young—24.

NAYS—Messrs. Bates, Choate, Clayton, Crafts, Dayton, Evans, Miller, Phelps, Porter, Simmons, Smith, of Ind. Sprague, Tappan, White, Williams, Woodbridge—16.

The bill was then ordered to be engrossed.

On motion of Mr. *Evans*, the senate proceeded to the discussion of the tariff bill. The question last pending being the amendment of Mr. *Calhoun* to make the duty on cotton bagging 20 per cent. ad valorem.

The debate was kept up until 5 o'clock by Messrs. *Crittenden*, *Bagby*, *Calhoun*, *King*, *Cuthbert*, *Rives*, and others; when

On motion of Mr. *Sevier*, the senate adjourned.

JULY 30. Several memorials were presented.—One was from the custom house of New York, and remonstrated against the provision incorporated into the bill against the payment of salaries before the accounts are audited.

Mr. *Linn* presented a resolution to the effect that the amount expended from the treasury for claims be reported to congress at the commencement of every session.

Mr. *Tappan*, of Ohio, gave notice of his intention to introduce a resolution to the effect by moving an amendment to the effect that all nations which will receive the flour, wheat and provisions of this country free of duty shall have their goods imported at the rate of 20 per cent. duty.

The bill from the house for the armed occupation of Florida as amended by the house, was reported with a recommendation that the senate concur in the amendments of the house.

Mr. *Smith*, of Indiana, said that the bill since it left the senate, had evidently changed its character. It was not now a military bill, but a bill providing nothing more than a donation of two hundred thousand acres of land, and he could not consent to its passage.

Mr. *White* moved for the postponement of the bill until Monday, until he could have time to examine into its provisions. The motion prevailed by a vote of 21 to 19.

The committee of conference on the subject of the naval appropriation bill made a report through the chairman of the committee of finance. The committee after two sessions recommend a compromise on the amendments of the senate from the proviso limiting the *personnel* of the navy, and recommend in lieu of it that the midshipmen be limited to the number in service in 1841, and secondly that in regard to the officers and higher grades they be limited to the number in service in 1841. Many of the other amendments were receded from, and that in relation to the Brooklyn navy yard dry dock compromised. The report of the committee on conference was concurred in by the senate without debate.

The revenue bill was then taken up. Mr. *Sevier*, of Arkansas, commenced his remarks upon the amendment pending and in opposition to the proviso in the house and in favor of the lowest duty. He spoke as a cotton planter and considered the duty a grievous burthen.

Mr. *Benton* advocated the middle ground between 20 per cent. moved by Mr. *Calhoun* on cotton bagging, and 5 cents a yard as in the house bill. Mr. *Calhoun's* proposition was then voted upon by yeas and nays and rejected by a vote of 23 to 8.

Mr. *Calhoun* then proposed 25 per cent. duty on cotton bagging, and after debate this was rejected, 27 to 17.

The question was then on the duty of 5 cents and 3½ cents a yard. This again gave rise to a discussion upon the merits of the whole question.

The amendment of the committee was then rejected by a vote of 26 to 23.

The iron amendments of the committee were then considered, and all of them were rejected, and the bill was about to be reported to the senate, when—

Mr. *Buchanan* rose and moved to strike out the 27th section of the bill relating to the repeal of the proviso in the bill for the distribution of the proceeds of the public lands; but it being then 5 o'clock the senate adjourned.

AUGUST 1. Mr. *Evans*, from the committee on finance, reported the army appropriation bill from the house. The committee recommend that the senate insist on their amendments, and agree to the amendment to the proviso, that only $146,296 shall be appropriated for the settlement of claims out of the $500,000, and ask a committee of conference on the part of the senate as to the disputed points. This report was not concurred in.

Agreeably to notice, Mr. *Walker* asked leave to introduce a bill to change the time of the naturalization laws.

Mr. *Archer* moved to lay the motion on the table.

Mr. *Walker* gave his reasons at some length for desiring to introduce the bill. He thought it called for by the existing state of things, when there were so many foreigners in the country, who, in case of war, would owe no allegiance to the American government.

The question was then taken by yeas and nays, and it was laid on the table by the following vote:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clayton, Conrad, Crafts, Dayton, Evans, Graham, Huntington, Miller, Morehead, Phelps, Preston, Simmons, Smith, of Ind. Sprague, White, Woodbridge—21.

NAYS—Messrs. Allen, Benton, Buchanan, Cuthbert, Fulton, Kerr, King, Linn, McRoberts, Mangum, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Young—18.

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The bill for the armed occupation of Florida was taken up, the question being on concurring with the amendment of the house of representatives.

Mr. *Benton* read a letter from Florida to show that the Indians were congregated in considerable numbers at different points, and that there still existed great danger. The bill, was not altogether what he could have wished, yet he was desirous that the senate should concur in the amendment of the house.

Mr. *White* thought the bill, as amended in the house, conflicted in some essential and important particulars with the great land policy which had worked so well. This amendment made a gratuitous grant of a large portion of the public domain without requiring any condition whatever but that the settler was to build his hut and cultivate five acres, thus holding out to settlers inducements to rush on the public lands in advance of the surveys. He thought so grave and important a subject as that of the public domain should not be disposed of in a light and trivial manner.

Mr. *Benton* made some remarks in reply which were not heard.

Mr. *Linn* saw no innovation on the general policy of the land system. Making donations of land to settlers to defend territory was as old as the history of the country itself. He pointed to the last war, when bounty had been given in the shape of lands, and the great territory of Oregon would be settled on the same principle He hoped that no illiberal or niggardly system would prevail. The present bill held out the land as a bounty to protect the settler in Florida, and he saw no the blood of the regular soldier, who was not suited to that species of warfare.

Mr. *Preston* said the bill for the armed occupation of Florida terminated a question which had been originally brought in by the senator from Missouri, (Mr. *Benton*:) but at that time it was not sustained by the senate. Subsequent events, however, had shown that the war was at an end, that there was now only a wandering bandditti, which rendered such a bill as this advisable. Thus there had been an efficient bill reported at the present session by the senator from Missouri, which had been sent to the house, where the military aspect of the bill had been entirely changed. This bill held out an inducement to the poorer classes to abandon in this west of wild and venturous life—to go there and subdue the savage, and make room for the more wealthy settler. He thought that every acre of land thus given away would diminish the price of the other land tenfold, because it would be the means of ensuring protection to the more wealthy settler.

Mr. *Woodbridge* briefly addressed the senate against the departure from the established principle in relation to the 16th section which was one of the great inducements to persons to settle. He thought settlers should not go on those lands before the advent of the public surveys. He thought it better to let the lands be surveyed at once; and, if they could not be surveyed without danger, let a military escort be provided.

The question was taken on concurring with the amendments of the house, and decided in the affirmative:

YEAS—Messrs. Allen, Barrow, Benton, Berrien, Buchanan, Calhoun, Conrad, Cuthbert, Fulton, Graham, King, Linn, McRoberts, Mangum, Preston, Rives, Smith, of Conn. Sturgeon, Tappan, Walker, Wilcox, Woodbury, Wright, Young—24.

NAYS—Messrs. Bates, Choate, Clayton, Crafts, Evans, Huntington, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Ind., Sprague, Tallmadge, White, Woodbridge—16.

On motion of Mr. *Evans*, the senate proceeded to the consideration of the revenue bill; the motion pending being that made by Mr. *Buchanan* to strike out the 27th section relating to the public lands.

Mr. *Buchanan* addressed the senate in favor of the proposition at some length.

A remark of Mr. B's as to the late veto of the president led to some debate on a point of order, in which Messrs. *King*, *Walker*, *Preston*, *Graham*, *Huntington*, *Senior* and *Archer* participated.

Mr. *Crittenden* replied to the remarks of Mr. *Buchanan*.

The debate was further continued by Messrs. *Tallmadge*, *Archer*, *Linn*, *Conrad* and *Walker*;

And at 5 P. M. the senate adjourned.

AUGUST 2. Mr. *Choate* called for the consideration of the bill making an appropriation to supply a deficiency in the naval pension fund, and defended the bill.

Reasons were given at length why the bill should pass. There were it was stated less than 250 widows and 150 orphans. The pay to orphans was diminishing every day by their arriving at the age of 21, and the widows were diminishing by marriage and by death.

Mr. *Williams*, of Maine, replied at some length and in opposition to the bill; and a general debate arose upon the merits of the question, in which Messrs. *Senier*, *Archer* and others took part. The question was then taken, and the amendment pending rejected by a vote of 27 to 19. The effect of this is to preserve the spirit of the pension law of August 1841, which repeals the pension law of 1837 at the close of the present session of congress. The law of 1837 will be in operation after the adjournment.]

Mr. *Williams*, of Maine, proposed an amendment that the payment of pensions hereafter should conform to the act of 1835—the pay to be the same, and the modes of appliance. Carried *nem con.*

The bill was reported to the senate, and after a concurrence in the amendment of Mr. *Williams*, was adopted in the engrossing.

Mr. *White*, of Indiana, proposed further amendments, which gave rise to a postponement of the bill until to-morrow.

Mr. *Preston*, of S. C. moved the committee of conference proposed yesterday by the committee of finance, but postponed until to-day. The committee of conference was ordered, and appointed by the chair.

The revenue bill was then taken up on the motion of Mr. *Evans*, of Maine, the question being the motion of Mr. *Buchanan* to strike out the 27th section.

Mr. *Bagby*, of Alabama, occupied the floor, and addressed the senate in abuse of the whigs—in the house of representatives—and in the country: applying the epithets of "log-cabin," "coon-skin," "cider barrel," whigery" to the senators before him, calling them the vassals of dictation, and Mr. Clay the dictator.

Mr. B. opposed the land bill as unnecessary, unjust and unconstitutional.

Mr. *Berrien*, of Georgia, continued the discussion. He expected that the present bill would be vetoed, and more than this, that another bill would be introduced. When it came he should then be ready to assume the high position assumed yesterday by the senator from Virginia, (Mr. *Archer*). He could not conceive that from this earnest he was right in the bold ground he had taken. Upon the present question Mr. B. gave his hearers to understand he should not vote.

Mr. *Woodbury*, of N. H. and Mr. *Wright*, of N. Y. followed in the debate, when the question was taken on the amendment, and decided in the negative as follows: yeas 22, nays 26.

Mr. *Tappan* then submitted the amendment, of which he gave notice some days since, in relation to the admission of all goods free of duty beyond 20 per cent. from those kingdoms in Europe that admitted free of duty in like manner, the flour, grain, and salted meat of the United States.

Mr. *Merrick* moved to amend the amendment by adding "tobacco."

Mr. *Walker* would include cotton also.

This amendment was opposed by Mr. *Evans*.

Mr. *Merrick* demanded the yeas and nays, and the question having been taken, it was decided in the affirmative- yeas 27, nays 13.

The question recurred on the amendment of Mr. *Tappan* as amended, and it was rejected: yeas 16, nays 26.

A motion was then made to adjourn, but failed.

Mr. *Benton* said there were numerous pages, all of which required amendments, and he would feel it his duty to move them; it must be evident to gentlemen, therefore, that the amendments could not be disposed of to-night. If however, they thought he was willing to remain—he had all the qualities requisite to endure a siege—he had undergone all that thing before, and where his duty was concerned, was ready to do so again.

Mr. B. then moved an amendment in relation to wool; after which the senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, JULY 28. The following gentlemen were announced as the select committee on Mr. *Arnold's* retrenchment bill: Messrs. *Arnold*, *Pope*, *Baker*, *Lane*, *Graham*, *Bronson*, *C. Brown*, *Girian*, and *Cross*.

Mr. *Casey* moved a suspension of rules to enable him to offer a resolution fixing on the 15th August for the adjournment of congress. The house refused.

Mr. *Fillmore* moved that the house insist on its amendment conflicting with those that the senate had insisted on in relation to the naval appropriation bill and that a committee of conference be appointed.

On the question being taken, the motion was adopted.

On motion of Mr. *Ingersoll*, the house went into committee of the whole on the state of the union, (Mr. *Atherton*) in the chair, and took up the bill legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and officers of the government, and for other purposes.

Mr. *Ingersoll*, from the committee of ways and means, who had introduced the bill, explained its nature and objects.

After varied discussions and amendments the committee rose and reported the bill to the house with its amendments, and the house adjourned.

FRIDAY, JULY 29. Mr. *James Cooper*, from the committee on Indian affairs, to which was referred the communication from the secretary of war of the 1st of June last, in answer to a resolution of the house of the 18th of May last, requiring him to communicate to the house of representatives the several reports made to his department by lieutenant colonel Hitchcock relative to the affairs of the Cherokee Indians, made a report thereon, and recommended the adoption of the following resolutions:

Resolved, That the house of representatives has a right to demand of the executive such information as may be in his possession relating to the subject of the deliberations of the house, and within the sphere of its legitimate powers.

Resolved, That the reports and facts called for by the house of representatives, by its resolution of the 18th ultimo, related to subjects of its deliberations, and were within the sphere of its legitimate powers, and should have been communicated: therefore

Resolved, That the president of the United States be requested to cause to be communicated to this house the several reports lately made to the department of war by lieutenant colonel Hitchcock relative to the affairs of the Cherokee Indians, together with all information communicated by him concerning the frauds he was charged to investigate; also, all facts in the possession of the executive from any other source relating to the subject.

The resolution of the report was called for, and it was read at the clerk's table.

Mr. *Cooper* moved the printing of the report, and demanded the previous question, and the yeas and nays were ordered; and, being taken, resulted as follows: yeas 92, nays 67.

So the printing was ordered, and Mr. *Cooper* thereupon withdrew his motion for the previous question on the adoption of the resolutions.

After consideration of private bills, the house adjourned.

SATURDAY, JULY 30. Mr. *Arnold*, from the select committee to whom had been referred the bill reducing the pay and mileage of members of congress and of the civil, military and naval officers of the government, reported back the same with certain proposed amendments.

The amendments were read. They provide—

That the act shall take effect from the 5th day of November next, instead of 5th December.

That the pay of members of congress, which is reduced by the bill to $6 per day, shall cease during their absence from their respective houses, except in case of sickness of themselves or families, or when excused by the house; and

The following scale of reductions for the salaries of the several officers of the government is proposed in lieu of that in the original bill:

1st. From and after the 1st day of January, 1843, the pay and emoluments of all the officers of the federal government in the civil department, excepting officers of the diplomatic corps serving abroad, the commissioner of pensions, and officers whose pay and emoluments do not exceed the sum of $1,000 per annum, and those the reduction of whose salaries is prohibited by the constitution, shall be reduced at following rates: Officers receiving salaries of $3,000 and upwards, shall be reduced at the rate of 20 per cent.; less than $3,000 and over $1,000, 12½ per cent. *Provided*, That no officer shall be reduced below $1,000 per annum; and that no officer, excepting those of the diplomatic corps, shall, after the 1st day of January, 1843, receive for salary, fees, emoluments, or perquisites of office, a greater compensation for any one year than $3,000.

2d. That where an officer receives a given per centum, the rate per centum shall be reduced 20 per ct. excepting deputy postmasters whose compensations are less than $1,000.

3d. That all expenses, other than salaries of officers of the judiciary, shall be reduced 20 per cent.; and all perquisites, fees and costs which the United States may be required to pay on process issuing from the courts of the United States shall be reduced 20 per cent.

4th. That the pay of all the officers of the navy and army shall be reduced 20 per cent. for pay, rations and other perquisites, except where an officer receives less than two rations; and, in that case, his allowance for rations shall not be reduced.

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5th. No officer of the army or navy shall be allowed a greater sum than six cents per mile for transportation of his baggage; and salaried civil officers shall receive no other pay or compensation than the salaries allowed them by law.

After a few remarks from Mr. *Arnold*, Mr. *Andrews*, of Ky. called for a division of the question.

Mr. *Davis* said that he was instructed by the minority of the committee to present a substitute bill, accompanied with a report.

Mr. *Cushing* called for the reading thereof. The report and bill is in the following words:

Be it enacted by the senate and house of representatives of the United States of America in congress assembled. That, from and after the present session, each member of the senate and each member of the house of representatives of the United States shall be entitled to receive eight dollars for every twenty miles travel in going to and returning from the seat of government by the usual route, and eight dollars per diem for each days' attendance in the body of which he is a member: *Provided*, The session he may so attend shall not continue more than five months from the commencement thereof, and in case it shall continue for a period of time longer than five months, then and in that case each senator and each member of the house of representatives shall be entitled to receive four dollars per diem for each day he shall attend thereafter, and no more.

Mr. *Cross* gave notice of the following amendment, which, he said, he would hereafter offer:

Strike out all after the enacting clause and insert: "That, from and after the first day of November next, the per diem pay of senators and members of the house of representatives shall not exceed, at any session of congress thereafter, the sum of four dollars per day after the expiration of five months from the commencement of such session; and that the mileage of said senators and members shall not exceed six dollars for every twenty miles travel, in going to and returning from the seat of the general government of the United States—to be computed on the most direct usual route travelled from the residence of the said senators and members respectively: *Provided*, That no senator or representative shall receive pay dieem pay for any day, or number of days, he is absent from the body to which he belongs, unless such absence be on leave of said body, or occasioned by the sickness of himself or family; and in all such latter cases, he shall be required to state in writing the cause of his absence."

After some discussion, the bill and amendments, together with the report of the minority of the committee and their proposed amendment to the bill, were *referred to the committee of the whole on the state of the union and ordered to be printed*.

Mr. *Wise*, from the committee of conference heretofore appointed in relation to the disagreeing votes of the two houses on the naval appropriation bill, made the following report:

The committee of conference on the part of the house of representatives upon the disagreeing votes of the two houses upon the amendments to the bill of the house of representatives making appropriations for the naval service for the year 1842, have met conferees on the part of the senate, and, after free and full conference upon the subject of said disagreeing votes, have agreed to recommend, and do recommend, to their respective houses as follows:

That the senate recede from its amendment to the proviso of the house, being the second amendment of the senate to said bill, and agree to said proviso as amended to read as follows, to wit: *Provided*, That till otherwise ordered by congress, the officers of the navy shall not be increased beyond the number in the respective grades that were in the service on the 1st day of January, 1842; nor shall there be any further appointment of midshipmen until the number in the service be reduced to the number that were in service on the first day of January, 1841, beyond which they shall not be increased until the further order of congress.

That the senate recede from its disagreement to the amendment of the house to the fourth amendment of the senate, and agree to said amendment, to wit: Strike out said amendment of the house, and insert, "And if any part of this appropriation shall be expended upon the construction of a floating dock, as hereby authorized, the construction of the dry dock shall be suspended until the further order of congress." And that the house recede from its former votes and concur in said amendments.

After some discussion, the question on concurring in the report was taken and decided in the affirmative as follows: ayes 98, noes 38.

So the report of the committee of conference was *concurred in, and the navy appropriation bill, having thus passed both houses, awaits only the signature of the president to become a law*.

The house adjourned.

MONDAY, AUGUST 1. Mr. *C. J. Ingersoll* asked leave to offer a resolution calling upon the secretary of state to present at the next session a detail statement of the number of applicants and discharges under the bankrupt act, &c. Objection was made and the resolution was not received.

The house then resumed the consideration of the bill legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without other authority of law, and for other purposes—and after motion, finally passed the bill.

The house having gone into committee of the whole, the committee proceeded to the consideration of the senate bill to provide for the reorganization of the army and for other purposes, which had been reported back from the committee on military affairs of the house, with the following amendment:

Provided, That nothing in this section shall be construed to prevent the re-enlistment of non-commissioned officers whose terms of service may expire before the army shall be reduced to the number hereinbefore established.

The question was taken, and decided in the affirmative without a division. So the first amendment of the committee was adopted.

Mr. *Cass* then offered an amendment, proposing to strike out all after the enacting clause, and insert.

"That the act entitled 'an act to increase the present military establishment of the United States, and for other purposes,' approved the 5th July, 1838, be, and the same is hereby, repealed."

Mr. *Johnson* briefly advocated his amendment in remarks which were not indicated by ear in the reporter's desk. His amendment, he said, proposed to repeal the act of 1838, which was passed solely on account of the war going on in Florida. The repeal of that act, he contended, this war, might now very well be dispensed with, the war having terminated. The senate did not propose to do this, but they proposed to keep on hand all the officers, and they made some reductions of men. The greatest of all evils connected with the army as well as the navy, he considered a superabundance of officers. If they repealed the act of 1838, they would leave the army to the standard of 1821, leaving two regiments, which had been enacted since that time. The act of 1838 added one company to each regiment, and made an additional regiment. This he proposed to repeal.

They would gain other advantages by the adoption of his amendment. Mr. J. read from the act of 1838, showing the increase of officers thereby, and the increase of salaries, which he contended should be abolished.

One of the greatest abuses that existed in the army was but very slightly remedied by the bill from the senate; he meant the evil of double rations. In the bill which they had passed in the house and sent to the senate, these rations had been cut off altogether. The appropriations for double rations had been but little short of $100,000. He read from the bill to what officers these double rations were allowed, and contended that they should be withheld from some of these officers.

If the house adopted this proposition repealing the law of 1838, by which all this extraordinary pay was allowed, and threw it back on the standard of 1821, except in the reform double rations, and the regulating their double rations, which could be done in another amendment.

Mr. *Goggin* called attention to a portion of the report of the committee of the senate, which he considered calculated to leave an erroneous impression on the minds of gentlemen with regard to the law creating the regiment of dragoons of 1836. It conveyed the idea that the president had the authority, under the law creating the second regiment, to disband or dismount them at any time he thought proper, but when so disbanded or dismounted he might retain them in other service. Mr. G. referred to and read from the act, showing that its requisition was positive that whenever the service required the regiment should be disbanded it was to be disbanded at all. After further debate and remarks, the committee on motion of Mr. *Barton*, rose and reported progress.

On motion of Mr. *Briggs*, the bill regulating postages was ordered to be printed.

Resolved, That the secretaries of war and of the navy be directed to inform this house what number of colored persons are at this time enlisted or employed in the army or navy of the United States, and in what capacities; distinguishing what portion of them are free and what portion slaves; and whether any regulation of the departments of war or of the navy forbids the enlistment or employment of blacks or of colored persons, whether bond or free.

The house adjourned.

TUESDAY, AUGUST 2. Mr. *Adams*, moved to take up the report submitted by him as chairman of the committee having charge of the reasons of the president, put on file in the state department for signing the apportionment bill, concluding with the resolution of censure. This resolution Mr. *Adams* was anxious to have taken up and adopted.

Objections were made by Mr. *Saunders*, of N. C. and others of the opposition members.

A motion was submitted to suspend the rules, and the yeas and nays were called. Two-thirds were necessary, and the vote was 92 in the affirmative and 56 in the negative.

A report was then submitted from the judiciary committee to change the circuits of the U. States courts in some of the states south of the Potomac. A bill was also reported and passed to change the time of holding the courts in western New York.

The report of the committee on Indian affairs was next taken up, and the adoption of the resolutions moved by them.

Mr. *Gorham*, of Miss., opened the debate in opposition to the resolutions. He was followed by Mr. *Cushing*, of Mass., in an extended argument upon the subject, and in defence of the president, and the executive branch of the government. Mr. C. cited all the measures against the executive which he regarded as very unjust, and spoke until the expiration of the morning hour, and within a few moments of the hour allotted him under the rule. The subject then was left over until to-morrow.

The bill to reduce the army was next considered in committee of the whole. Mr. *Fessenden*, of Maine in the chair, and was debated upon its general merits. Much was said and most of the debate was confined to the superintendence of the armories at Springfield and Harper's Ferry.

The measure, which some Virginia and Massachusetts representing these two sections of country, took great interest in the debate. Mr. *Barton* and Mr. *Goggin*, of Va., took part in the debate and spoke at great length. Mr. *Sprigg*, of Ky. also addressed the committee at length.

Mr. *Calhoun*, of Mass., addressed the committee with a good deal of earnestness in opposition to the military superintendence at Springfield. Representing this section of country for eighteen years, he had much to say upon the matter, and after further discussion, the committee rose.

On motion of Mr. *Fillmore*, the house proceeded to the consideration of the bill making appropriations for the army of the United States for the year 1842, which had been returned from the senate with the amendments thereto, which the house insisted on disagreement to the amendments of the house, and asked the appointment of a committee of conference on the part of this house to meet a similar committee on the part of the senate.

On motion of Mr. *Fillmore*, the house insisted on its amendments, and a committee of conference on the part of this house was ordered to be appointed to meet the committee on the part of the senate.

Mr. *Stanly* offered the following resolution, which was adopted:

Resolved, That all debate in committee of the whole house on the state of the union on senate bill No. 283, being a bill respecting the reorganization of the army and for other purposes, shall cease to-morrow at two o'clock, when the committee shall proceed to vote on all amendments then pending, or which may be offered to said bill, and that the same shall be reported to the house.

Mr. *Ford*, of Ohio, on leave given, offered the following resolution, which was adopted:

Resolved, That the secretary of war communicate to this house, at as early day as practicable, the amount claimed and paid to Joseph M. Hernandez, under the act approved March 2, 1839, entitled "an act for the relief of Joseph M. Hernandez;" also, a statement showing the price upon each item of corn, sugar cane, cattle killed, and property impressed into the military service of the United States; the time at which the whole or any portion of the allowance was made and paid; the grounds upon which the allowance was made; and, also, that he report to the house the evidence upon which the several allowances have been made to Gen. Duncan M. Clinch, in in addition to the report made by him in answer to the resolution of the 23d July last.

Mr. *Fillmore*, on leave given, offered the following resolution, which was adopted:

Resolved, That the committee on the library be instructed to inquire into the expediency of authorizing, by a joint resolution of the two houses, the employment of a competent person to prepare and perfect a chronological, alphabetical, and analytical digest or index to all the reports, documents, and journals of the two houses of congress from the commencement of the government to the close of the 27th congress. The house adjourned.

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CHRONICLE.

ANTHRACITE COAL. This morning, a train of ninety-five cars arrived from Pottsville at the depot of the railroad, on the Delaware. They contained 480 tons of coal. [*Philad. Evening Journal.*]

BATHS. In the baths at Rome there were accommodations for 285,862 persons to bathe in warm water at the same time; and a quantity of water was kept sufficiently heated from daybreak till dusk. We can never, says the Boston Post, hope to see baths on such a magnificent scale, unless some plan be hit upon for heating Boston harbor to the boiling point.

BANK ITEMS. "The Bank of New Orleans" sent to liquidation on the 29 ult. The New York Union of the 1st inst. says: "Our banks cannot find good business paper for half the amount they would be glad to put out."

Bickwell's Detector of the 2d says: the Philadelphia banks discount all the paper at short dates that is offered—money matters tighter. The effect of the law to stay executions effects the notes of the country banks, unfavorably.

The Decatur branch of the Alabama Bank has commenced paying specie, at the rate of 80 per cent. of the face of the notes presented, and the balance in the notes of other banks.

Delaware. Our banks in this city, save the N. Amer. of the 1st inst. have little employment for their capital. Every thing almost is at a stand among the mercantile community in the seaboard. The contraction of the currency, and the depreciation of bank paper, present remainders, and render it almost impossible to collect, even from those who possess property for extending the amount of their liabilities, without compelling sacrifices the debtors appear determined not to submit to.

Well Mr. Orleans is "a place." After about make money, says the N. O. Courier: "Some one or seven weeks ago, one of our capitalists visited $10,000 in third mortgage notes. It is one such, for one make $23,000 clear gain by the transaction. About the same time, another citizen bought at public sale, 1,000 tons of rail road iron at 86 per cent. New Orleans, shipped it to New York, are worth 86 per ton—so that the clear profit on the last transaction will be near $33,000. Another every day, business, honors and lots—doing for a fifth or fourth what they cost originally, besides an infinity of minor transactions in which men with money have realized three or four hundred per cent. It is not in reason to believe that if the monied men in England, France, and Holland, had an inkling of the great bargains to be had in New Orleans, now that the money market begins to be loaded with themselves, or their agents, and their money bags.

COTTON AT Liverpool on 15th July, was some what firmer, and to have demand at previous quotations. Upland 3½d; fair 5¾; Orleans 3¾d; Tennessee and Alabama 3¾d; So. Island, 8¼d per lb. Imports continued heavy, 201,000 bales, of which 15,000 were American 812,000 last year. Of these, 751,000 were from the U. States, being 50,000 more than to the same point last year. The stock, not pressing at 670,000 bales, against 760,000 last year. The present week of American, [illegible] is 14,000 less than last year at this time, say 18,000 bales. Sales for the 9th to the 16th, 30,500 bags—imports 36,024 bags. July 16th, sales 6,000 bags, including 2,000 American on speculation. July 14th, between five and 6,000 bags sold. July 13th, the demand was more active out any symptoms of falling off. Speculators are indicated, by the continued favorable weather for the harvest, to enter more freely into the market, chiefly taking American about 1½d to 1¼d of which quotation the bulk consists.

Crops of grain in England at the last dates, middle of July, promised fair, weather favorable, and harvest had only commenced in some of the early districts. The French harvest is stated to be very fine, but rain at times has suffered by drought. The Lyons Courier, however, of the 6th says: "That the rain which fell the day before did spread all hearts for the harvest. The crop is good in general, but good in the head. Oats are short in the straw and promise a good crop. Potatoes are every where a good crop. The rain has done no serious injury any where."

CARRIAGES FOR THE DESERT. The contract for supplying the carriages to convey passengers across the Egyptian desert has been obtained from the Pasha of Egypt by Mr. Andrews, her majesty's conchmaker in Southampton. Each carriage is to be in the form of a small omnibus, to carry four inside and two outside. They will be of very light construction, for the purpose of passing easily over the sandy soil of the desert. Each carriage will be drawn by two Arab horses, which will run seven miles stages. Forty carriages must be ready by the 1st of September next.

DEATHS. During last week, in New York 217 interments are reported, of which 114 were under 5 years of age. In Philadelphia 169, of which 131 were children. In Baltimore 72, of which 38 were under 2 years—15 were free colored and 5 slaves.

Interments in New York during the four weeks of July in each of the years: 1837, 662; 1838, 699, 1839, 708; 1840, 723; 1841, 629; 1842, 736.

GOV. DOUGLAS, the champion of two recent "demonstrations" on Rhode Island, is said to have passed Cincinnati from Louisville, on the 25th ult. his baggage marked T. W. D. Providence.

ELECTIONS took place on Monday last the 1st August, in Kentucky, Indiana, Illinois, Alabama and Missouri; in N. Carolina on Thursday the 4th inst. and in Vermont yesterday the 5th inst. The election of a senator in congress is depending in each of these states.

EXCHANGE. New York on London is down to 6½; on France 5 37½; on Boston, Philadelphia and Baltimore par. On New Orleans 99½; Mobile 55. Domestic exchanges are the N. York American of the 1st inst. are without much change, and the business of the city gets worse, without any prospect of improvement. Our advices from there confirm us in the opinion formerly expressed, that the majority of the next legislature will be in favor of winding up the banks, and levying a sufficient tax to pay the interest which may hereafter become due, instead of the present tax on the profits of the banks. If this should be done, there will be no ultimate loss to the bill holders as the state is liable for the whole circulation and deposits of the stock banks in the state are abundantly able to meet all demands.

FLOUR—duty paid, was selling at Liverpool on the 15th ult. at 34s. to 36s. 6d per bbl. Western canal flour 27s. 30s. per tun.

Liverpool, July 18. Since this day sennight we have received 10,333 quarters of wheat, and 4 375 bbls. of flour from the continent of Europe and the United States. There are also reported 1,430 quarters of wheat and 6745 bbls. of flour from Canada, but of British grain, of the week's supplies are light. Duty 8s per qr.

In the bonded market, yesterday sale that day transpired, is that of 1,000 barrels of United States flour, at 20s per barrel.

The first arrival of flour from the new crop of wheat reached Cleveland on the 26th ult. 350 barrels, from the Illinois mills, Chicago.

Prices at New York, choice kinds have declined to $6.

MR. FOX. The venerable widow of the celebrated *Charles James Fox* died last month at her seat at St. Anne Hill, near Chertsey, England, in the 97th year of her age.

FRANCE. The number of births in France, in 1839, was 967,247, of deaths, 760,000 of marriages, 266 400. The population of France now amounts to 33,540,000. Deaths in Paris, in 1840, 24,224.

GEORGIA was the last settled of the original Anglo American colonies, but is now the ninth of the twenty-six states in point of population, and the third in age.

LOAN. A seven per cent. loan, issued by the city of New York, redeemable in 1852, to pay the temporary debt incurred by the water commissioners, has been issued at par, and sold at 1 per cent. at which rate small sales are daily made.

THE MILLERITES held a convention at Concord New Hampshire last week, to consider the fulfilment of prophecies and the "time of the end." Many were there epphered out, and seemingly to believe in a day before next year.

RAIL ROAD ITEMS. The New York and Albany rail road company meet to-day, at Poughkeepsie, Dutchess, West Chester, and Rensselaer counties, for the commencement of their work. The common council of N. York accepted an invitation to be present at the ceremony in Dutchess, on the 24 inst.

Albany and Boston rail road. The last piece of the iron band of this road, which connects the Boston end of the rail road, will soon be completed. It is in West Stockbridge, where it has been found necessary to make a tunnel, the latter being only existing, the other side of time rock. An opening through has been made, and the work will be finished in September.

RUN ON THE BANK OF ENGLAND. A fact of an alarming nature was starred on Change, and in the money communes by Mr. Joseph Hume. That extravagant individual—we do not speak to a *political* sense—informed the house that he had been informed a run upon the Bank of England with a real *half sovereign*—a golden *Joey*, in his hand, and that "as a matter of favor he had got six *shillings in silver.*" The chancellor of the exchequer without pausing to ask Mr. Hume what he intended to do with so much cash quieted the fears of the house by stating that the mint was hard at work upon silver coin,—and if the bank member were to a few days to venture a whole sovereign, it was not impossible he might get change enough to last him the rest of his life.

THE SEA SERPENT as usual at this season makes his appearance off Nahant, or at least was scanned very closely in Penobscot bay a few days since by captain Black, the Rockland packet master, and others.

SPECIES. The French stocks experienced a considerable depression on the death of the duke of Orleans.—The British stocks were somewhat improved by the final settlement of their long agitated tariff bill, which has been passed now. The value of American stocks in Europe remained nominal, scarce any sales could be made at par. We neglected to mention that President Tyler has despatched Mr. Robinson, a president of one of the minor banks of Pennsylvania, (Pittsburg if we mistake not,) to Europe for the purpose of negotiating if possible the residue of the loan authorised by congress for the relief of the treasury. What success he may meet with remains to be seen.

There is very little doing in stocks in our American markets. Though money holders are said to be looking for investments in several places, yet they want confidence in either public or corporate funds, commercial transactions, manufactures or the present prices of real property. Every thing is discussed.

United States stocks of 1862 are received in New York at par. New York stocks at 94a 92; ditto sevens, 100½; Kentucky sixes, 77, Illinois sixes 73; Indiana bonds 21; Arkansas 8 bonds as per act, 80, Pennsylvania sixes 43 South Carolina sterling fives 75.

STEAMERS. The last London papers contain a description of the great iron steamship *Great Britain*, intended to trade between Bristol and New York. Her length is 325 feet, width across the beam 51 feet, depth 33 feet, burden 3,443 tons register, 1,000 horse power, 6 masts, with excellent sleeping accommodation for 360 passengers. 340 persons can dine in the principal saloon. She will carry 1,600 tons of coal and have a crew of 130 men. She is fitted with Smith's Archimedean screw, upon which some further improvements have been made by the engineer.

French steamers. The New York Journal of Commerce says: "The arrival of the French war steamer "Le Gomer" to our waters is an interesting occurrence. But the errand on which she comes is yet more interesting, and has more national importance in it. The eight commissioners she brought are now at Washington, endeavoring to induce our government to make arrangements for an international commerce on a grander scale than has hitherto been contemplated. France has built, or is building, *forty steamers*, which will be employed to augment her naval force in war, and to carry her commerce and international intercourse in peace. All her navy yards, as at Rochefort, Brest, Cherbourg and Toulon, are now busy with the preparations for this marine. Eight commissioners are to be treated by this government as numerous and distinct from each other; probably the same that Le Gomer, in her pioneering errand, is now passing to Washington, will proceed to New York about a month, and will then go to New Orleans, Martinique, Havana, and even to twenty-eight different shipping places. Thus arrangements, we apprehend, are short of proposition to their importance, or the business the commissioners may have to perform at each of these. Hence, our government will, 30 months, subsequent to a rise but 10, each 23 pounders. She has but 155 men on board now, whereas her full complement is 210. Her Paixhans and the rest of her cannon were disembarked at Rochefort."

The Black Diamond. This iron steamer arrived here yesterday. She is 200 feet 6 inches in length, 28 feet 6 inches in beam, 14 feet 10 inches in breadth, with some 11 feet depth of hold. Her sides and bottom are constructed of plates of iron, varying from two quarters to two inches, and a *flush* deck. Her engines and other machinery are aft, and her wheels under the stern. She will form one of a line between Baltimore, Alexandria, Philadelphia, and the Raritan canal, carrying coal and other freight. Her speed is about 10 miles per hour.

Iron steamboats. Diamond is worked by 2 [illegible] engines. She carried 200 tons of coal from N. York to Albany in forty-eight hours.

Iron steamboats between Hartford and Philadelphia. In our marine list of yesterday was mentioned the arrival of the iron steam freight boat Ironsides, Capt. Mathews, from Hartford and Philadelphia, with merchandise and coal for M. W. Chapin & Co. She is one of a line of iron steamboats which are to run regularly between this place and Hartford, leaving each place once a week. She is 100 feet in length, 23 feet in breadth, 7 feet deep, and can carry about 150 tons. When loaded she draws 4 feet 6 inches. Her engines can pass up and down the river free of toll. She is moved by two of Erickson's propellers placed at her stern, and her machinery, which is of the most simple kind, is made from that her accommodations for freight, and for loading and unloading, are very superior. Her speed is from six to eight miles the hour, but as she is self-propelled, when the wind is favorable this can be considerably increased. [*Hartford (Conn.) Courant.*

Orders had been received at Wooster, Ohio, for a new steamer of very large dimensions, to be called the Dragon. The engines are to be of 100 horse power.

ST. LOUIS. About two thousand boats arrived and departed from St. Louis between the first of January and the first of July last.

From the mountains. Under the caption the St. Louis Bulletin announces the arrival at that place, on the 23d ult. of five boats belonging to P. Choteau, jr. & Co. bringing two hundred bales Buffalo robes and seventy packs Beaver, besides other furs. They have been forty-five days descending from Fort Pierre, the Sioux depot.

THE ZOLL VEREIN. The deputies from the states which compose this body were to assemble again early in July, at Dresden, to consider the proposed alterations in the tariff principally relating to the trade of the states with each other.

WHEAT. The duty on wheat at Liverpool 15th July, was 3s. per quarter. On flour 4s. 10d. per bbl. and not likely to go lower.

Prices in the Baltimore market for new wheat take a wide range just now. Common Maryland is from 60 to 90 cents—and prime $1 to $1 20. We notice a contract for 20,000 bushels of wheat to be delivered at N. York on 25 cents.

The Chicago American says that about two hundred thousand bushels of wheat have been exported from that city since the opening of navigation the present season. They have been accompanied by large quantities of oats, corn, bodes and flour, and a considerable quantity of wool.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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THE NAVY APPROPRIATION BILL has been signed by the president.

THE ARMY BILL is now before a second committee of conference.

THE BILL making appropriations for fortifications is now before the house.

THE TWO TREATIES, negotiated between G. Britain and the United States by Lord Ashburton and Mr. Webster, were submitted to the senate for ratification on Thursday the 11th instant, between one and two o'clock. The senate immediately went into secret session.

THE TARIFF OR REVENUE BILL, in preparing of which so large a portion of the present session of congress has been devoted by the house of representatives, finally passed the senate on Friday last, exactly in the form in which it was sent to them by the house. On Saturday, the 6th inst. it received the signatures of the presiding officers, and was placed in the hands of the president. On Tuesday, the 9th the president returned it to the house of representatives, with a message assigning his reasons for refusing his signature, which will be found in this number. His reasons were entered at large upon the journal of the house, and on Wednesday, on motion of J. Q. Adams, the veto message was referred to a select committee of *thirteen*, to consider and report thereon. The committee consists of John Quincy Adams, of Massachusetts, chairman, Jere. Morrow, of Ohio, Francis Granger, of New York, Truman Smith, of Connecticut, John M. Botts, of Virginia, James A. Pearce, of Maryland, Kenneth Rayner, of North Carolina, J. Cooper, of Pennsylvania, Thomas Jefferson Campbell, of Tennessee, Thomas W. Gilmer, of Virginia, Wm. W. Irwin, of Pennsylvania, James J. Roosevelt, of New York, C. J. Ingersoll, of Pennsylvania.

THE U. S. SENATE. The terms of the following senators will expire after the 4th of March next:

Van Buren.	*Whigs.*
Williams, of Maine,	Crafts, of Vermont,
Wilcox, of N. Hamp.	Kerr, of Maryland,
Smith, of Connecticut,	Graham, of N. C.
Wright, of New York,	Preston, of S. Carolina,
Buchanan, of Penn.	Conrad, of Louisiana,
Cuthbert of Georgia,	Crittenden, of Kentucky,
Bagby, of Alabama,	Smith, of Indiana,
Allen, of Ohio,	
Young, of Illinois,	
Linn, of Missouri.	

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

Consuls. Jasper Chasseaud, for Beyrout, Damascus, Said, and the towns within their limits, in the dominions of the Ottoman Porte.

Franklin Chase, for Tampico, in Mexico, in the place of G. W. Montgomery, resigned.

Marshal. Benjamin H. Sheppard, marshal for the middle district of Tennessee.

Attorney. John M. Lea, attorney for said district, in the place of Return J. Meigs, resigned.

Collector of the customs. Giles R. Hallam, at Stonington, Connecticut.

Land officers—Receivers. Thomas McKnight, Dubuque, Iowa, re-appointed.

J. W. Mitchell, Fayette, Missouri, vice Uriel Sebree, whose commission has expired.

THE NAVY.

Captures during the war of 1812. During the debate in the house of representatives on the navy bill on the 23d ult. the Honorable Thomas Butler King, of Georgia, made a speech in opposition to the reduction of the navy, and before taking his seat read the following list of British ships of war and British merchant ships captured by the Americans in the short war of June, 1812, to the battle of New Orleans, January 8, 1815:

English ships.	*Guns.*	*Captured by the following American ships.*	
Guerriere frigate	49	Constitution frigate	
Macedonian do	49	United States do	
Java do	49	Constitution do	
A new frigate	49	Destroyed at York (Can.)	
Frolic sloop	22	Wasp sloop	
Alert do	26	Essex, of 32 guns	
Boxer sloop	18	Enterprise sloop	
Peacock do	20	Hornet do	
Epervier do	20	Peacock do	
Reindeer do	20	Wasp do	
Avon do	19	Wasp do	
Hermes	28	Dest'd by fort at Mobile.	
Cyane	34	Constitution frigate (both	
Levant	21	taken at once)	
Penguin sloop	20	Hornet	
Dominica	16	Decatur privateer	
Highflyer	4	President frigate	
Laura	12	Diligent privateer	
St. Laurence	15	Chasseur do.	
Pieton	10	Constitution frigate	
Balahaou	8	Perry privateer	
Townshend	9	Tom do	
Emu	10	Holker do	
Landrail	4	Syren do	
Morgiana	18	Saratoga do	
Lapwing	10	Fox do	
Confiance	39	Taken by Com. McDonough on Lake Champlain.	
Linnet	16		
Chub	11		
Finch	11		
Detroit	19		
Queen Charlotte	17		
Lady Provost	13	Taken by Com. Perry on Lake Erie.	
Hunter	10		
Little Belt	3		
Chippewa	1		
Caledonia	6		
Duke of Gloucester	14	Taken by Com. Chauncey on Lake Ontario.	
Melville	14		
Julia	3		
Growler	8		
Nancy	3	Taken on Lake Huron.	

The following are British packets generally of about ten guns each.

British ships.	*Taken by*	
Prince Adolphus	Gov. McKean privateer	
Princess Amelia	Rossie	do
Express	Anaconda	do
Mary Ann	Gov. Tompkins	do
Ann	Yorktown	do
Manchester		
Little Catharine	Herald	do
Princess Elizabeth	Harpy	do
Another do	America	do
Lady Mary Pelham	Kemp	do
Windsor Castle	Roger	do
Swallow	President frigate	
Duke of Montrose	Ditto	
Norton	Essex frigate	
In all	56 vessels—865 guns.	

Merchant ships, viz: 354 ships, 610 brigs, 291 schooners, 135 sloops, 750 var. classes — 2369 — recaptured 2369 — mounting 8000 guns. — 2425 vessels 8866 gs.

Besides the above destruction of British property by the Americans, there were lost by wreck or otherwise, on the coast of the United States during the said war, the following British ships of war:

Ships.	*Guns.*	*Ships.*	*Guns.*
Leopard,	50	Herald,	18
Woolwich,	44	Daring,	16
Southampton,	44	Magnet,	16
Barbadoes,	38	Bold,	16
Lauristinus,	24	Rhodian,	12
Atalanta,	20	Alpheus,	12
Moselle,	20	Racer,	10
Persian,	20	Holly,	10
Sylph,	20	Algerine,	10
Cubber,	20	Rover,	10
Halcyon,	20	Subtle,	10
Fantome,	20		—674
Goshawk,	20		
Tweed,	20	Add 20 per cent.	
Emulous,	18	for carrying over	
Avenger,	18	their rate	125
Plumper,	18		
Falcon,	18		809

RELATIONS WITH MOROCCO.

We find in the Philadelphia Pennsylvanian the following article in relation to the difficulties between our consul at Morocco and the emperor of that kingdom:

It is generally known to the public that the friendly relations heretofore apparently existing between this country and the government of Morocco, have recently been interrupted. Various statements relative to the matter have recently been given in the newspapers, which however were more or less imperfect. As the matter is of interest in a national point of view, involving as it does the question of the rights and privileges of our representatives abroad, and as a necessity may arise from it, of teaching Muley Abdelrahman that our consuls are not to be insulted with impunity, we subjoin in the absence of official information, a statement of the main features of the case which may be relied upon as correct.

Sometime in the month of March, the announcement of Mr. Carr's removal from the office of consul general of the United States for Morocco, was received at Tangier, very much to the regret of the consular corps, and of all others with whom Mr. Carr had during his four years in office, sustained either business or social relations. We can speak from experience upon this point, having had occasion during a delightful visit of several weeks at Tangier, to witness the efficiency with which the affairs of the U. States consulate were conducted and the respect and influence which it enjoyed.

Our government authorised Mr. Carr, either to remain until his successor arrived, or to leave immediately. He chose the latter, and preparations were made for his embarkation. The emperor was apprised of his intention, and a most flattering reply was returned, expressing the emperor's regret at losing a man who had conducted affairs with so much dignity and consideration for their mutual rights. But it is altogether impossible for the Moorish government to let slip any opportunity of insulting a Christian nation, when it thinks it can do so with impunity. In fact it requires the constant and sometimes the united efforts of the consuls to resist the infringements of their rights and privileges which are almost daily attempted. Any imposition, however trivial, if patiently borne, is sure to be followed by another and a greater. If resisted, the imperial government will lie itself out of the scrape in the most gracefully diplomatic style, perhaps making the fullest concessions and waiting until the next opportunity to offer additional affronts.

Mr. Carr's baggage and furniture had been sent off, and he was upon the beach, ready to embark, accompanied by all the members of the consular corps. His intention had been well known for several days, but not the slightest intimation was made by any of the authorities, with whom he was in constant intercourse, that any obstacle would be offered to his departure. Adieus with his numerous friends and colleagues had been interchanged, and he was about to step into the boat, when he was stopped by the captain of the port, who but two minutes before held out his hand for the usual parting fee, or rather pre-

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cent, and had wished him a pleasant voyage. The consul insisted upon going, he was told that the bashaw had not given any orders for his departure. Mr. Carr had referred to the letter of the emperor, which all the authorities had seen, and denied the right of the emperor, much less that of a bashaw, to interfere with his motions. An altercation ensued, a soldier of the guard rushed forward and seized him; the consul shook the soldier off and drew a sword cane to defend himself, when the other consuls interfered and advised him to resist no further as the outrage was sufficiently great to demand the interference of his government in the affair. Rejecting the advice to put himself under the protection of the British flag, which would have given that consulate credit with the Moor of settling the difficulty, Mr. Carr proceeded to his own house, and immediately despatched a message to the emperor residing at Mequinas, demanding satisfaction. The emperor was too, justly indignant at so gross and evidently premeditated an insult, forwarded a remonstrance against such an infringement of their rights as was contemplated by the pretensions of his inferior officers to interfere with their motions.

In the meantime a despatch was received from the American vice consul at Mazagan, complaining of numerous insults offered him in his official capacity, and also of repeated personal outrages. He had been shot at several times, and as he could obtain neither protection nor redress, he had resolved to give up a lucrative business and leave for Gibraltar by the first opportunity. This, of course, furnished another ground for complaint. Mr. Carr formally struck his flag, and announced to the emperor his resolution of its being again raised, the necessity of satisfaction for past outrages and protection against them for the future.

The emperor returned a shuffling and evasive reply, giving the consul leave to depart, but refusing any satisfaction, and betraying on a comparison of certain passages and dates with those of a letter from the bashaw, a collusion between him and the bashaw. His answer to the corps was not more satisfactory, and an earnest desire was therefore expressed that energetic action should be had by the Americans in the case. A decree denominated a fetwah to be all that was necessary, as the government of Morocco is as timid in face of any real difficulty, as it is treacherous.

Mr. Carr, having sent despatches to Commodore Morgan, commanding our squadron in the Mediterranean, left Tangier, and awaited the commodore's arrival at Gibraltar. The Brazilian and Portuguese were in that port. The officers were anxious to run across to Tangier, and settle the affair at once, but in the absence of the commodore, they had no orders and could only await his coming. After a delay of two months, having had several pressing intimations of the necessity of his presence, the commodore came to Gibraltar, and immediately announced his determination to send an embassy up to the court of the emperor. It was at once represented to him by Mr. Carr, in which he was seconded by our able consul at Gibraltar, Mr. Sprague, that this mode of proceeding was out of the question. The custom of the court and country made an embassy an exceedingly costly affair. Promptness was essential, much time had been already lost, and much more would be required to obtain permission for the embassy to come up, and there was every likelihood that such permission would be refused; the bare proposition too would be considered into an evidence of weakness and let much worse than to do nothing at all. It was urged upon the commodore that if he would simply anchor his ships in the bay of Tangier, and demand from the emperor immediate satisfaction, every reasonable concession could be obtained, together with some desirable alterations in our imperfect treaty, in addition to ample guarantees for the future safety of our now precarious commerce with the empire. The commodore persisted in his resolution, and, taking his ship across to Tangier, sent his officers that evening on shore to a ball. Mr. Carr then made a formal protest against the proposed plan of operations, sailed from Gibraltar, and has arrived in the United States.

By the recent arrival of the Great Western, we perceive that an answer has been returned by the emperor to Commodore Morgan's request, relative to sending up an officer to the court, in a letter addressed by Mr. Sprague and Mr. Carr, the emperor with the usual profusion of wordy compliments, declined the honor intended, alleging that it was too hot for persons to travel, for whom he had so much respect. On the same day, however, that this refusal was given, the British consul general had an audience with his majesty. The Moors will have good reason hereafter to believe that we can stand some things which the English will not, even if we cannot so well stand the heat.

MISCELLANEOUS.

COMPARATIVE POPULATION—SLAVERY. The Cincinnati Chronicle has the following interesting exhibit of the population of the states, and the proportion to their respective territory. The appended remarks are also worthy of note:

States.	Sq. miles.	Pop.	Density.
Massachusetts,	7,800	737,699	94
Rhode Island,	1,360	108,829	80
Connecticut,	4,674	309,978	66
New York,	46,000	2,428,921	54
New Jersey,	6,900	373,306	54
Pennsylvania,	10,800	430,223	43
Delaware,	2,068	78,085	37
Maryland,	13,950	1,724,033	39
Ohio,	39,000	1,519,467	38
New Hampshire,	9,280	284,574	30
Vermont,	10,212	291,948	28
Tennessee,	41,300	829,210	20
Kentucky,	39,000	779,828	20
Virginia,	64,000	1,239,796	19
South Carolina,	30,080	594,398	19
Indiana,	36,250	685,866	18
North Carolina,	43,800	753,419	17
Maine,	32,000	501,793	15
Alabama,	50,800	590,756	11
Georgia,	58,200	691,392	10
Mississippi,	45,350	375,651	8
Illinois,	59,000	476,183	8
Louisiana,	48,220	352,411	7
Missouri,	60,300	383,702	6
Michigan,	54,000	212,267	4
Arkansas,	60,000	97,574	2

If the aggregate of square miles, and population be taken in the above table, it will be found that the density of Massachusetts, in other words, the number of persons to a square mile, in the 26 states, is 26¼.—These inferences may be drawn from the above table:

1st. The densest population in the United States, is in Massachusetts—94½. In England it is 266. If Massachusetts were as densely populated as England, it would contain more than two millions of inhabitants. If also the United States were as populous as Massachusetts, they would contain 35 millions of people. If the United States were as populous as England, they would contain 270 millions of persons. According to the present ratio of increase, this result will be brought about in one hundred years.

2d. The conclusion from the above table, in respect to slave institutions, is inevitable; they are very unfavorable to the increase of population. Of the first six states in the order of density, but one is strictly a slave state—Maryland, Virginia, North Carolina, South Carolina and Georgia, is the last of the oldest states in the union, and yet they stand far down in the list, and are all overtopped by Ohio—a young state. This fact becomes more evident by comparing the density of Virginia with that of Massachusetts, or North Carolina with New York, or Georgia with New Jersey. It is plain, from these figues, that slavery is weakening to a state.

BRITISH EMIGRATION TO CANADA, &c. An association has been formed in England called the "British American Association for Emigration and Colonization," with a capital of one million of pounds sterling; the object of which is to promote the colonization of the British North American possessions by a transfer of the surplus population of the United Kingdom on a national scale.

The duke of Argyle is president of the association, with a council of upwards of fifty peers, baronets, and members. The undertaking, it is said, combines the elements of wealth, land, population and industry, sustained by capital, securing an ample pecuniary return as an investment.

Sir Allen Macnab, of Canada, well known as an active officer during the late troubles on the frontier, has lately visited Great Britain, and been appointed commander of the militia of the province in Canada. A farewell dinner was given him in London on the 13th July by the association, at which the duke of Richmond presided, and numerous noblemen and gentlemen of distinction were present.

Among the speeches made was one by Sir Richard Brown, from which we make the following extract:

"It was calculated that there were in the United Kingdom at least four millions of persons anxious willing to work, but without employment. There were millions of capital seeking an honest, just, and safe investment, and there were millions of acres of land in British America, rich in the various necessaries of life requiring cultivation. Here, then, were all the essentials for at once forming a great, a wealthy and a prosperous community. Coming, from his place in parliament, had boasted that he looked to the west, and called into existence a few distant, abortive, and alien states. But he [Sir R. B.] hoped that the time had arrived when the wise and the good of the United Kingdom, whether in parliament or out of parliament, would concentrate their attention upon British North America, and make her instrumental to ends which concerned the welfare of the state, the safety of the crown, and the ascendancy of the monarchy."

GEOGRAPHICAL SOCIETY'S MEDAL. We published an account some weeks ago of the ceremony of presenting a gold medal, given by the Royal Geographical society of London through the hands of the American minister, to professor Robinson, in compliment to his work which is the fruit of his researches in the Holy Land. The medal has been since received by professor Robinson, and the New York Evening Post describes it:

It is of beautiful execution. On one side is a female allegorical figure representing geography, with a globe, and other instruments, and around it is the legend, *ad terras retulisse*, signifying the success of the person to whom it is awarded, in adding to our knowledge of countries little known. On the other side is a head of queen Victoria. The figures are protected by slightly curved glasses, like watch crystals, imbedded in the broad rim of the medal.

CHASM IN THE PRAIRIES. The last number of Kendall's interesting sketches of incidents connected with his Santa Fe Expedition is as follows:

The morning of the 31 September broke bright and beautiful, the sun rising from out the prairie in all his majesty. Singular it may appear, but every slower we had rains in the night from the time we left Austin until we reached the Mexican settlements. Again we commenced our round of hours rising our blankets, then saddled up and pursued our journey, and still in a northwest direction.

We had scarcely gone six miles before we suddenly came upon a chasm, or great rent or chasm, not so much for extending in depth the one we had so much difficulty in crossing the day before. No one was aware of its existence until we were immediately upon its brink, when a spectacle, exceeding in grandeur any thing we had previously witnessed, came suddenly in view. Not a tree or bush, no outline whatever marked its precise direction, and we were left in amazement and wonder as one by one we left the double-file ranks and rode up to the verge of the yawning abyss.

The chasm could not have been less than eight hundred or a thousand feet, from three to five hundred yards in width, and at the point were we first struck it the sides were nearly perpendicular. A sickly sensation of dizziness was felt by all as we looked down, as it were, into the very depths of the earth. Below an occasional spot of green relieved the eye, and a small stream of water, now rising to the view then sinking beneath some huge rock, was bubbling and foaming along immense walls, columns in some places that appeared to be arches were seen standing, as if by the water undoubtedly, and, so perfect in form that we could with difficulty be brought to believe that the hand of man was not upon them. The rains of centuries, falling upon an immense prairie, had here formed a reservoir, and their workings upon the different veins of earth and stone had formed these strange and fanciful shapes.

Before reaching the chasm we had crossed numerous large trails leading a little more to the west than we were travelling, and we were at once convinced that they all rendered at a common crossing close by. In this conjecture we were not disappointed, for a trot of half an hour brought us into a large road, the thoroughfare along which millions of Indians, buffalo, and mustangs had travelled for years. Perilous as the descent looked we well knew there was no other near. The lead mule was again started ahead, the steadier and older horses were next driven over the abyss, while the more skittish and inadmissable brought up the rear. Once in the narrow path which led circuitously down the deep descent there was no turning back, and our maddened animals finally reached the bottom in safety. Several large stones were loosened from their fastenings by our men during the flight of the event. They would leap, dash and thunder down the precipitous sides and strike against the bottom far below as with a terrific crash.

We found a running stream at the bottom, and on the opposite side a romantic dell covered with short grass and a beautiful grove of cotton woods. A large body of Indians had encamped on this very spot but a few days previous, the wilted limbs of the trees and other "signs" showing that they had made it a resting place. We, too, halted a couple of hours, to give our horses an opportunity to graze and rest themselves. The trail which led up on the opposite side was discovered a short distance above us, to the south, winding up the steep and rugged sides of the precipice.

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As we journeyed along this dell all were struck with admiration at the strange and fanciful figures made by the washing of the waters during the rainy season. In some places a perfect wall, formed of a reddish clay, were seen standing, and were they any where else it would be impossible to believe that other than the hand of man had formed them. The vein of which these walls were composed was of two thickness, very hard, and ran perpendicularly; and when the softer sand which had surrounded them was washed away the veins still remained standing upright, in some places one hundred feet high and three or four hundred in length.

Columns, too, were there, and such was their architectural order, and so much of chaste grandeur was there about them that we were lost in wonder and admiration. In other places the breastworks of forts would be plainly visible, then again the frowning turrets of some castle of the olden time. Cumbrous pillars of some mighty pile raised to religion or royalty were scattered about, regularity was strangely mixed up with ruin and disorder, and Nature had done it all. Niagara has been considered one of the wild art freaks; but Niagara sinks into insignificance when compared with the wild grand-ur of this awful chasm. Imagination carried us back to Thebes, to Palmyra, and to ancient Athens, and we could not help thinking that we were now among their ruins.

Our passage out of this place was effected with the greatest difficulty. We were obliged to carry our rifles, holsters and saddle-bags in our hands, and in climbing up a steep path, one of the horses, striking his shoulder against a projecting rock, was precipitated some fifteen or twenty feet directly upon his back. All thought in most he killed his rider; but singular enough he rose immediately, shook himself, and a second effort in climbing proved more successful—the animal had not received the slightest apparent injury!

By the middle of the afternoon we were all safely across, after spending five or six hours completely shut out from the world. Again we found ourselves upon the level prairie, and on looking back, after proceeding some hundred yards, not a sign of the immense chasm was visible. The waste we were then upon was at least two hundred and fifty miles in width, and the too chasms I have mentioned ran in the same direction, and at the same time the conductors of the heavy quantity of rain which falls upon it during the wet season to the running streams. The prairie is undoubtedly the largest in the world, and the chasms are in perfect keeping with the size of the prairie.

At sundown we halted by the side of a water hole and encamped for the night, during which time all the men were entirely out of provisions, while those who still had a little beef left had saved it by skinning themselves on the previous days. The worst of our sufferings had now commenced.

THE U. STATES AND GREAT BRITAIN.

A further evidence of the friendly feelings entertained towards Mr. Everett, our minister to England, and the country which he so well represents, was shown in the presentation of the address which was made to him by the merchants and manufacturers of Manchester on the occasion of his recent visit to that city. We copy the following account of it:

From the Manchester Guardian.

The presence in Manchester of the hon. Edward Everett, ambassador to this country from the United States government—as presence for which we are indebted, we believe solely, to the meeting here of the British association—was deemed by many of our principal merchants and manufacturers a fitting occasion for the presentation to his excellency of an address, expressive of the feelings of this community generally, in reference to the relations between the two countries, and their desire to see those relations strengthened into a yet closer alliance, bringing with it the blessings of greater commercial freedom to both, and promoting the principles of peace. Accordingly a request was made to his excellency the ambassador—who was the guest of Alexander Henry, of the Woodlands—to know when he would be pleased to receive the address. Mr. Everett expressed his readiness to receive it on Saturday, and accordingly met a numerous party of gentlemen for that purpose in the Boroughreeve's room at the Town Hall at half past two o'clock on Saturday afternoon. The room was crowded.

On the motion of Mr. Robert Gardner, seconded by Alderman Shuttleworth, Robert Hyde Greg, esq. was called to the chair. The hon. Edward Everett was introduced to the meeting by Alexander Henry, esq. The chairman then briefly preface the presentation of the address by congratulating the meeting and his fellow townsmen generally on the presence here of so distinguished a man and statesman as Mr. Everett. He then proceeded to read the following address, which was inscribed on vellum, and contained about five hundred and eighty signatures of our principal merchants, manufacturers, and traders:

To his excellency the hon. Edward Everett, *ambassador to Great Britain from the government of the U. States of America.*

We, the undersigned, merchants, manufacturers, traders, and others, inhabitants of Manchester and its vicinity, feel gratified and honored by your temporary visit to our town, and gladly avail ourselves of the opportunity of expressing the friendly sentiments we entertain towards the great country whose people and government you represent.

We are sensible of the strong ties by which the United States of America and our own country are already connected. We feel that we are the same people, and of the same branch of the great human family, with those who have converted the pathless wastes of your vast continent into a land where civilization has reared her standard, and where man is pursuing with unfaltering steps all that is great and noble, and worthy of his highest ambition.

We feel that much of what is cheering in the future progress of the world must depend upon the career of two nations so intimately allied, and that a heavy responsibility is imposed upon each country in proportion as it shall be the instrument, by divine Providence, in the advancement of the highest common interest of our race.

We believe that he is the best friend of both countries who endeavors to promote an equitable and enduring alliance between them, and who can best serve more powerfully to ensure this than the extension of reciprocal commercial intercourse, and the creation of a closer mutual dependence, operating in the greater mutual advantage of all parties.

We deeply regret that there should exist the slightest barrier to the most perfect commercial freedom between the enterprising population of these islands and our brethren of the American continent. We trust that this delusive idea of protecting one branch of industry by inflicting injuries upon other branches, will soon pass away, and that the abundant products of your country and the various manufactures of our will be freely interchanged; that commercial transactions will become as uncontrolled by political restrictions as the winds of heaven, which they separate, yet serve to unite the parent with the daughter country. We feel convinced that the doom of monopoly is sealed in our land, that even the mother country and your Commonwealth, and that all the wise and good will soon be brought to regret that a single hour should have been allowed to pass without the adoption of the sound principles of free trade.

We would hope, nay, we cannot doubt, that in your native land, of whose free institutions you are justly proud, commerce will not longer be permitted to languish in fetters that shall no more give her perfect freedom in your country and in ours will not only hold out to each other the hand of friendship, and co-operate to advance the great principles we desire, but have to greet each other on the speedy realization of the objects they so ardently desire.

We are most anxious that perpetual peace should exist between the two countries—peace founded on mutual respect and mutual benefit; and that wherever the flag of our respective countries may be unfurled, it may be hailed as the herald of amity, of civilization, and of religion.

To your excellency, individually, we desire to convey our most earnest wish that your sojourn amongst us may be gratifying to yourself, and tend, in an eminent degree, to promote the most kindly feelings between the great people whose interests you have the distinguished honor to represent and the inhabitants of these realms, a vast majority of whom, we feel assured, most cordially unite with us in the sentiments we now express, from a full persuasion that the consummation of their views will secure solid and lasting benefit and blessings to ourselves, to you, and to the world.

Mr. Everett, having received the address amidst the most cordial and friendly greeting and cheers from the meeting, replied to the following effect:

Mr. Gregg and gentlemen: I feel very much flattered by the unexpected honor of the address which you have had the goodness to present to me, on behalf of the merchants, manufacturers, traders, and others, inhabitants of Manchester and its vicinity. I beg you to receive my grateful acknowledgments for your kind welcome, with which I shall lose no time in acquainting my government. Permit me to offer you my sincere thanks for the friendly sentiments you have been pleased to express towards the people and government of the United States, and to assure you that those sentiments are cordially reciprocated by those whom I have the honor, however unworthily, to represent. The relation between our two countries is indeed, sir, as you have described it, of a most intimate character; more so probably than has ever existed between two great states. I am gratified to believe that this relation has contributed, in no small degree, to the prosperity of both; and that such may continue to be the case must be the desire of every intelligent citizen of either country. [Cheers.] On those topics of the address which are matters of controversy both in England and the United States, the delicacy of my official position precludes me from any comment. Our two governments (led by similar considerations in reference to the state of their finances) are now engaged in revising the laws of trade. I shall cordially rejoice in the utmost possible extension of commercial intercourse, which the wisdom and experience of the two governments shall deem compatible with the welfare of their constituents. [Loud cheers.] In your wishes for the perpetuation of peace between England and the United States I most heartily concur. Its interruption I should deem most disastrous to both—I will add, to the whole civilized world. [Renewed cheers.] Nothing that I can do, consistently with my duty to my country, shall be spared to avert such a catastrophe; of which, I am happy to say, I have no apprehensions. It is my earnest desire that our two kindred countries may run a long and glorious career of mutual and emulous exertion to promote the arts of civilized life. I deeply regret, Mr. Gregg and gentlemen, that my visit to Manchester is necessarily so short; what I have seen of it but increases my desire to see more. In respectfully taking my leave of you, I beg you to accept my best wishes for your individual welfare, and for the prosperity of this great, enterprising, and intelligent population. [Great cheering.]

[The interview shortly afterwards terminated; all present, we believe, being much gratified with the manner in which Mr. Everett responded to the address.]

At the closing meeting of the British association, recently held at Manchester, Sir John Herschell, chairman, in a feeling address to him by the association, of embodying the expression of the feelings of pleasure and gratification created by the presence of the distinguished guests from abroad. In alluding, in the course of his remarks, to the eminent men who had contributed to the cause of science, he took the occasion to pay the following compliment to an American citizen:

"I could not to conclude the mention of those names, without referring to Mr. Schoolcraft, an American geographer, who has communicated to the Geographical Society of London a series of observations on the lakes of America, which are considered of very great importance and interest. It is impossible for me here to allude to any member of the United States, with reference to matter in which the least national feeling is awakened, without paying a tribute to the high estimation in which science is certainly held by that great and rising country. [Applause.] In every department of science, especially those which receive their impulse from Europe, they appear to take so warm an interest and part, that they may be regarded, in that sense at least, as more completely our brethren than formerly. I would that the feeling which I have in humbler and inadequate terms attempted to pay to the scientific ardor of our American brethren (for so I must call them) had been paid in the presence of the American minister, who has been with us at the former part of the week. However, I trust that the expression of it may in some way be conveyed to his ear, and that the Americans will perceive there is a feeling prevalent amongst the scientific men, and amongst all classes of this country, that we trust will draw closer the ties of brotherhood between the two countries. [Loud applause."]

VETO MESSAGE.

On Tuesday the 9th instant, the following message from President Tyler was received in the house of representatives by the hands of his private secretary.

To the house of representatives of the U. States:

It is with unfeigned regret that I find myself under the necessity of returning to the house of representatives, with my objections, a bill entitled "An act to provide revenue from imports, and to change and modify existing laws imposing duties on imports and for other purposes." Nothing can be more painful to any individual called upon to per-

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form the chief executive under our limited constitution, than to be constrained to withhold his assent from an important measure adopted by the legislature; yet he would neither fulfil the high purposes of his station, nor consult the true interests, or the solemn will of the people, if the constituents of both branches of the government by yielding his well-considered, most deeply fixed, and repeatedly declared opinions on matters of great public concernment to those of a co-ordinate department, without requesting that department seriously to re-examine the subject of their difference. The exercise of some independence of judgment in regard to all acts of legislation, is plainly implied in the responsibility of approving them. At all times a duty—it becomes a peculiarly solemn and imperative one, when the subjects passed upon happen to involve, as in the present instance, the most momentous issues, to affect variously the various parts of a great country, and to have given rise in all quarters to such a conflict of opinions, as to render it impossible to conjecture, with any certainty, on which side the majority really is. Surely, if the pause for reflection, intended by the wise author of the constitution, by referring the subject back to congress for re-consideration be ever expedient and necessary, it is precisely such a case as the present.

On the subject of distributing the proceeds of the sales of the public lands, in the existing state of the finances, it has been my duty to make known my settled convictions on various occasions during the present session of congress. At the opening of the extra session, upwards of twelve months ago, sharing fully in the general hope of retrieving prosperity and credit, I recommended such a distribution; but that recommendation was even then expressly coupled with the condition that the duties on imports should not exceed the rate of 20 per cent. provided by the compromise act of 1833. These hopes were not a little encouraged and these views strengthened by the report of Mr. Ewing, then secretary of the treasury, which was shortly thereafter laid before congress, in which he recommended the imposition of duties at the rate of 20 per cent. *ad valorem* on all free articles, with specified exceptions, and stated, "if this measure be adopted, there will be received in the treasury from customs, in the last quarter of the present year, (1841), $5,500,000; in all of the year 1842, about $22,500,000; and in the year 1843, after the final reduction under the act of March 2, 1833, about $20,800,000," and adds, "it is believed that after the heavy expenditures required by the public service in the present year shall have been provided for, the revenue which will accrue from that or a nearly proximate rate of duty, will be sufficient to defray the expenses of the government, and leave a surplus to be annually applied to the gradual payment of the national debt, leaving the proceeds of *the public lands* to be disposed of as congress shall see fit." I was much happy that congress, at the time, seemed entirely to concur in the recommendations of the executive, and, anticipating the correctness of the secretary's conclusions, and in view of an actual surplus, passed the important act of the 4th September last, wisely limiting its operation by two conditions, having reference, both of them, to a possible state of the treasury, different from that which had been anticipated by the secretary of the treasury, and to the paramount necessities of the public service.

It ordained that, "if at any time during the existence of that act, there should be an importation of duties on imports inconsistent with the provision of the act of the 3d March, 1833, and beyond the rate of duties fixed by that act, to wit, 20 per cent. on the value of such imports or any of them, then the distribution should be suspended and should continue so suspended, until that cause should be removed." By a previous clause it had, in a like spirit of wise and cautious patriotism, provided for another case in which all are even now agreed that the proceeds of the sales of the public lands should be used for the defence of the country. It was ordained that the act should continue and be in force until otherwise provided by law, unless the United States should become involved in war with any foreign power, in which event, from the commencement of hostilities, the act should be suspended until the cessation of hostilities.

Not long after the opening of the present session of congress, the unprecedented and extraordinary difficulties that have recently embarrassed the finances of the country began to assume a serious aspect. It soon became quite evident that the hopes under which the act of 4th September was passed, and which alone justified it in the eyes either of congress who imposed or of the executive who approved the first of the two conditions just recited, were not destined to be fulfilled. Upon the pressure, therefore, of the embarrassments which has thus unexpectedly arisen, it appeared to me that the course to be pursued had been clearly marked out for the government by that act itself. The condition contemplated in it, as requiring a suspension of its operation in the country, the income necessary, in the opinions of all, to raise the rate of duties upon imports above 20 per cent., and with a view both to provide available but temporary present expenditure, and to lay the foundation for a successful negotiation of a loan, I felt it incumbent upon me to urge upon congress to raise the duties accordingly, imposing them in a spirit of the discretion given to me for full object of affording ample revenue for the government, and incidental protection to the various branches of domestic industry. I also pressed, in the most emphatic but respectful language, the urgency, the necessity of making the land sales available to the treasury as the basis of public credit.

I did not think that I could stand excused, much less justified, before the people of the United States, nor could I reconcile it to myself to recommend the imposition of additional taxes upon them, without, at the same time, urging the employment of all the legitimate means of the government towards satisfying its wants. These opinions were communicated in advance of any definitive action of congress on the subject either of the duties or land sales, under a high sense of public duty, and in compliance with an express injunction of the constitution—so that if a collision, extremely to be deprecated as such collisions always are, should arise between the executive, and legislative branches of the government, it has assuredly not been owing to any capricious interference, on the part or any want of a plain and frank declaration of opinion on the part of the former. Congress differed in its views with those of the executive, as it had undoubtedly a right to do, and passed a bill without the suspending and proviso of the act of the 4th September, 1841. The bill was returned to the house in which it originated, with my objections to its becoming a law. With a view to prevent, if possible, an open disagreement of opinion on a point so important, I took occasion to declare that I regarded it as an indispensable prerequisite to an increase of duties above 20 per cent. that the act of 4th September should remain unrepealed in its provisions. My reasons for that opinion were elaborately set forth in the message which accompanied the return of the bill, to which no constitutional majority appears to have been found for passing into a law.

The bill which is now before me proposes, in its 27th section, the total repeal of one of the provisions in the act of 4 September last, which provides that duties above 20 per cent., directs an unconditional distribution of the land proceeds. I am therefore, subjected a second time, in the period of a few days, to the necessity of either giving my approval to a measure which, in my deliberate judgment, is in conflict with great public interests, or of returning to the house in which it originated with my objections. With all my anxiety for the passage of a law which would replenish an exhausted treasury, and furnish a sound and healthy encouragement to mechanical industry, I cannot venture to do so at the sacrifice of the peace and harmony of the country, and the clearest convictions of public duty.

For some of the reasons which have brought me to this conclusion, I refer you to my previous messages to congress, and briefly subjoin the following:

1. The bill unites two subjects, which so far from having any affinity to one another are wholly inconsistent in their character. It is both a revenue and appropriation bill. It thus imposes on the executive, in the first place, the necessity of either approving that which he would reject, or rejecting that which he might otherwise approve. This is a species of constraint to which the judgment of the executive ought not, in my opinion, to be subjected. But that is not my only objection to the act in its present form. The union of subjects wholly dissimilar in their character in the same bill, if it grew into a practice, would not fail to lead to consequences destructive of all wise and conscientious legislation. Various measures, each agreeable only to a small minority, might, by being thus united, and the more the greater charmer sometimes, ensure the passing of laws, of which no single provision could, if standing alone, command a majority in its favor.

2. While the treasury is in a state of extreme embarrassment, requiring every dollar which it can make available, and when the government has not only to lay additional taxes, but to borrow money to meet pressing demands, the bill proposes to give away a fruitful source of revenue—which is the same thing as raising money by loan and taxation—not to meet the wants of the government, but for the greater charmer sometimes, which I must regard as highly impolitic, if not unconstitutional.

A brief review of the present condition of the public finances will serve to illustrate the true condition of the treasury, and exhibit its actual necessities. On the 5th of August, (Friday last,) there was in the treasury, in round numbers, $2,150,000

Necessary to be retained to meet trust funds, - - $360,000

Interest on public debt due in October, - - 80,000

To redeem treasury notes and pay the interest, - - 100,000

Land distribution, under the act of the 4th September, 1841, 640,000

$1,180,000

Leaving an available amount of $970,000

The navy department had drawn requisitions on the treasury, at that time, to meet debts actually due, among which are bills under protest for $1,414,000, thus leaving an actual deficit of $444,000.

There was on hand about $100,000 of unissued treasury notes, assisted by the accruing revenue, amounting to about $150,000 per week, exclusive of receipts on unpaid bonds, to meet requisitions for the army and the demands of the civil list.

The withdrawal of the sum of $640,000 to be distributed among the states, so soon as the statements and accounts can be made up and completed, by virtue of the provisions of the act the 4th of September last, of which nearly a moiety goes to a few states and leaves a balance of $320,000 to be divided among all the states, while it adds materially to the embarrassments of the treasury, affords to the states no decided relief.

No immediate relief from this state of things is anticipated, unless, what would most deeply be deplored, the government could be reconciled to the negotiation of loans not authorized by law, at a rate of discount ruinous in itself, and calculated most seriously to affect the public credit. So great is the depression of trade, that even if the present act were to become a law, and prove to be productive, some time would elapse before sufficient supplies would flow into the treasury, while, in the meantime, its embarrassments would be continually augmented by the semi-annual distribution of the land proceeds.

Indeed, there is but too much ground to apprehend that even if this bill were permitted to become a law, coupling the proceeds of the land sales, as it does, an actual deficit in the treasury would occur, which would more than probably involve the necessity of a resort to direct taxation.

Let it be remembered, that $5,500,000 of the public debt becomes redeemable in about two years and a half, which, at any sacrifice, must be met, while the treasury is always liable to demands for the payment of outstanding treasury notes. Such is the gloomy picture which our financial department now presents, and which calls for the exercise of a rigid economy in the public expenditures, and the rendering available of all the means within the control of the government. I most respectfully submit, whether this is a time to give away the proceeds of the land sales, when the public lands constitute a fund which, of all others, may be made most useful in sustaining the public credit. Can the government be generous and munificent to others when every dollar it can command is necessary to supply its own wants? And if congress would not hesitate to suffer the provisions of the act of 4th September last to remain unrepealed in case the country was invaded in war, is not the necessity for such a course now just as imperative as it would be then?

3. A third objection remains to be urged, which would be sufficient, in itself, to induce me to return the bill to the house with my objections. By uniting two subjects so incongruous as tariff and distribution, it inevitably makes the fate of the one dependent upon that of the other in future contests of party. Can any thing be more fatal to the merchant or manufacturer than such an alliance? What they most of all require is a system of moderate duties, so arranged as to which, tariff question, as far as possible, completely from the arena of political contention. Their chief want is permanency and stability. Such an increase of the tariff, I believe to be necessary, in order to meet the economical expenditures of the government. Such an increase, made in the spirit of moderation and judicious discrimination, would, I have no doubt, be entirely satisfactory to the great majority of the American people.—In the way of accomplishing a measure so salutary and so imperatively demanded by every public interest, the legislative department will meet with a cordial co-operation on the part of the executive. This is all that the manufacturer can desire, and it would be a burden readily borne by the people. But I cannot too earnestly repeat, that in order to be benefi-

cial it must be permanent, and in order to be permanent, it must command general acquiescence. But can such permanency be justly hoped for if the tariff question be coupled with that of distribution, as to which a serious conflict of opinion exists among the states and the people, which enlists in its support a bare majority, if indeed there be a majority, of the two houses of congress? What permanency or stability can attach to a measure, which carries within itself, gives away a fruitful source of revenue at the moment it proposes a large increase of taxes on the people? Is the manufacturer prepared to stake himself and his interests upon such an issue?

I know that it is urged, but most erroneously in my opinion, that instability is just as apt to be produced by retaining the public lands as a source of revenue as from any other cause, and this is ascribed to a constant fluctuation, as it is said, in the amount of sales. If there were any thing in this objection it equally applies to every imposition of duties on imports. The amount of revenue annually derived from duties is constantly liable to change. The regulations of foreign governments, the varying productiveness of other countries, periods of excitement in trade, and a great variety of other circumstances are constantly arising to affect the state of commerce, foreign and domestic, and of consequence the revenue derived upon it. The sales of the public domain in ordinary times are regulated by fixed laws, which have their basis in a demand increasing only in the ratio of the increase of population. In recurring to the statistics connected with this subject, it will be perceived that for a period of ten years preceding 1834, the average amount of land sales did not exceed $2,000,000.

For the increase which took place in 1834-5 and 6, we are to look to that peculiar condition of the country which grew out one of the most extraordinary excitements in business and speculation that have ever occurred in the history of commerce and currency. It was the fruit of a wild spirit of adventure engendered by a vicious system of credits, under the evils of which the country is still laboring, and which it is fondly hoped will not soon recur.

Considering the vast amount of investments made by private individuals in the public lands, during those three years, and which equalled $43,000,000, equal to more than twenty years purchase, taking the average of sales of the ten preceding years, it may be safely asserted that the sales of the public land sales can hold out nothing to alarm the manufacturer with the idea of instability in the revenues, and consequently in the course of the government.

Under what appears to me, therefore, the soundest considerations of public policy, and in view of the interests of every branch of domestic industry, I return you the bill with these my objections to its becoming a law.

I take occasion emphatically to repeat my anxious desire to co-operate with congress, in the passing of a law, which, while it shall assist in supplying the wants of the treasury and re-establish public credit, shall afford to the manufacturing interests of the country, all the incidental protection they require.

After, all, the effect of what I do is substantially to call on congress to re-consider the subject. If, on such reconsideration, a majority of two-thirds of both houses should be in favor of this measure, it will become a law notwithstanding my objections. In a case of a clear and manifest error on the part of the president, the presumption of the constitution is that such majorities will be found. Should they be so found in this case, having conscientiously discharged my own duty, I shall cheerfully acquiesce in the result.

JOHN TYLER.

Washington, Aug. 9th, 1842.

SPEECH OF MR. ALLEN, OF MAINE.

In reply to what fell from Mr. Holmes, and other gentlemen, on Saturday and Monday, the 23d and 25th ult. during the discussion of the army bill, in allusion to the report of agreement between the ministers of the U. States and Great Britain for a settlement of the North Eastern Boundary.

Mr. ALLEN said that, when the bill was under consideration on a former day, he had opposed a reduction of the army on national grounds, devoted though he was to a rigid system of economy. But there are national rights that must not be put in jeopardy. You have an extensive tribe of Indians on the western frontier; you have numerous forts and fortifications that require some men to keep them in condition, and now you have but merely the nucleus of a force. But there are other considerations which with me bear heavily on this question; indeed, I should not have risen to address the committee at this time had it not been for the allusions which have been made to the supposed terms of settlement of a question deeply interesting to my constituents, to the citizens of the state, as well as to every one of her representatives. I regret, (said Mr. A.) with the gentleman from Maryland, (Mr. JOHNSON,) that the subject has been brought into this debate before the terms of the treaty or the principles of the adjustment are known to the public. Still its introduction now may not be without its benefit. However, sir, here it is, and it gives me pleasure to discuss this subject of our territorial rights, at all times and on all occasions so deeply interesting and momentous to that generous and brave people, who have shown a determination to defend their rights against foreign aggression by the best evidence that can give of the sincerity of their purposes; and that is, by leaving their happy homes in mid-winter, and rallying with arms under the flag of the state to defend their soil from foreign invasion. A large portion of the territory involved in dispute is within the bounds of my district, and the committee must be aware that it has great interest for me. Why is it that gentlemen who live in remote sections of the Union have such peculiar interest in our rights at *this time*, and have looked on so complacently amid all the neglect we have suffered, when they have known that our citizens have been thrown into foreign dungeons, and kept in dismal prisons; that the territory we claim was in British occupancy; that our forests were devastated by foreigners? Still it is better late than never; and I hope that we may be able to meet these future contingencies, we shall expect that their patriotism and high sense of national honor will be put in exercise for these very rights, and that they will stand shoulder to shoulder with us in defending the old line of 1783, if a settlement is not made satisfactory to the nation. The course of the general government in negotiating the treaty, I have to regret, is one that can say that Maine has not exhibited all the forbearance to the Union and consideration to the wishes of her sister states that she could do consistently with her rights and the maintenance of her rights. Mr. Stevenson, in a letter to Lord Palmerston, alluding to the course of Maine, when her citizens took the field to defend their rights, very justly remarks that—

"In exercising, then, the rights of self-defence under a state of things certainly equally and mutually to be lamented by both governments, it is not perceived how the responsibility of any collision which might have ensued can rightfully attach to Maine. To regard these proceedings in any other light than defensive, would be doing injustice to the spirit in which they have sought, in the vindication of what they believed to be their rights, to guard against the recurrence of disagreements between the two governments. These are the observations which, in justice to the people and authorities of Maine, the undersigned has felt it his duty to make."

It gives me great pleasure (said Mr. A.) to declare that on this great question of the integrity of our territory the spirit of party has not been suffered to exert an influence. Our people have considered it a question above party, and the action of the parties has been of a patriotic character. We have viewed it as a question in which the destinies of the whole republic were involved, and the spirit of party has fallen rebuked amid the noble and patriotic considerations which have guided our course. I feel proud of our people for this manifestation of patriotic feeling: it will sustain any government that may be called to act on this occasion or the subject for the demagogue, and whoever attempts to mould it for such purposes, will find little response from the hearts of our countrymen. It is too momentous, too sacred, for any other sentiment than the holiest devotion to republican freedom, to the purest love of our national rights, and the highest sense of duty which the country can demand of us; we have been unanimous in our course associated with its result; and all I ask of the executive or of congress is to let their acts conform to the noble spirit which has characterized the people of Maine, and I will hazard the consequences either to herself or the nation.

It is not strange that we should have been zealous in the assertion of our rights, for that we have endeavored to say the contention that are necessarily connected with the treaty of 1783; and believing as we do that the title is clearly and indisputably ours, it would have been strange if it had not combined in its support the whole people. The course they have taken on this question will commend itself to the whole country. Indeed, we should have been justified at times, when the action of the general government is examined, and considering its constitutional obligations to protect and maintain the jurisdiction of the state, if we had been less regardful in former times of "*embarrassing the administration.*" I cannot revert to some incidents which have transpired in the progress of this question without deep emotion; and it strikes me, Mr. Chairman, that it should operate on the administration of public affairs hereafter as a precedent; that greater energy and decision is necessary in conducting national controversies. The question has become more and more involved, and more difficult of adjustment; and, if here the people of Maine demand now a decision, ere it is lost in deeper labyrinths. Even when congress had ordered a survey for a military road, Mr. Van Buren, then secretary of state, said:

"That although this government could feel no difficulty in the exercise of what it deems an unquestionable right, and could not allow itself to be restrained by the protest of the lieutenant governor of New Brunswick, yet, as a further proof of the spirit of amity, forbearance, and conciliation which the president is desirous of cultivating between the two governments, he has decided to postpone for the present the exercise of the authority vested in him by the congress of the United States, to cause to be surveyed and laid out a military road," &c.

At a certain period the legislature of Maine incorporated the town of Madawaska, and the persons acting under the authority were arrested and imprisoned; and, instead of enforcing their release, it was the duty of the government to have done, they represented that it was the action of certain "ill advised persons," and Mr. Livingston, in his communication to the congress, uses the following language, which should have been met with indignant energy, and would have been by the present executive of Maine:

"The first extract from your letter, which I communicated in mine to Mr. Bankhead, gave the president reason to believe, as I expressed myself, that the election meetings at Madawaska were unauthorized, as they were during a breach of the amicable compact with the British minister. * The call for his protection to the citizens of your state who have been arrested in consequence of those proceedings, and for repellant we have made to an invasion of your state, *would have called for very different measures* if the first departure from the understanding between the two governments had not proceeded from the persons who have been arrested, and if the authority exercised recently by the government of New Brunswick had been in a settlement which, at the time of the agreement, was not *de facto* in the occupation of the British. As the case is, however, the president cannot consider the continuance of the occupation by the officers, civil or military, of the British province as an invasion, but will take all *proper measures* to procure the release of the *ill-advised persons* who have been the cause of the disturbance."

The gentleman from Pennsylvania (Mr. J. R. INGERSOLL) inquires if the general government did not refund the amount paid to Mr. Baker and Mr. Greely? True, they did; but they did not redress the injuries inflicted on those citizens by their imprisonment, nor the disgrace that attached to the union by suffering it to be done with impunity. One was acting under the authority of the state, and the other under the authority of the union, and the sovereignty of each was assailed and disgraced by submission to such injuries, and the administration of that day seemed to concede that that pardon was granted. Where, then, was this special interest for our rights and honor? I will not disinter, in detail, the different efforts made to settle this dispute. One great source of difficulty was that which the state repudiated, and that was, that she should receive scrip in Michigan in lieu of her rights. The contracting parties to this arrangement were the cabinet of Gen. Jackson on the one part, and certain commissioners from Maine on the other. This arrangement it seems especially to have been prompted by a resolution of the senate of the United States, passed June 5, 1832, in the words:

"*Resolved*, That the senate advise the president to open a new negotiation with his Britannic majesty's government, for the ascertainment of the boundary between the dominions of the United States and those of Great Britain, on the northeastern frontier of the United States, according to the treaty of peace of 1783."

At a later period the executive of the U. States desired Maine to clothe it with unlimited power for fixing a new and conventional line, in lieu of the treaty pending. In the same communication to the governor of Maine, Mr. Forsyth holds the following language:

"Whilst the obligations of the federal government to do all in its powers to effect a settlement of this boundary are fully recognised on its part, it has, in the event of its being unable to do so specifically, by mutual consent, no other means to accomplish the

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object amicably than by another arbitration, or a commission, with an umpire, in the nature of an arbitration. In the contingency of all other measures failing, the president will feel it to be his duty to submit another proposition to the government of Great Britain to refer the decision of the question to a third party."

And Maine, in reply, expressed her views in the following resolutions:

"*Resolved*, That it is not expedient to give the assent of this state to the federal government to treat with that of Great Britain for a conventional line for our northeastern boundary, but that this state will insist on the line established by the treaty of seventeen hundred and eighty-three.

Resolved, That as this state has never heretofore given her assent to the appointment of an umpire under the treaty of Ghent, in eighteen hundred and fourteen, but has protested against the same, and as she believes it to be a grave question whether the provision in the treaty for this purpose has not done its office, and is therefore no longer in force, she is not now prepared to give her assent to the appointment of a new arbiter."

Nothing, then, of a serious moment transpired, till the difficulties of 1839, when encroachments were made upon our territory, and extensive trespasses upon our forests, and the land agent of Maine, in the discharge of his duty on our territory, was arrested by British authority, and conveyed to a British jail. It was under circumstances of bold aggression by the provinials that the troops of our state were ordered to the possession of the territory, and defended it. And there never was a better exemplification of the energy of a people than was exhibited on that occasion. The general government hesitated, fearing a general war would be the consequence of the determined resolution, but what was admitted to be the imperative duty, of our citizens. And under the auspices of General Scott, who had the command of the eastern military division, and who acted under the direct and positive orders of Mr. Van Buren, an arrangement was made, by which Maine was to release her territory, and her citizens marched gallantly marched to the theatre of invasion; but the jurisdiction of this very territory, north of the St. John's, was left in British possession. This was submitted with the deliberate sanction of the thousand legislature that directed the executive of the state to order out the troops in her defence. They were the advocates of a decisive and onward course, and if their judgment had influenced the counsels of the union, I doubt not an adjustment would have soon been made. But with the same patriotic devotion to the union; and the same regard to the welfare of her sister states, which have always marked her character, she gave a reluctant assent to the arrangement, with the fullest assurance that the general government would bring the matter to an immediate issue but in that she has been disappointed, and it has been suffered to rest quietly until this late effort at negotiation. During this period British troops have been stationed on this territory, and it is now, I am told, guarded by a line of military posts.

On a former occasion I referred to this condition of things, but it did not then excite the sensitive honor of gentlemen; *but they are now aroused upon a suspicion*. The gentleman from South Carolina, (Mr. Holmes,) "thinks that there is something wrong somewhere; whether it was in the treaty itself, or in the apprehension of those concerned in its ratification, he knew not." He could feel, however, "that a storm was brewing; and I hope the prophecy of the gentleman will prove "that there is a storm brewing;" for after it there is always a clear sky, a better atmosphere. No excitement when your territory is in possession of the enemy; but upon *suspicion*, upon a rumor of the terms of the treaty, the patriotism of gentlemen is wonderfully increased.—Why is it? Can a political prejudice be aroused?—"Let no man apply this flattering unction to his soul." An agreement by a conventional line, or in any other mode than the mutual and ancient line of the treaty of 1783, has always met with opposition with us; and this effort at a settlement has been acquiesced in by the people, from the earnest solicitations of the general government, and from an ardent desire to meet the wishes of her sister states. We ask no favors in this business. If settled, the sacrifice is on our part, and made from the purest national feeling for the benefit of the whole union. So far as Maine is concerned, she would rather have her own territory bounded by the ancient land-marks; and if she waives any of her rights, it is from regard to others, for no equivalent can be satisfactory unless it is consecrated by the strong wishes of our sister states.—It is for you to influence this decision. Maine has done her whole duty, and generously; and if this effort be fruitless, your *patriotism*, although on this subject aroused at a late day, will not permit any other power to desecrate our soil, and it will give the brave soldiers of Maine rich satisfaction to welcome their brothers in arms from distant states, and march with them to the northern line, and there raise the "stars and stripes" of the union on the highlands that divide the waters that run into the Atlantic ocean from those that fall into the St. Lawrence, and there maintain it as our holy ground. I will answer for Maine, that, if ever she is driven to extremities again, she will not lay down her arms as long as the north star *directs*.

That gentlemen should advert in advance to the effect of the treaty, either that it embraced within itself terms dissatisfactory to Maine, or that it was intimated on Saturday, or in giving to her and Massachusetts equivalents of unreasonable value, as was feared by some, is a fair inference from the application on the commissioners as well as the executive of the nation. Those from Maine were appointed by the legislative power of the state—both of them have held high and responsible positions in the commissioners parties to which they belong, having the entire confidence of the people for their public services as well as private worth. They know full well the tone and temper of the people they represent on this great question, and I shall wait with entire confidence till its terms are made known, not doubting that the honor of the union is preserved; and if Maine has yielded in her rights, it has been done as a sacrifice on the altar of the country. But if the country do not receive the concessions in the same patriotic spirit in which they are made, why she has discharged her duty, and the blame will rest where it should rest, she holds herself guiltless; for all that she ever did ask was her acknowledged rights, and give her them, and she will rejoice. Her desire has been to consult the wishes of the union, but if she has mistaken their sentiments, she asks that the union shall do her duty in throwing around her the shield of the constitution. As Maine and her commissioners from the old commonwealth of Massachusetts in the same high terms as those from our own state. Her honor is safe in their hands, and her people will have no fear that she will shrink from her duty when upon her noble history. Never in the annals of the country, so far as we have known the progress of our foreign negotiations, has the conduct of the executive commanded universal confidence. The commissioner, on national questions, has emanated from the department of state, but what of itself would have given its author a high reputation for transcendant ability and lofty and patriotic spirit, looked to the high purpose of our institutions, and to their progress and destiny as allied with the rights and liberties of all mankind. It is, however, what we have reason to expect from a statesman of endowments, rarely bestowed, and from a love of country rendered dear by the birth of his ancestry, and by the noble sacrifices made by his family in our independence, is based. Our national annals are rich with his efforts to perpetuate the blessings of "liberty and union," and render them, "now and forever, one and inseparable."

Why, then, this apprehension? It comes at a late day, and "upon suspicion." I question no man's motives, but if ever there was an affair which had the appearance of being done to a sister state from prejudice, it is this. It may, perhaps, appear more palpable to me; for, in the discussion of this question in our own state, no such spirit is ever suffered to have an influence, and it will meet its rebuke in the public mind.

This is a slight sketch of its progress, when the present national executive, desirous that our foreign difficulties should be speedily adjusted, and, I doubt not, feeling sensible that longer delay was fraught with great embarrassments, addressed a communication to the governor of Maine, informing him "that Lord Ashburton, a minister plenipotentiary and special from Great Britain, had arrived at the seat of government of the United States, and that, in regard to the boundary question, he had officially announced the instructions of his government, that he was authorised to treat for a conventional line, or line by agreement, on such terms and conditions, and with such mutual considerations and equivalents as they thought just and equitable, and inviting the co-operation of the governments of Maine and Massachusetts in an endeavor to terminate this long pending controversy."

Mr. Webster remarks, in the same communication, that "the opinion of this government upon the justice and validity of the American claim has been expressed at so many times, and in so many forms, that a repetition of that opinion is not necessary. But the subject is a subject in dispute. The government has agreed to make it matter of reference and arbitration, unless another mode for settling the controversy should be resorted to, with the hope of producing a speedy decision." He adds, "that the intentions of the subject, and a firm conviction in the mind of the president that the interests of both countries, as well as the interests of the two states more immediately concerned, require a prompt effort to bring the dispute to an end," and he therefore "expresses an earnest hope that the governor will convene the legislature of Maine, and submit the subject to its grave and candid deliberation."

It was in this spirit that Maine was addressed, and her executive felt it a duty which he owed to the people of the state and the union to convene the legislature for the purpose. And it is but justice to him to say, that his communication to that body was characterized by the same devotion to the interest and honor of the state, as was his fearless and noble conduct when, in a former year of his administration, he felt it his duty to call out the troops to repel encroachments on our territory. The course of the legislature is well known to you. They responded to the sentiment of the general government, and appointed commissioners "fully empowered to confer with the authorities thereof upon a conventional line, or line by agreement, with its terms, conditions, considerations and equivalents, with an understanding that no such line should be agreed upon without the assent of such commissioners."

Well, the negotiation has been going on, and "it is rumored," says the gentleman from South Carolina, (Mr. Holmes,) "that it has been especially palatable to Maine." If it is, it is the first thing palatable which has ever been administered to her on this question. This seems to be a different rumor from that announced in the house on Saturday, "that the result may be, let me assure gentlemen that no result can suit us so well as for the government to run the line according to the treaty of 1783, and there plant the American standard. Gentlemen seem to intimate as if we wished a sort of traffic on this subject. Let me tell them that we have come here at their solicitation, and against our wishes, when acting independently of the necessary concession of sister states and of the union. We came up here with bleeding hearts, expecting to make a sacrifice on the altar of our country for the common interest. It is a sacrifice to us, whatever may be the equivalent, to leave the old line of 1783 and take any other. We have been called upon by the country at large, and by many of the legislatures of the union, in the same spirit as the following resolution, from the state of Alabama:

"That the question of the northeastern boundary concerns the whole union, and is not one local in character to the state of Maine, although she is confessedly more interested than any other to its adjustment, and that, for the reason here set forth, it is the duty of the states of Maine to leave the decision of the matter to the councils of the union, and abide thereby, whatever it may finally be, whether exactly consistent with her wishes or not. If congress says go to war, we will cheerfully obey the mandate, but we should deeply regret to see the state of Maine take any rash step, which might tend to plunge her sister states into war, more through mere feeling and sympathy than from deliberate choice and determination on their part."

And, Mr. Chairman, as one of the representatives of that state, let me declare to you that this is a subject which has too long absorbed the public mind in Maine. She has suffered too much and too long to submit to any mere trifling. No gasconading, no fine chivalry, nothing but the practical illumination of heroism, no empty resolutions, will hereafter satisfy her. And the Rubicon is not yet passed.—The treaty is not yet ratified, nor signed either, as it is rumored. And the citizens of Maine, so far as they are concerned, never desired the government to take any other course than to defend the line which is acknowledged to be the true one. Let us have, then, a fair understanding in this matter, for the plot thickens; and if all these attempts at settlement fail now—and it is for the treaty making power to decide, but that will doubtless be influenced, as it ought on this subject, by the popular will—by that the ground that Maine assumes, so far as another arbitration is concerned, is expressed in the following resolution:

"*Resolved by the house of representatives*, That the unquestionable right of this state to the whole of the territory embressed within her limits, as described by the definitive treaty of peace of seventeen hundred and eighty-three, ought never to have been submitted to arbitration; and, to the opinion of this house, to consent to another arbitration would be an abandonment of the rights and interests of Maine."

The course which she has taken has been out of regard to the union, disregarding with patriotic spirit every consideration of self. No man from Maine, I will venture, asks a ratification, and if other members of the union think she is too generous, or gets an equivalent which they deem too great, the decision

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is with them, not with us. And whatever it may be, let there be no misunderstanding; and I speak it in no spirit of bravado, but declare that we have done all that in honor we can do, and now demand of you to take military possession of that territory, and dislodge the British troops which now hold it.

You have borne too long, for the honor of your country, this encroachment, and it must cease either by one course or the other. Remember that we are bound to march with us, and we will furnish you with northern troops that will neither tire nor faint, and that we will prove by their conduct, as they have done in the two great struggles for freedom, *that their enlistment is during the war, and their arms are never to be laid down till the rights of America are fully restored, and the flag of your country waves in triumph on the old treaty line.*

DEBATE IN SENATE, JULY 21, 1842.

From the National Intelligencer.

Mr. Calhoun presented a petition for free trade, and against the protective policy, from citizens of Middlesex county, Virginia. It argues the theoretical question like a professor of political economy, and appeals to the authority of Gen. Harrison in his Zanesville letter, which letter Mr. Calhoun called on the secretary to read, after the petition.

Mr. Calhoun then went on to comment on the letter, insisting that it pledged both General H. and those who supported him to the principle of the compromise act. He appealed to the whigs to maintain the doctrines of that distinguished citizen, the favorite of their party, and so much the object of their regret.

Mr. Crittenden remarked that the object of this proceeding was clearly to hold up to the country an authority which the senator and his friends had done every thing in their power to discredit. He could not understand how one who had played the senator's part as to the illustrious person in question should now, with such parade, come here to exhibit his opinions, and teach his friends how to interpret and revere them. Has the senator always taught this respect for the doctrines of General Harrison? When did he erect that virtuous patriot into an oracle, or assume to be the expounder of his doctrines? Has he, as such, gone to the quarter where those opinions have most need to be enforced, and where the senator himself would be most gladly listened to? Has he gone to the president of the United States, reminded him of Gen. Harrison's opinion as to the distribution bill, and taught him how solemnly he was bound, in rectitude and in conformity with his views to which his great, his lamented predecessor was so distinctly pledged? Is it only thus by parcels, and according to his own convenience, that he is to challenge adherence to the opinions of Gen. Harrison? He, sir, of all others, has the least right to advert, as he has just done, to the doctrines of Gen. Harrison, or of any other whig. The opinions of the late president he struggled to the utmost to bring into reproach, wherever he himself had adherents, doing all that in him lay to keep them down; and now, when the noble, the true-hearted old man is in his grave, and every whig hope and life and energy sets with him, the senator comes with this posthumous respect to tell us of the deferential regard to which the authority of General Harrison is entitled! This is now the style of those who, a little while ago, spoke of the great contest of 1840, as "the coonskin war!" These are they who are now to instruct us what Gen. Harrison said, and how it is to be construed. With a sentence here and a sentence there, plucked from the context of letters and speeches, we, the friends of Harrison, are now to be told by his enemies what we are to think, and what we are to do, not that his opinions or his measures may be advanced, but those of the men who decided the former, and fought and are fighting against the latter.

These might, in all this, have been more little more of decency, some little more of candor, if these gentlemen, and that senator at their head, had ever, when the present chief magistrate was leaning to counsels the most opposite to the pledges of his party, had ever spoke, approached *him*—the deliberate violator of those pledges—to remind *him* of them, as they were now bind enough to do those who respected and were true to them. Him, the man who had intended all they could to mislead from the very principles for which they now pretended such respect. They had misled him by every art they could practise, to delude him without entangling themselves. And now they, the friends and encouragers of whoever will betray whig principles and measures, come graciously to enlighten, nay admonish us, as to what Gen. Harrison thought.

But, sir, what does General H. say, in that Zanesville letter, that has not been often repeated on this floor, and especially by him whom so rule of this body can forbid me to style, as he is, my honorable, my illustrious predecessor? All have here testified a like desire to preserve the compromise act; nay, have sustained it, when assailed by the very party with whom the senator now sets. All have held for it the highest respect that can well be paid to a merely legislative act, appealing strongly to the feelings of the whole country, as the measure the most patriotic in its aim, the wisest in its adaptation to the conjuncture, the happiest in what it accomplished. As a law, all assent to the duty of respecting it, until urgent overruling public necessity, such as has now arisen, compels us to resort to other measures, suited to this, as that was to its own conjuncture.

On the gentleman's appeal to Gen. Harrison's authority, he would only add, that it came with an exceeding ill grace from a quarter where that honorable name had hardly ever been treated with the smallest decency. The attempt thus to turn a mangled letter, into a sort of misconstruction, into an evidence of what the patriotic purposes of the writer and his good sense would have entirely forbidden, was a thing worthier of the hustings than of the senate; and, as far the advise or admonition to the whigs, it was as supersecreisable as the interpretation of Gen. Harrison was superficial.

Mr. Calhoun said, he could, indeed, (changing his tone,) be extremely absurd, were he to offer the opinions he had cited as one advocating them or professing a general adoration of him from whom they he came. He had no disposition to appeal to any thing as of acknowledged authority to the whigs. Mr. C. then proceeded to argue, from the Zanesville letter, that if Gen. Harrison was still alive, he would be pledged, by that letter, to vote a bill amendatory the compromise act, as that would do which was about to be introduced into that house. In such a negative, his whig friends—having supported him with a full knowledge of the pledge in that letter—would be equally bound to concur, unless they would show an imperious necessity for the abandonment of that pledge.

Mr. Archer disavowed all wish to interfere between the senators. He could not, however, let slip so apt an occasion of ascertaining that, without which he might misapprehend the senator from South Carolina, and do injustice to himself, which he would greatly regret to commit. The senator favors us with frequent tirades against our daring violation of those indefinable and changing principles which are his own guide and ours as the whig party, and delight till he abandons them. But will it not be as well, while we are on this matter, and in order to make it up with a full understanding when it comes here, that he should at once tell us what he means as to the obligations of the compromise act? Would he refuse to pass a tariff act of above 20 per cent. no matter what the public exigencies? Or are he and his friends determined, the opening of the sort shall be done with their consent, while the distribution act lasts? What did he think General Harrison, when so pressed in the Zanesville letter and explain, would have done had he found himself in the present contingency? He wished to know where the senator was about to stand. Did he think that it would, under existing circumstances, have been a breach of consistency in General Harrison to conform to the actual financial necessities of the country, and sanction an act carrying the duties beyond the compromise act? What would the senator's own course be?

Mr. Calhoun would endeavor to answer plainly, though sarcastically. He was always glad to meet any such challenge as to his course, which was ever perfectly open to all public scrutiny. He would say, without any hesitation, that he would never consent to exceed the terms of the compromise act, until the legitimate resources of the government were all applied to its support, all needless expenditures retrenched, and every proper reform introduced into the public service.

Mr. Crittenden resumed. He had, it seemed, misapprehended the senator from South Carolina, who did not mean to sanction the opinions which he urged others to adopt, but to hold them as a rule for the whigs only. It was thus only a lecture which the senator pleased to read to the whigs. He (Mr. Crittenden) was not averse to learning, but claimed the most unquestionable right to instruct grown-up people—that of choosing their own teachers. Would the gentleman have me to sit at his feet and learn wisdom of him? Is that his assumption? Such a claim would be rather high, even towards his political allies. Towards those who are the very contrary, it is most extraordinary. Them he might with some face take on himself to indoctrinate, if he showed a little respect for any other of General Harrison's opinions except those which, for the moment, he could allege, for the purpose of disparaging all the rest—for the purpose of discrediting the principles to which General H. was attached; the measures he desired to see made a public blessing; the party and the friends to whom he was undeviatingly true. He was the very last name which those gentlemen should willingly use. Warmly as it should be kept in the hearts of those who are bent on restoring a good government, and fit as it was to reanimate patriotism, all the sacrifices of which he may be again effected in expelling the bad from power, it was for these very reasons only the more a sound of ill-augury to the senator and his dear allies. Would that, with such ill-timed invocations, they could call him back to life! Could he now rise from his place, for the friends whom he drew about him, and the measures of which his election was hailed as the pledge, what would he think?

A word now, sir, of the compromise. The senator says he would only renounce it in the last extremity. Yet the senator has been again and again stated, here in his presence, to have voted for it with the greatest repugnance, and only under a sort of constraint. Now, he would run any hazard of stopping the government rather than yield it. But what has his own conduct been? While a whig, or acting with the whigs—as he did until, in his Edgefield letter, he said he had discovered that a whig victory would not benefit his beloved—did he not find Mr. Clay and the whigs battling at his side against the attack, upon the compromise, of the very party to whom he directly after united himself? That party he now represents, he supported, in the most violent terms, as public plunderers. Yet he suddenly united himself with it, and deserted those who had sustained his compromise against them!

I am accustomed, sir, said Mr. C. to judge men by their actions, not by their words. If the senator then found sufficient reasons for joining the party who had lately assailed the compromise act, and ill-treated the whigs who had sustained it with such repugnance, he will allow me to make some slight deductions from the zeal he now exhibits, or to attribute some part of it to temporary influence.

Unless he has misunderstood some late declarations from the senator, he was of opinion that the provision of home valuation in the compromise act was a most objectionable and unconstitutional. I think his sense of one of the main features of the thing, to which he attaches such a claim upon public reverence and faith! It is now said to violate the constitution, and to be a breach of such benefits which we have compensated one of the parties to it for their concessions! And the gentleman voted for the bill, with a knowledge of the nullity of this very provision! Is he now prepared to avail himself of his unconstitutional vote, to the defeat of the very consideration that was held out to one of the parties to the compromise? What will he now do? Carry out this constitutional nullity, or discard it, and execute only so much of this sacred, this indissoluble contract, as he likes? Pray, let him continue his lecture a little further. What would have been general Harrison's interpretation of his duty towards the act, under the present exigency, he does not know and cannot know: but he can tell us his own; which is much more to the purpose, and which he probably understands quite as well. We, who supported Gen. Harrison, may surely be as able as his enemies to know what his opinions were. Why should the senator, therefore, to teach us either what they were or how to revere them?

Mr. Calhoun thought this was a most unprovoked attack upon himand was sorry that the senator from Kentucky should, in this respect, so offend, disregarding the proprieties of that body. He (C.) entered into a brief history of the scene and circumstances under which the adjustment of the compromise was entered into, as a private contract between himself and Mr. Clay. Of the facts, he appealed to Mr. Mangum, as the only witness. These are, however, historic details, which the public has been acquainted with from time immemorial. Mr. C. went on, after stating the facts as to the introduction of the compromise act, to defend himself as to his agreement to the provision in regard to home valuation. He had suggested the difficulties attending it, and the unconstitutional inequality of duties, if these were to be raised according to the price which commodities would bring in northern and in southern markets. The senator, however, had interposed and insisted that such a system could be devised as would reconcile the thing with the constitution.

When the bill came up for consideration, he rose (he said) and stated that he had no authority to pledge his state by any thing more solemn or binding than the circumstances under which the adjustment was adopted. Mr. Clay, on his part, avowed that no man would violate the arrangement. But now, gentlemen, pleading an unreal necessity, break the faith pledged, and set aside the compact.

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But it had been charged that, after having united himself with the whigs, he had deserted them. Yet what was the fact? When Mr. CLAY first bestowed upon the party, in the senate, the designation of whigs, he himself declared, from his place, that the name was a good one, but that he did not adopt it, preferring to retain that which more exactly expressed the principles which had always guided him: he was, and should continue to be, a state rights republican and a nullifier.

The senator had accused him of change. How had he changed? For what measure had he ever contended which he did not still advocate? Here the senator explained a little on the prophetic vision which he had ever enjoyed, and which had always guided him alike through the most intricate shiftings of questions across which nobody could see but seen by way. Let the senator, he continued, name one subject, in all the wide range of public measures during the last fourteen years, where I have been in the smallest particular different from myself. [ ]

As to the compromise, he had acted with the whigs in sustaining it against the democratic party; and he now acted with the democratic party in maintaining the same compromise against the proposed invasion of it by the whigs.

The senator then passed to the explanation of his celebrated Edgefield letter. In that letter, he had signified that, parties having deviated, he should pursue his own steady way. The administration had adopted his principles. He was bound, therefore, to sustain them. They took ground against the banking, the credit system. In that, he saw and said, was involved the whole question of tariff or no tariff, of expenditure or extravagance, of a limited or unlimited exercise of the powers of government. It became, therefore, his duty to support them. And here he again asserted his own consistency, defying all effort to shake it.

During a part of the preceding remarks, Mr. PRESTON came in, and, taking his seat, began to converse with Mr. CRITTENDEN.

Mr. CLAYTON, who was then speaking of his Edgefield letter) remarked it, and asked whether his colleague would confirm or contradict the statement he had just made?

Mr. PRESTON desired to know what question had been addressed to him? He had not heard it.

Mr. CALHOUN, (waiving his hand.) Let it pass, sir. Let it pass.

Mr. PRESTON. The senator addressed a question to me, and I desire to know what it was?

Mr. CALHOUN, (as before.) Let it pass, sir.

Mr. PRESTON, (in a very marked way.) Then, sir, I shall act upon the senator in a more pointed manner.

When Mr. CALHOUN's preceding remarks were concluded, Mr. P. again rose and said: It has pleased my colleague to direct questions to me, and I call upon him now to say what was the purport of his interrogatory?

Mr. CALHOUN. I saw my colleague making, as I thought, suggestions to the senator from Kentucky; and I spoke, that he might have an opportunity either to confirm, or, if he pleased, to deny what I had said. I perceived, however, that I had done wrong, and therefore waived the matter.

Mr. PRESTON. Yes, sir, the senator did wrong, and very grossly wrong, not merely in every parliamentary, but in every personal sense. It was a gross breach of the order of the senate to allude to what occasions had really said in private, elsewhere than upon that floor. Thus, then, to advert to the merely suspected, conjectured tenor of a member's personal communications with another member, is in the last degree improper. Am I accountable to the senator for whatever accidental unheard conversation I may indulge in in his presence? When it is my part to speak, I stand not in need of speaking at my colleague's instance; and I give him to understand that when a question requires from me any remarks, I will make them, employing whatever language I choose. I will permit neither that senator nor any other to call on me to repeat what I have said in private or out of the senate. I am ready to answer out of the senate any thing I have said out of the senate; and I ready to answer in the senate any thing I have said in the senate. The course of the senator was unparliamentary, and the suspicion which he had so improperly displayed was as unfounded as it was unfit. Instead of being really engaged in making to the senator from Kentucky any suggestion to be (as he has intimated) used against him, I had really paid no attention to my colleague's remarks.

Mr. CALHOUN remarked that the senate must judge whether there was any occasion or any fitness in the lofty tone which his colleague had taken. He had observed the inaudible discourse in which his colleague was addressing the senator from Kentucky, and, conjecturing that something in regard to himself was the subject of his conversation, he had wished, whether his colleague's communication was adverse to him or not, to give him the opportunity of repeating it in the presence of the senate. He had, however, in an instant felt that he was wrong; and had hastened, when addressed by his colleague, to say so. This, he thought, should have satisfied him. If it did not, he might make the most of it.

Mr. PRESTON. I thank the senator, sir, what he becomes me and becomes the senator. His allusion to my casual conversation, of which he knew nothing, was most unparliamentary. Improper every way, it was indefinitely suspicious in view of the relations in which we have long stood. Those relations should have made the senator scrupulous of adverting to me without any occasion, and doubly scrupulous of every such conversation in which I might be just made amounting to an accusation of furnishing arms in secret against him. Of him, whatever my opinion, I forbear to speak, out of respect to the senate, and to those very relations which he has thus disregarded. It had not been my intention to mix in this matter. I was returning to my seat, after having been absent from the chamber, and barely catching the fact of an appeal to me by my colleague, was at a loss to know for what. My first impression was, that it was some (of course proper) call upon me to bear testimony to some fact. I spoke, therefore, with the entire willingness to do so, when the senator should have let me know what he wished.

I should not, but for the peculiar feeling on which my colleague and I spoke, think it necessary to take any notice of what has occurred. And as to the lofty tone of which he complains, he has given occasion for it, and will have to submit to it.

Mr. CALHOUN. For any thing unparliamentary in his conduct, that was for the senate to decide, not his colleague. Towards him he desired to continue the course which he had heretofore pursued; and he thought that, in the proceeding just witnessed, the senate would find sufficient cause to justify his conduct.

Mr. ARCHER here interposed. It must, he thought, be apparent to both senators that the affair had sprung out of a hasty misconception, and that there was no occasion to suffer any ill feeling to grow out of it. He hoped it would cease at its present point.

Mr. CRITTENDEN remarked that he had intercepted debate. He recurred to what the South Carolina senator had repeated of the history of the compromise act. Some facts he thought the senator had forgotten. His late colleague (Mr. CLAY) had, upon a former occasion, stated that the terms of the compromise act had been suggested to him in Philadelphia, by views which he had collected in a visit there, between his conference with Mr. CALHOUN. He had then called upon a member of the other house (Mr. APPLETON) to confirm the fact. This passed in presence of the South Carolina senator, who was at the time directly appealed to. He remembered an allusion appeared to claim for him the credit of having devised the great adjustment in question. The country had always looked to Mr. CLAY as its author; and he himself, jealous of his gentleman's fidelity and just reputation, and of the honor which it even reflected upon his state, could not consent to have that leaf torn from a history of which it formed one of the most brilliant pages. The nation was, beyond doubt, his; and his should be the credit of it.

Mr. CALHOUN re-stated the facts of his interview with Mr. CLAY, after his return from Philadelphia, and declared that his own suggestion to him then was, that the question admitted no compromise except that of time. Seven years was the period which he then mentioned as that during which the reduction of the duties might be extended. Nor was the idea a new one to him; he had canvassed it the year before with a congressional friend, now no longer in public service, to whom, he said, he had never proposed, he had never wished, to overturn all manufacturing interests by any sudden change. The large investments of property made in those establishments, at the invitation of legislation, had claimed the national care, even in measures not adopted for their advantage. The senator would perceive, then, that he and Mr. CLAY had adopted, separately, the same idea at the same time.

Mr. CRITTENDEN had spoken with no purpose of fixing upon the senator a contradiction. He was only anxious to settle the distinguished professors so far to deprived of a title the most justly won and the most honorable—that of the great pacificator.

Mr. CALHOUN replied, with some warmth, that, in doing (as he was willing to do) every justice to the claims of Mr. CLAY, he would vindicate equally every thing that was due to himself and to the part he had borne in the transactions in question. He desired no credit borrowed or taken from the reputation of others. He was averse to all personal warfare, and rarely gave any occasion for it.

Mr. CRITTENDEN remarked that any thing which he had said of a personal nature was involuntary. It was impossible to conduct these discussions of party politics—which certainly the senator provoked oftenwise he did—without referring to the personal conduct and opinions of the chief actors in them.—The senator had been for so long a time mixed with all the great public events of the country, that they could not be mentioned without including him. His opposition to the gentleman was political only, and unmixed with the slightest feeling of personal ill will.

The senator had challenged him to say when or in what he had ever been known to change his public opinions or conduct. This was inviting him to a very wide and long survey, for which he hardly felt there would be time. He should have to begin by going back about twenty years.

Mr. CALHOUN intimated that it was not necessary that the senator should go back so far, unless he chose.

Mr. CRITTENDEN. As to what was so often vaunted about and so rarely seen, an undeviating consistency, he cared little for it, honored and sought it little, knowing that it was not given to finite intelligence. The only consistency that he ever attempted to practise or to exact was that of acting, apart from all personal motives, up to the sincere convictions of the actual moment.

As to going into the history of the senator's opinions to a distance of twelve, or fourteen, or twenty years, (as he seemed to expect), he had never studied his life by epochs, and could not pretend to treat it in that way. He had made no charge against the senator of voting for public extravagance. But the senator, after opposing for years, as an extreme state party that lately went out of power, and denouncing them with violence for every shape of political enormity, joined them while that extravagance was at its height. This was what he had to say on the matter of expenditures.

As to his changes of opinion, the senator was certainly at one time in favor of a great system of internal improvement by the national government. He certainly proposed to marry that system with banking, by employing upon it the bonus taken from the United States bank. He certainly advocated at one time the principle of raising up domestic manufactures by *protecting* them. He had certainly a main agency in bringing about the chartering of a national bank. And he certainly expected, he had never studied his life by epochs, and could not pretend to treat it in that way. He had made no charge against the senator of voting for public extravagance. But the senator, after opposing for years, as an extreme state party that lately went out of power, and denouncing them with violence for every shape of political enormity, joined them while that extravagance was at its height. This was what he had to say on the matter of expenditures.

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He would recur to but one more fact. The senator was bitterly opposed to the land distribution, and as bitterly in favor of the compromise act: and yet, the former was a like measure of distribution as passed contemporaneously with the compromise, and was in full view of the parties to that arrangement, so as really to form a part of the measure itself. In short, the senator, in his view of the sanctity of that adjustment, admits or rejects just what conditions and whatever parts of it he likes.

Mr. CALHOUN admitted that there was any connection between these two acts. As to extravagance, he admitted that of the Van Buren administration while he was opposed to it. All administrations were merely alike extravagant; and the party in power ware still more extravagant than the Van Buren administration.

This would be but an indifferent reason for having joined an extravagant administration, but that Mr. C.'s prophetic powers enabled him to foresee the future delinquencies of whig ascendancy, and that the Van Burenites would grow economical—as soon as they ceased to be in power.

The debate closed here, by a motion from Mr. LINN to proceed with the orders before the senate.

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

AUGUST 3. The *president* of the senate laid before that body a communication from the treasury department, made in compliance with a resolution of the 30th July last, calling for the amounts paid for private claims yearly from the year 1835 to the close of the year 1841, inclusive. The report runs thus:

Years.	*Amount paid.*
1836	$155,885 99
1837	101,235 49
1838	265,105 91
1839	173,459 03
1840	74,727 71
1841	910,156 09
	$991,565 18

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Mr. *Kerr* moved to postpone the orders of the day to take up the bill, entitled "an act in addition to an act to promote the progress of the useful arts."

The motion having prevailed, Mr. *Kerr* addressed the senate on the importance of the bill, explaining, as he went, all its leading features, the great object being to secure to inventors all the benefits arising from their ingenuity, and to prevent them from being pirated on.

The bill led to a debate, in which Messrs. *Preston, Kerr, Clayton, Wright, Merrick*, participated, and it was postponed until to-morrow.

[This bill proposes to extend the provisions of the 3d section of the act of March 1837, which outlaws the renewal of patents lost prior to 15th December, 1836, as to allow a renewal of them prior to that date.

It provides also that those who have produced new and original designs for manufactures for printing woollen, silk, cotton of any new or useful pattern, may make application to the commissioner of the patent office, who is authorised to grant a patent, the duration of which is to be seven years.

The patentee is defended in his rights by a penalty of $100 for all violations, one-half to go to the patent fund, the other to the person suing.]

The revenue bill was then taken up, on motion of Mr. *Evans*, the question pending being that offered on last evening by Mr. *Benton*, to reduce the duty on coarse wool from seven to five cents per pound.

After some remarks from Mr. *Benton*, the question was taken by yeas and nays and decided in the negative: yeas 13, nays 26.

Amendment after amendment was offered by Mr. *Tappan*, Mr. *Wright*, Mr. *Woodbury*, and Mr. *Benton*, all of which were voted down, the yeas and nays having been taken some nine or ten times.

Mr. *Rives* moved to strike out the duty on French wines from twelve to six cents per gallon; but the question was decided in the negative, as follows:

YEAS—Messrs. Benton, Calhoun, Fulton, King, Linn, McRoberts, Preston, Rives, Sevier, Smith, of Conn. Sturgeon, Tappan, Wilcox, Wright—11.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Buchanan, Choate, Clayton, Conrad, Crafts, Crittenden, Dayton, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Ind. Sprague, Tallmadge, White, Woodbridge—26.

Mr. *McRoberts* moved to amend the bill so as to admit tea and coffee free of duty.

Mr. *Benton* desired to have the question decided. And the question was first taken on tea, and decided in the negative, yeas 20, nays 27; and then again on coffee, with the like result.

Mr. *Benton* rose, and said he had amendments to offer in relation to salt, on each of which he desired to say something; and if the senate did not desire to endure a night session he would move that the senate adjourn. Which motion prevailed, and the senate adjourned.

August 4. Mr. *Kerr* of Md. called for the consideration of the bill providing for the renewal of patents lost in 1836 at the fire by which the post office building was destroyed and in favor of patentees for new inventions for the printing of woollen, silk, cotton or other fabricks. The bill is a revision of the present patent laws, and is a great improvement upon them. Ordered to be engrossed.

The time of the senate was occupied in private business until one o'clock, when the revenue bill was taken up.

Mr. *Allen* proposed to insert salt among the free articles, and defended his motion. He said that gesos and precious stones were to be admitted free from duty, and that salt was to pay a tax.

Mr. *Evans* showed him that such was not the fact, and referred to the bill to show that every thing in the way of jewelry was taxed, and every thing in the way of precious stones and gems in the bill, also paid duty.

Mr. *Allen* spoke twice in defence of his amendment, and was followed by Mr. *Benton* in a speech against the duty on salt, which he pronounced odious and abominable, and one which he should certainly live to see abolished.

Messrs. *Woodbury* and *Walker* also took part in the debate, and favored the motion pending by moving that the duty of 8 cents be stricken out and 2 cents inserted. The yeas and nays were again called and the motion lost, by a vote of 26 to 17.

Mr. *Walker* moved to strike out the limitation of 56 lbs. per bushel on salt imported, and paying a fixed duty. The amendment after debate was rejected by a vote of 24 to 17.

Mr. *Benton* next moved to insert rock salt among the free articles. This was debated and the motion rejected.

Other motions submitted of a like character were also rejected.

Mr. *Benton* then proposed a tax upon bank notes, which was rejected.

Mr. *Walker* proposed a tax upon all the gold and silver made in the country at the rate of 20 per cent. which was rejected by a vote of 30 to 7.

The bill was then reported to the senate and ordered to a third reading.

Mr. *Evans* hoped the bill would now be read a third time.

Mr. *Calhoun* expressed a desire to be heard upon its passage, and on his motion the senate adjourned.

August 5. Mr. *Preston*, from the committee on military affairs reported the bill for the reorganization of the army as it came with amendments from the house, with a recommendation that the senate disagree to all the amendments of the house and ask for a committee of conference. Mr. P. thought it desirable that this bill should be before the committee of conference at the same time with the bill making appropriations for the army. The present bill might be considered as amounting to these differences, and hence they should go together. The report was concurred in.

The revenue bill was then put on its passage when Mr. *Calhoun* rose and addressed the senate at length against the entire bill.

Mr. *Walker* moved to recommit the bill to the committee of finance, with instructions to strike out the tax on tea and coffee, and to report a tax on all articles of gold and silver ware, above the value of one hundred dollars, to an amount that would replace the amount derived from tea and coffee. Mr. W. briefly supported his motion; and the question having been taken by yeas and nays, it was decided in the negative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Cuthbert, Fulton, King, Linn, McRoberts, Sturgeon, Walker, Williams, Woodbury, Young—12.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clayton, Conrad, Crafts, Crittenden, Dayton, Evans, Huntington, Kerr, Mangum, Merrick, Miller, Phelps, Preston, Rives, Simmons, Smith, of Ind. Sprague, Tallmadge, White, Woodbridge—26.

Mr. *Benton* addressed the senate.

Mr. *Evans* replied and the debate was further kept up by Messrs. *Woodbury, Evans, Simmons*, and others, when the question was taken on the passage of the bill and decided in the affirmative as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clayton, Conrad, Crafts, Crittenden, Dayton, Evans, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Simmons, Smith, of Ind. Sprague, Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Allen, Bagby, Benton, Buchanan, Calhoun, Cuthbert, Fulton, Graham, King, Linn, McRoberts, Preston, Rives, Sevier, Smith, of Conneeticut, Sturgeon, Tappan, Walker, Wilcox, Williams, Woodbury, Wright, Young—23.

And the senate adjourned at 5 P. M.

August 6. Mr. *Linn* at an early hour suggested that the bills to which there were no objections should be considered.

Private bills were then taken up, considered, and passed.

The bill to reorganize the navy of the U. States was taken up, and, after having been amended, was ordered to be engrossed. This bill substitutes bureaus for the navy commissioners' office. Officers of the grade of captains and commanders to be placed at the head of the bureaus.

Mr. *Archer* said that the whole additional cost would be somewhere about $19,000, while, from the showing of the secretary of the navy, the saving would amount annually to from 700,000 to $800,000.

Mr. *Evans* presented two reports from the committees of conference—one in relation to the disagreeing votes of both houses on the amendments to the army appropriation bill, and the other in relation to those on the bill for the reorganization of the army.

The committees of conference had agreed upon recommending the reports, by which it would be seen that every thing is to be stricken out of the appropriation bill touching reorganization, strictly confining it to appropriations for the service. Some alterations, however, were to be made; such as changing the senate amendment, to place sixty thousand dollars of the appropriation for the armories at the disposal of the secretary of war, for the purchase of arms not manufactured in the armories, to ten thousand dollars; and adding to the one hundred thousand dollars appropriated for improvements of navigation on the western waters, thirty thousand dollars for harbor improvements already commenced, and other alterations of less importance.

Mr. *King* asked what was done about the civil superintendents in the ordnance department.

Mr. *Evans* replied that the subject was in the bill for reorganizing the army, not in the appropriation bill.

Mr. *Young* asked what changes were made in relation to reductions in the army?

Mr. *Emmanuel*, none in the appropriation bill, for in which every thing but appropriations had been established. The alterations and reductions in the army would be pointed out in the bill to reorganize the army.

The report in relation to the bill for the reorganization of the army was then read.

Mr. *King* said he understood the civil superintendents in the ordnance department were to be restored.

Mr. *Evans* said, no; the military superintendents were retained. He explained the modifications of amendments recommended by the committees of conference. These were numerous; but the most important was that in reference to the second regiment of dragoons, which is to be continued till the 4th of March next, and then converted into a rifle corps; as it was understood the aspect of affairs on the western frontier rendered it prudent that the mounted regiment should be kept up six or eight months longer, and it was considered its conversion into a rifle corps would be a great protection to the western border. Another change would be to reduce the number of men in each company to forty. As far as expense was concerned, large and important reductions will be effected.

Mr. *Evans* said it was very desirable that both these bills should go to the house together, as the one was necessary to a full understanding of the other.

Mr. *Bates* replied that he should not insist on a motion to postpone; there might be other senators who understood the subject, but it struck him as a hasty disposition of a bill when so many changes would be the result.

The report was concurred in.

The bill for repairing the Pennsylvania avenue, was taken up, and after having been explained and advocated by Mr. *Bayard*, was read a third time and passed.

On motion of Mr. *Archer*, the bills reported from the committee on naval affairs were made the special orders for Monday next.

After the transaction of other business, the senate adjourned.

August 8. A message was received from the house of representatives announcing the passage of a joint resolution to the effect that the speaker of the house and the presid nt of the senate be adjourn their respective houses *sine die* on Monday the 22d August next at two o'clock P. M.

On motion of Mr. *Preston*, the consideration of the resolution was postponed until Monday next, and made the special order for that day.

The bill making appropriations to supply the deficiency in the navy pension fund was then taken up; when—

Mr. *White* moved to insert a proviso, that if any officer of the navy or marine corps, or any seaman or marine, shall have died after the 3d of March, 1837, and his widow or children shall have been placed on the pension roll prior to the 16th of August, 1841, and were entitled to receive pensions, they shall continue to receive the same as well after as before the present session of congress.

Mr. *Williams* moved to amend the amendment by striking out the words "as well after as before the present session of congress," and insert in lieu thereof "*until they have the benefit of the pension fund for five years.*"

This motion was debated by Messrs. *Choate, Smith*, of Connecticut, *Simmons* and others.

Mr. *Phelps* moved to suspend the further consideration of the bill until to-morrow; which motion prevailed.

On motion of Mr. *Archer*, the senate proceeded to the special order, being the bill reported from the committee on naval affairs.

The bill respecting furloughs to the naval service was then taken up.

Mr. *Bayard* explained at large the object of the bill, which was to enable the secretary of the navy to place officers on furlough without their consent.

After some few remarks from Messrs. *Calhoun, Bayard, Archer, Choate, Woodbury* and *Williams*, the question was taken on the amendment, and decided in the affirmative.

The bill was then further amended so as to reduce the pay of officers on furlough to one-half; and the bill ordered to be engrossed for a third reading.

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The senate then proceeded to the consideration of the bill providing for the establishment of schools of instruction in the naval service of the U. States.

This bill led to a long debate, in which Messrs. *Archer, William, Simmons, Smith*, of Conn. *King, Calhoun, Buchanan, Sevier*, and others took part; when Mr. *Simmons* moved to limit the number of schools to three instead of five, as proposed by the original bill.

And pending the discussion on this amendment; on motion of Mr. *Archer*, the senate adjourned.

August 9. A message was received from the president, giving a disclaimer of any executive approval of reflections, cast upon the character of the empire approved by his Prussian majesty pursuant to the convention between the United States and Mexico of the 11th April, 1839, contained in some of the communications from certain claimants laid before the senate by the executive on June 13th.

The senate proceeded to the consideration of the bill to supply the deficiency in the navy pension fund, and after modification and amendments said bill was passed.

The bill for the establishment of schools of instruction in the naval service of the United States was taken up, modified, and amended and passed by the following vote.*

YEAS—Messrs. Archer, Barrow, Bayard, Buchanan, Calhoun, Choate, Clayton, Crafts, Cuthbert, Dayton, Evans, King, Mangum, Miller, Morehead, Rives, Sevier, Smith, of Indiana, Sturgeon, Walker, Williams, Woodbury, Young—23.

NAYS—Messrs. Allen, Bagby, Benton, Smith, of Connecticut, Woodbridge—5.

The bill to regulate the navy ration, and the bill to regulate the pay of naval engineers and the number of professors of mathematics, were taken up, briefly discussed and passed. The senate adjourned.

August 10. Mr. *Calhoun* presented three memorials from citizens of Gadsden county, in Florida, asking that the territory may be admitted into the union as a state; which were referred to the committee on territories.

The senate took up the general orders, the first on the calendar being "the bill to extend the right of pre-emption to certain settlers in the territory of Iowa."

Mr. *Smith*, of Indiana, moved to lay this bill on the table, with a view to take up the bill from the house for the same purpose, which was a literal copy of the senate bill.

The motion prevailed, and the bill from the house was taken up, when a debate ensued, in which Messrs. *Smith*, of Indiana, *Huntington, Conrad, Linn, Walker, Benton, McDuffie*, and others participated, when the question was taken on the passage of the bill, and decided in the affirmative.

The bill to extend the time within which the duties on certain rail road iron imported by the state of Michigan, being laid down for permanent use, may be remitted, was put on its third reading; when—

A short debate ensued, in which Messrs. *Buchanan, Porter, Woodbridge*, and others participated. The bill was passed.

The bill from the house to regulate the mode of taking testimony in contested elections, was read a first and second time by its title and referred to the committee on the judiciary.

On motion of Mr. *Archer*, the senate proceeded to the consideration of the bill to regulate the pay and emoluments of pursers and warrant officers of the navy.

Mr. *King* opposed the bill on the ground that the salaries were exorbitant in comparison with the duties, &c.

Mr. *Williams* sustained the bill, declaring the duties of a purser to be arduous, complex and diversified, and such as to puzzle the most experienced officers, and hence that the pay should be adequate to the vast responsibilities of the station.

And after some further remarks from Messrs. *Choate, Archer, Calhoun*, and others, the bill was ordered to a third reading.

The senate then proceeded to the consideration of the bill to augment the marine corps.

This bill was debated at some length and then postponed until to-morrow.

The bill to authorise the secretary of the navy to contract for the building of certain steam vessels was taken up.

Mr. *Buchanan* said we had bill upon bill to increase the pay and to augment the marine corps, and now one for increasing the number of steamships, and at a time when there was no money in the treasury, nor could it be borrowed.

Mr. *Cuthbert* spoke of the improvements in machinery, which rendered it advisable to lay the bill on the table, at least for the present.

Mr. *Woodbridge* suggested whether, at proper time, it would not be advisable to build steam vessels for the protection of our commerce on the lakes? And, in his opinion, steamers of the size contemplated by the bill were indispensable in that quarter.

Mr. *Archer* made a brief reply, stating that he coincided with the gentleman who so ably represented Michigan, that the class of vessels referred to in the bill was necessary to the protection of the great and growing commerce of the lakes, as well as to the protection of that region, and that, necessary as they were there, they were still more indispensable to the commerce of the gulf, but in consideration of the present state of the treasury, he would move to lay the bill on the table.

On motion of Mr. *Preston*, the senate then proceeded to the consideration of executive business; and after some time spent therein, adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, AUGUST 3. After the transaction of minor business, the house resolved itself into committee of the whole, and resumed the consideration of the senate bill, "respecting the organization of the army and for other purposes."

The pending question being on the following amendment of Mr. *Mason*, of Ohio, to the substitute amendment (for the whole bill) of Mr. *Cave Johnson*:

"That the regiment of dragoons authorized to be raised and organized by the act approved May 23, 1836, be disbanded on the 1st day of October next; and"—

Mr. *Edwards*, of Missouri, addressed the committee at some length against the proposed amendment.

Mr. *Cave Johnson* then withdrew his amendment, and Mr. *Mason's* amendment falling also with it, Mr. *Mason* then again renewed his amendment, and the question being taken, it was adopted by yeas 63, noes 55.

Mr. *Cave Johnson* then renewed his substitute amendment for the bill, modified in some particulars, and briefly defended it.

Mr. *Reynolds* spoke in opposition to reduction.

Mr. *Reynolds* spoke in favor of disbanding the second regiment of dragoons.

Mr. *Pendleton* spoke in opposition thereto, and in conclusion, moved an amendment to the amendment, to insert, in the sixteenth section of the law of 1838, (which section the amendment of Mr. *Johnson* proposes to exempt from repeal,) after the provision that all enlistments shall be for five years, the words "unless sooner discharged."

The question was taken, and the amendment to the amendment was agreed to.

And the question recurring on the amendment of Mr. *Johnson* as amended.

Mr. *Charles Brown* spoke against abolishing the office of commissary general.

Mr. *Adams* was glad that the gentleman from Pennsylvania had brought forward that subject; the feature to which he objected was one of the features in the bill which, with others, induced Mr. A. not to feel favorable to its adoption. The proposed reorganization of the army did not meet Mr. A's wishes; he believed the system which was adopted in the year 1821 had worked well, and he saw no reason for changing this particular part of it. The change then made in regard to providing clothing of the troops Mr. A. had always considered a great improvement.

Mr. A. had risen, however, for the purpose of saying a few words on a different subject, he meant the reduction of the army. He wished to propose two or three amendments to that which had been brought forward by the gentleman from Tennessee, (Mr. *Cave Johnson*.) One of them was to reduce the number of rank and file in each company, from fifty, as it stood in the bill, to 42, as it had been fixed in 1821, and as it had been calculated for in the army appropriation bill. Such a reduction had virtually been voted by the house in adopting that appropriation, and he wished the present bill accommodated to the other.

As a second amendment, he desired the gentleman from Tennessee to withdraw that portion of his amendment which authorised the president to form a regiment of mounted riflemen to take the place of the 2d dragoons, which the house had decided should be disbanded. Should that amendment prevail Mr. A. was apprehensive that the sole effect would be a mere change of name, while the corps remained substantially the same. Instead of being called dragoons they would be called mounted riflemen, and there it would end. For his part he was so little of a military man he did not know the essential difference between the two. He supposed that the dragoons carried a musket and the other a rifle. (A voice: "No, the dragoon carry carbines.") Well, then, it would be a rifle instead of a carbine. The president, by the act of 1838, had a discretionary power to convert the dragoons into mounted men or infantry. Mr. A. would venture to predict that they would be mounted; and when once that was done no change could be made without a new law. So that the whole practical result of abolishing the dragoons—an event which had created such intense interest in the gentleman from Georgia (Mr. *Black*,) as soon as he discovered that the corps was commanded by a Georgian—would be to substitute a mounted corps carrying rifles, for a mounted corps carrying carbines.

But supposing it should be otherwise, and the president should take this new rifle corps in part from the dragoons and in part from the 8th infantry, with a portion of the officers from each, throwing them together into one hodge-podge, it would be a very unwelcome office for the executive to perform, (and Mr. A. thought he had quite enough of that sort of business to do already—certainly to please others, even if he pleased himself.) Mr. A. should be sorry to see the question raised between two such men as col. Twiggs and col. Worth, which of them was the more meritorious officer. To such a compound corps, half dragoons and half mounted infantry, Mr. A. should greatly prefer leaving the 8th infantry as it was: then we should have, in addition to the army, as established by the act of 1821, one regiment of dragoons and one of infantry, and one additional company to each artillery regiment. This would add to the 6,000 then authorised by law about 2,000 more; making the total of our army 8,000 effective men. He was not disposed to use the retrenching knife any further than this.

As to what the gentleman from Georgia (Mr. *Black*) had so vehemently complained of, having the 2d dragoons disbanded rather than the 1st, it was no matter of free choice with Mr. A. The 2d regiment had been created on the condition that the president might disband that one or any other part of the original set, and it formed one of the grounds on which that act was carried through the house; objections were removed by the pledge that the corps was not to be a permanent addition to the army. The first regiment had been created on no such condition. Mr. A. here adverted to the circumstances under which that regiment had been established; it was on the ground that an army was incomplete and inefficient without cavalry; in this way the objection to the expense of a mounted corps was met and overcome.

There was no similar ground reason why the 2d regiment should be abolished, if any; and it was on the ground of personal equity to the men composing the two. These of the first regiment were older in the service, and entitled, therefore, to be retained, according to the principle universally prevailing where military reductions were made. That principle had governed the action of congress in 1821. They had then two major generals; it was resolved there should be but one, and General Brown was retained, and General Jackson was dismissed, simply because General Brown was the senior officer.

Mr. A. was actuated by no feeling towards the commanders of either of the two corps, or the other officers. They were both gallant, faithful, and honorable men, and the officers of both regiments were admirable officers in all respects. He was governed solely by the reasons he had stated; nor could he bring himself to believe that any injustice would be done to the second regiment by retaining the first in service.

In reference to what had been said by the gentleman from Ohio (Mr. *Pendleton*,) on the subject of double rations, Mr. A. stated an amendment he meant to bring forward, when that part of the bill came under consideration, the nature of which the reporter could not distinctly hear; but if of the same consequence, as Mr. *Stanly* stated that the military committee had precisely the same amendment prepared, and would offer it at the proper time. Mr. A. was satisfied, and hoped it would be agreed to by the committee.

Mr. C. *Johnson* replied to Mr. *Adams*.

Mr. *Cushing* said he felt very little interest in the proposed amendments to the bill. He supposed that the present congress had its destined work to perform, which was to reduce the government to a state of general prostration, so that there might devolve on a new administration the task of resuscitating and restoring it. Mr. C. should offer no further opposition to any bill for retrenchment and reform; but he could not sit silent and suffer it to be inferred that he acquiesced in principles he deemed most erroneous.

* This bill authorises a transfer to the secretary of the navy of the fortification or military post, for the purpose of a naval school for such things as pertain to naval service, and invests the secretary of the navy with full powers in respect of course of study, regulations, teachers, &c. The officers of the navy engaged in the school are to receive the same pay, &c. as when on duty afloat, and the pupils the same as at the naval asylum. The school to be in the neighborhood of Fort Monroe.

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It was to him immaterial whether this was called a bill for the reorganization or the disorganization of the army; it was a bill, at all events, for the reduction of the army; and he stood for the institutions of the country as they had received them. He had been told that "*standing armies*" were naturally causes of apprehension in free republics; and the argument thence deduced was, that our army, in this country, ought to be reduced. Mr. C. then went on denying there was any political cause to dread the army, and reprobated the opinion, that the poverty of the treasury was a just cause for its reduction.

Mr. *Toland* spoke in opposition to devolving the duties of the commissary general on the quartermaster's department.

Mr. *Stanly* spoke in reply to Mr. *C. Johnson*.

The hour of three o'clock arriving the committee rose and the house proceeded to vote on the various amendments offered, and after progress thereat, adjourned.

THURSDAY, Aug. 4. Mr. *Cushing* submitted a bill requiring the secretary of state to submit annually a statement of all the changes in foreign tariffs that come to the knowledge of that department. Referred to the committee on foreign relations.

The house then took up the resolutions offered by Mr. *Cooper* on the 29th ult. in relation to the refusal of the secretary of war to communicate certain papers called for by a resolution of this house.

Mr. *Cooper* made remarks warmly in opposition to the resolutions and in defence of the executive branch of the government. Mr. C. spoke until he had finished his hour including the time consumed when the subject was last under consideration.

Mr. *Everett*, of Vt. addressed the house in continuation, partly in reply to Mr. *Cushing* and partly in opposition to the resolutions reported unless amended. He did not regard the answer of the secretary as declining to furnish the information sent for.

Mr. *Cooper*, of Penn. continued the debate. He regarded the letter of the secretary of war as positively declining; and in an offensive manner, the call of the house for information. Mr. C. devoted much of his speech also to Mr. *Cushing*. He did not regard the precedents cited by the gentleman from Mass. as applicable to the case, and proceeded at considerable length to point out the difference in the two cases.

Mr. *Cooper* spoke until the expiration of the morning hour, when Mr. *Stanly* called for the orders of the day.

The previous question on the bill to re-organize the army having been moved and sustained, the question was upon the amendments pending, and agreed upon in committee of the whole. The second regiment of dragoons was struck out by a vote of 100 to 69. The privates in each company of the dder regiment were reduced from 50 to 42.

The military superintendence of the armories at Springfield and Harper's Ferry was struck out, and the clause providing for the civil superintendence prevailed by a vote of 103 to 77.

The next amendment voted upon by yeas and nays, was a proposition to strike out the fifth section of the bill. This was lost 90 to 88. The next amendment voted upon referred to the rations, and the amendment of the committee was by yeas and nays were ordered upon the passage on motion of Mr. *Proffit*, of Indiana. The vote was 123 yeas to 62 nays.

The army bill having been disposed of, the house resolved itself into committee and took into consideration the bill to regulate the taking of testimony in cases of contested elections, and after much discussion, the committee rose and reported progress.

A message was received from the president announcing his signature to the navy appropriation bill. The house then adjourned.

FRIDAY, Aug. 5. The house resumed the consideration of the resolutions offered by Mr. *Cooper*, of Pennsylvania, from the committee on Indian affairs, calling for the report of lieutenant colonel Hitchcock from the secretary.

The pending question being on the following substitute amendment of Mr. *Everett*:

"*Resolved*, That the reasons assigned by the secretary of war, in his letter of the 1st June, for declining to comply with the resolution of this house of the 18th of May last, are not satisfactory to this house."

Mr. *Cooper* continued his remarks in support of the grounds assumed in the report of the committee and the resolutions, (until cut off by the expiration of the allotted hour).

Before closing his remarks, Mr. C. asked Mr. *Everett* to suffer the two first resolutions of the committee to stand, and to let his resolution displace the third resolution only.

Mr. *Everett* was understood not to assent.

After an inquiry from Mr. *Rosewell* as to the effect of the amendment—

Mr. *Adams*, during the residue of the morning hour, submitted a few remarks, in which he was understood to express his disposition to vote for the amendment of Mr. *Everett*—his (Mr. A's) desire being to avoid coming in direct conflict, so far as was possible, with the head of the executive power. Under this impression, he must, perhaps, be compelled to multiply, and it appeared that no forbearance on the part of the house could prevent them. He responded to the idea expressed by the gentleman from Vermont (Mr. *Everett*) that he was not disposed to contribute to a collision at this time; because although he (Mr. A.) agreed with the gentleman from Pennsylvania (Mr. *Cooper*) that, in substance, the answer of the secretary of war was a refusal to send the papers, still there was a construction to be given to it which the gentleman from Vermont had seen the force of in offering his amendment—that, was, that the answer was not to be considered a refusal, but merely a suggestion to the house to reconsider the necessity of having the papers. Mr. A. contended urgently that the house had a right to demand papers, without assigning any reason—the fact that it wanted the papers in order to discharge its high duties to the nation being reason sufficient.

The morning hour having expired, Mr. *Halsted* called for the orders of the day.

And the house then acted upon and passed numerous bills of the private calendar.

Mr. *Rendell*, of Maryland, gave notice of a substitute which he would move for the bill to authorise the sale of the stock held by the United States in the Chesapeake and Ohio Canal company, when that bill should be taken up. The substitute was laid on the table and ordered to be printed.

[A message was received from the senate by Asbury Dickens, secretary, announcing the passage by that body of the bill from the house "to provide revenue from imports and to change and modify existing laws imposing duties on imports, and for other purposes."]

Mr. *Stanly* moved that the house take up the bill from the senate "respecting the organization of the army and for other purposes" for the purpose of moving the appointment of a committee of conference on the disagreeing votes.

The motion of Mr. *Stanly* was put and carried.

Mr. *Stanly* then moved the house concur in the amendments thereto, and appoint a committee of conference to meet the committee of the senate, on the disagreeing votes of the two houses.

The motion was agreed to, and the house adjourned.

SATURDAY, Aug. 6. The resolution in relation to calling upon the executive for the report of lieutenant colonel Hitchcock was taken up.

Mr. *Adams* took the floor, held over from yesterday morning, and inquired of the speaker what amount of time he had remaining to address the house on this question?

The *speaker*. Thirty-three minutes.

Mr. *Cornthwaite*, (Mr. *Adams* yielding the floor for the purpose) gave notice of an amendment he intended to move to the substitute resolution moved by Mr. *Everett* for the third resolution of the committee, leaving the first two as reported.

Mr. *Adams* asked if the house would consent to go into committee of the whole on the state of the union and take up the house bill No. 57 to provide for satisfaction of claims for French spoliations prior to 1800, and he would be willing to do so, and would postpone until Monday the remainder of his remarks on this subject. He would state to the house, without going into particulars, that incidents might occur between this day and Monday morning at the time of the meeting of this house, which would abridge, very considerably, what he had to say; and, if that should be the case, the house would be relieved even from the thirty-three minutes which he had at this time. Mr. A. therefore moved to go into committee of the whole on the state of the union to take up the bill relating to these claims.

The house refused.

Mr. *Adams* then resumed the floor, and proceeded with his remarks.

The reason why Mr. A. was desirous of postponing the consideration of this subject till Monday morning arose from the very unpleasant nature and character—painful to him, and he thought very likely unpleasant to this house—of the observations he felt himself called on, in the discharge of his duty as a representative of the people in this hall, to make. It was no ordinary occasion which could require of him the discharge of this duty. As the foundation of it, referring to some of the observations he had yesterday made, he would read a part of the report of a speech made by his colleague over the way, (Mr. *Cushing*), within a few days, in this house. It was in this form as reported in the Intelligencer, and, so far as his recollection went, it was reported correctly: It stated the principal point on which he should dwell, as he had heard it from the lips of his colleague. Mr. A. then read the following:

"Mr. *Cushing* said he felt very little interest in the proposed amendments to the bill. He supposed that the present congress had its defined work to perform, which was to reduce the government to a state of general prostration, so that there might devolve on a new administration the task of resuscitating and restoring it. Mr. C. should offer no further opposition to any bill for retrenchment and reform; but he could not sit silent and suffer it to be inferred that he acquiesced in principles he deemed as not erroneous.

"It was to him immaterial whether this was called a bill for the re-organization or the disorganization of the army; it was a bill, at all events, for the reduction of the army; and he stood for the institutions of the country as they had received them."

Mr. *Adams* continued. And it was immaterial to him (Mr. *Cushing*) whether a bill which had received the sanction of a large majority, establishing a principle repeatedly discussed and debated here, and always with an increasing majority for the principles of this bill, was immaterial to him whether it was for the reorganization or the disorganization of the army; and he stood in opposition to this course —to the destiny of the congress of the U. States—the institutions of the country, including—

Mr. *Bowne* rose to a question of order.

Mr. *Adams* wished to be allowed the minutes taken from him by any point of order that was raised.

Mr. *Bowne* stated the point of order that the remarks of Mr. *Adams* were not confined to the question under consideration. The speech to which this was a reply was made in committee of the whole, and was confined to the subject to be decided in a few days since, with reference to the gentleman from Massachusetts, (Mr. *Adams*), in another case, that it was not proper in the house to reply to a speech delivered in committee of the whole.

The *speaker*. That was the decision of the chair.

Mr. *Cushing* hoped that no point of order would be made, if the collisions which might bring about by supposing a case, and Mr. C. preferred that the reply should be direct, with the understanding and hope that he might have the privilege of replying. There was no objection in the house (Mr. C. was understood to say) that he was not willing to meet.

After some further conversation on the point of order—

Mr. *Adams* continued. Whether the observation that the congress of the United States must proceed and accomplish its destiny, which was the prostration of the government, to be succeeded by a future administration, belonged, or was relevant to the question whether a regiment of dragoons should be reduced in the army or not, he would leave for this house and the country to determine.

To that position, and not to its special application to the question then immediately before the house, it was that Mr. A. felt himself called on to make some reply. That position applied to the question directly before them as much as it did to the question then before the house, and therefore whatever he might say to it was as perfectly relevant to this question as it was on the question itself on which his colleague had spoken, for they were engaged now in another of those proceedings on the part of this congress by which—according to the estimation of his colleague—it was to be willing to assist as a member of this house—the destiny of this congress was to be completed in the prostration of the government of the United States, to be restored hereafter by a more virtuous administration.

When Mr. A. had heard his colleague make that declaration, their was in the pain which it inflicted on him some a reconsideration, and that was that if his colleague's views were now correct, and had been at that time, the glorious restoring administration would have the benefit of his assistance undoubtedly, with all the powers of his mind. That was some consolation to Mr. A. If we were to go to ruin, if the course pursued by this congress was to accomplish the prostration of the government of the United States, his colleague who had labored at many other times entered his formal protest against every act of this congress which could constitute that consummation by which the destiny of the congress was to be accomplished, would have the satisfaction of knowing that it had always been against his direct and earnest remonstrance; and of course if the people of this union were to be reduced to that state of distress and misery which was to be inflicted on them by this congress, to whom could they look to restore that prosperity and glory which his colleague foresaw it was the destiny of this congress to prostrate, but to him and to those who worked with him?

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But this was but one single sentence of what his colleague, with three or four other members of this house, had maintained from the time when the first controversy and dissension took place between the legislative and executive department of this government at the extra session. On the first dawning of the discord between the legislative and executive branches of this government, when he (Mr. A.) already proceeded so far towards the accomplishment of the prostration of which his colleague spoke, Mr. A. thought that his colleague had stated in this house that, whatever other gentlemen might choose, he was for supporting the administration of John Tyler, and he must say that most faithfully had that purpose been carried into effect at this house. The administration of John Tyler, so far as it had been in direct opposition to the legislative authority of the Union, had been fully supported by his colleague down to this declaration; and in the course of that discussion which had arisen and made so much progress in this country, his colleague, at repeated times, had declared himself decidedly in favor of the executive, and in opposition to that congress whose destiny he had now so fatally premised.

But there was a question of some importance to this house, of importance to the people of the United States, of importance—infinite importance to the people of the United States; whether the view taken by his colleague of this contest between the executive and legislative authority was correct; whether in all the divisions that had taken place and were now multiplying from day to day, the congress had been wrong and the head of the executive department right. That was a point Mr. A. meant to meet, and as his colleague was ready to meet any objections to his course and to the principles laid down by him, Mr. A. thought that he was justified himself and the executive against the congress of the United States. They all knew that in every servile press the executive could command, by power of patronage or any other power, a response against congress had been uniform and reiterated from the time that the discussion first disclosed itself.

It was not his province to defend the congress of the United States, and most especially not to defend generally this house. In this house, to say nothing of the other—for he had nothing to complain of the other—there had been proceedings sanctioned by the authority of this house from the commencement of the extra session of congress, and more than once during the present session, which he could not defend or justify. He hoped the time would come when the house would see the propriety of reversing some of those acts; but he could say, and did say now, in his place, that, in his opinion, no congress of the U. States that had ever existed had done more for the people than the present existing congress of the U. States. [Cries of "good!"] None had existed which had done more justice to the nation, or more justice to private claimants, as the labors of yesterday alone would show. The present congress, in his estimation, had done all that could be done to restore the prosperity of the country, which was suffering under the consequences of bad legislation and bad administration. One of the most material and indispensable measures, in his opinion, for the restoration of the credit, and the prosperity and welfare of this country, was the establishment of a national bank by two several acts of this congress that had been achieved, and achieved against the most formidable opposition, and opposition which was made and has justified the executive in arresting the beneficial operation of the congress of the United States. Twice had it been repealed, and twice had it been arrested by the executive hand. This congress of the United States had accomplished a bankrupt law, relieving the misery and distress of thousands and hundreds of thousands; and now the congress of the United States, at a time when, by delay, which he would not impute to any individual or to any party, a day had nearly come after which no revenue could be collected from imports by the country, congress had passed an act providing for that state of things, and delay for a time, until the final deliberations on the subject should be consummated, the arrival of that state of the treasury in which no revenue could be collected by law.

That measure had been blasted like the other, and now, at this moment—this very day—this congress had passed another act, which, if the gentlemen at the other end of the avenue would only sign with his name, my word for it (said Mr. A.) the prosperity of this country, the credit of the country will be restored, and within twenty-four hours after that not a dollar will it cost you to raise not only twelve millions, but thirty millions by loan if you want it. Yes, and these measures, taken together, accomplish, in my opinion, the great principles on which the present administration was brought into power. Even now—and that was the reason why he had wished to postpone the further consideration of the question till Monday—the simple signature of the president of the United States to a bill sent him this day, would operate like a charm, and, together with the settlement of the negotiations with Great Britain, securing the peace of the country—these two measures together, take his word for it, were enough to restore the prosperity of the country even at this hour, and the effect of it would be felt within four and twenty hours after the signature should take place.

This was his opinion of the present congress. He would add one measure more not yet consummated: he meant that of the reduction of the army of the United States; he was opposed to the principle that the army is not a permanent institution of this country, but that it is only a necessary evil, to be maintained only in consequence of necessity for the protection of the country. The settlement of that principle, let it be in what manner it might as a question between this and the other branch of the legislature—the settlement of that principle, the formal and deliberate act of the congress of the United States, that when the army is no longer necessary, either in whole or in part, from that moment the principle of it indispensably necessary must be reduced, was of great importance at any time, and of infinitely more importance at present; because, at the commencement of the session, from the nature of the case, and from the policy of administration, its policy was directly the reverse, as was evident, not only from the proposals sent here by the military heads of departments, the secretaries of war and of the navy, but even in the recommendation of the executive himself; and among the principles which Mr. A. wished his colleague to revise, was that he had undertaken to insist on, was that which he had now asserted, that the army was one of the institutions of the country, to be preserved absolutely, without inquiry as to the necessity of its existence at all, or of its utility in time of peace.

Mr. A. feared that he should not be enough his time without having an opportunity of presenting the ideas he wished to do. The error of his colleague was the error of the executive head himself. He had met with the same sentiment, that Charles I. of England. Mr. A. had read the history of the reign of Charles I., and he found, in repeated instances, that the principal error of that unfortunate prince in the controversies he had had with the legislative power, which finally terminated on the scaffold on his part, that his error was in conceiving that he was an absolute sovereign, and that his government was a very religious man; but he thought himself to be the supreme ruler of the country over which he was king, and that mistake was at the foundation of all his misfortunes as well as of the misfortunes of his nation. The mistake of his colleague, and of the executive ruler himself, was that he was a branch of the legislative power. His colleague had repeated a number of times that the president was a co-ordinate, independent branch of that power. Mr. A. had here a letter in which that principle was asserted by the president himself. In this letter was reproduced and not disavowed. The whole of it he would not read. He intended to have made some other observations on it, but this was the point to which he would refer.

Mr. A. then read from the letter of the president as follows: "Executive dictation! I repel the imputation. I would gladly harmonize with congress in the enactment of any measure the majority would permit me." What is that? asked Mr. A. If they would permit him! How? by doing just what he thought proper. It was precisely the case of one gentleman and his family, who had declared that he had never met in his life eleven such obstinate men. The president would harmonize with the majority if the majority would do just what he told them! That was the whole of the whole letter repelling the charge of dictation. But to proceed with the letter: "Most gladly would I approve any bill having reference to this object, and the protection of manufacturing industry as incident, which should be presented to me unconnected with matters having no necessary affiliation, and which are only calculated to embarrass the executive action." That was the president's opinion, but it was merely a begging of the question. The president would harmonize with them if they would harmonize with him—if they would do what he told them to do!

But something further: "Each branch of the government is independent of every other." There was the precise error (said Mr. A.) of his colleague, that the executive was independent of the congress of the United States. No more outrageous principle to the true intent of the constitution of the country could be laid down than that. The executive as not independent, and heaven forbid that the day should ever come when either can dictate to the other!

Now (continued Mr. A.) that this house had the power to dictate to the executive, was true in the very nature of it, because it was a legislative power. Legislation was dictation; but house had the power to dictate to the executive, and he had no power to dictate to it otherwise than in the qualified veto. Mr. A. further read from the letter of the president as follows: "The constitution never designed that the executive should be a mere cipher;" [That was true, no doubt, said Mr. A. Laughter and a voice: "There has been a practical mistake, for a cipher it presented;"] on the contrary, it denies to congress the right to pass any law without his approval." Was ever any thing pretended so monstrous, asked Mr. A. as that the constitution denied to congress the right to pass any law without the president's approval—Did not the constitution expressly say that if they sent the president a bill and he did not return it in ten days, it was a law just as much as if he had signed it? How, then, was it possible for the president to say it was impossible for them to pass a law without his approval? He left out of view the provision that a bill could be passed, not only without the president's approval, but against his disapproval. There was no possible sense in which the words quoted were true. We had proclaimed, that the executive of this country could assert a principle more directly destructive to the interests of the people themselves! It was a direct assertion of the same power which is exercised by the king of Great Britain; an absolute negative on the laws of congress. It might be said of the king of Great Britain, although he never exercised that power, that the parliament could pass no law without his approval.

Mr. A's hour here expired, and he resumed his seat.

Mr. *Proffit* followed the gentleman from Massachusetts in what had not concluded, when the speaker announced the expiration of the morning hour.

The house then, after transacting private business, adjourned.

MONDAY, AUGUST 8. Mr. *Mason*, of Ohio, offered the following resolution:

Resolved by the house of representatives, (the senate concurring therein), that the president of the senate and the speaker of the house of representatives be directed to close the present session of congress by an adjournment of their respective houses on Monday, the 23d day of August instant, at 2 o'clock P. M. of that day.

Mr. M. demanded the previous question. And there was a second. And the main question (on the resolution) was ordered; and, being taken, the resolution was adopted.

[Mr. *Wm. Cost Johnson*, of Maryland, presented the following memorial, signed by a large number of farmers, mechanics, merchants, lawyers and laboring men in Baltimore city, which fully and clearly explains their views upon a general national measure of relief to the government, the states, and the people, as follows:

To the honorable the senate and

house of representatives of the U. States:

The subscribers, citizens of the United States, and resident in the state of Pennsylvania, by this memorial respectfully represent: That, although our nation is in full possession of health, peace, and abundant harvests, we are far from the enjoyment of that happiness which is the only proper object of enlight ened legislation. Our present distress arises from the *non-fulfilment of contracts*; extending from those of some of our most important sovereign states down to the smallest engagements of obscure individuals; and this by no means through lack of value in possession, but from want of that in which said obligations are dischargeable, viz. ready money. And we declare it as our firm belief, before God and our country, that honest debts cannot be paid—noble industry is turned idle—private faith is broken up—and public credit is perishing—solely for want of a proper CURRENCY.

A *sufficient* currency we cannot have by coin; a *sound* currency we cannot have without a proper basis; this basis may be found in the due appropriation of a small portion of the immense and unvalued national domain.

The public lands now unsold have been estimated, at government prices, to be worth $2,000,000,000: we ask for the present anticipation of only one-tenth part of this vast property, by the creation of two hundred millions of national stock, at such interest as shall at once command capital at par; and the immediate distribution of this stock among the states, territories and the District of Columbia, by an equitable allotment, viz.

For each senator one million; this will appropriate fifty-two millions—leaving the balance to be divided on the basis of representation, as follows: assuming

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a representative for the District of Columbia and one also for each of the territories, we shall have $600,000 for each representative, and a fractional balance of the whole of $400,000, which balance might be divided equally between the three territories and the District of Columbia, and the allotment would then stand thus:

District of Columbia	700,000
Florida	700,000
Wisconsin	700,000
Iowa	700,000
Michigan	2,600,000
Arkansas	2,600,000
Maine	6,800,000
New Hampshire	5,000,000
Vermont	5,000,000
Massachusetts	9,200,000
Rhode Island	3,200,000
Connecticut	5,600,000
New York	26,000,000
New Jersey	5,600,000
Pennsylvania	18,800,000
Delaware	2,600,000
Maryland	6,800,000
Virginia	14,600,000
North Carolina	9,800,000
South Carolina	7,400,000
Georgia	7,400,000
Kentucky	9,800,000
Tennessee	9,200,000
Ohio	13,400,000
Louisiana	3,800,000
Alabama	5,000,000
Indiana	6,200,000
Illinois	3,800,000
Mississippi	3,200,000
Missouri	3,200,000
	200,000,000

In order to secure full confidence in the above as an investment, we recommend an *unconditional pledging* of the avails of actual sales of the public lands for the redemption of this stock, and a sufficient increase of duties on foreign merchandise to ensure payment of the interest with rigorous punctuality].

On motion of Mr. *Halsted*, the house resolved itself into committee of the whole on the state of the union, (Mr. *Briggs*, of Massachusetts, in the chair,) and resumed the consideration of the bill to regulate the taking of testimony in cases of contested elections and for other purposes.

The pending question being on the motion to strike out the first section of the bill—

And the question being taken, the motion was rejected.

Various amendments were proposed and discussed until one o'clock, when the committee commenced action upon them and the bill as modified and amended was reported to the house and finally passed by a vote of 99 to 82.

Mr. *Stanly*, from the committee of conference on the disagreements between the two houses on the bill to reorganize the army, made a report, which he accompanied by some explanatory remarks.

Mr. S. said that the committee had recommended the retaining of the second regiment of dragoons, but that after the 4th of March next it be dismounted and converted into a rifle corps. He dwelt on the importance of retaining a force of that description on the frontier; and as to the horses and equipments, they might be disposed of on government account.

The committee recommended, in the next place, to reduce the number of privates in each company of the artillery and infantry regiments to forty-two.

3. To allow the re-enlistment of non-commissioned officers, so as to preserve more perfectly the organization of the army.

4. In regard to the national armories, the committee proposed to retain the military superintendents at present appointed; but, at the same time, to retain all the valuable amendments of Mr. *Calhoun* as to the reduction of salaries in those establishments. The committee had also recommended the abolition of the offices of twenty military storekeepers.

The first legislation affecting the "peace establishment" after the reduction of the army at the close of the war with Great Britain, according to the act of March, 1815, is found in the act entitled "an act for organizing the general staff, and making further provision for the army," approved April 24, 1816. By the fifth section of this act, which makes provision for the purchasing department, "as many military storekeepers as the service may require, whose salaries shall be regulated by the secretary of war, according to the duty they may perform," were authorised. The proviso of the sixth section of the act required that they be submitted to the senate for their confirmation, in the same manner as the officers of the army.

The next legislation on the subject will be found in the ninth section of the act entitled "an act to reduce and fix the military peace establishment of the United States," approved March 2, 1821; "and that there shall be one commissary of purchases and two military storekeepers, to be attached to the purchasing department;" and the said act of March 2, 1821, furnishes the only authority for appointing storekeepers of any description whatever.

The twenty-three storekeepers, over and above the two under the act of 1821, are now in service without the sanction of law or necessary implication.—Nor do the requirements of the service demand such agents. When the ordnance department was nearly doubled in 1838, it was expressly understood that storekeepers would not afterwards be required.

Both committees, with the evidence before them, thought these officers unnecessary, and unauthorised by law.

5. Besides the two surgeons and ten assistant surgeons already dismissed in the bill, the committee had recommended the dismissal of one inspector general.

6. The committee recommend that the senate agree to all the amendments of the house reducing extra allowances.

He expressed his hope that the compromise thus agreed upon would be satisfactory to the gentlemen from Tennessee (Mr. *Cave Johnson*) on one hand, and his friend from Massachusetts (Mr. *Calhoun*) on the other. He believed this was as great a reduction of the army as could be effected; and he feared that, before six or eight months, gentlemen who pressed this measure to this point would see cause deeply to regret what they had done.

The report of the committee of conference on the reorganization of the army, and also the report of the committee of conference on the appropriation for the army were then ordered to be printed, and the subject postponed until to-morrow.

Territorial bills were then taken up and the two following were passed, viz:

A bill creating a new land district in Florida to be called the district of Alachua.

A bill to pay the Iowa militia called out in the dispute on the boundary line between Iowa and Missouri.

A bill for the relief of the Florida militia mustered into the service of the United States in the years 1839 and 1840.

Provided, That it shall be satisfactorily proved that the aforesaid officers and companies had been called into service under the authority given by the war department to Gen. Call in March and August, 1839.

The bill fixing the boundary line between Missouri and Iowa.

Mr. *Anderson*, of Ohio, offered the following:

Resolved, That the resolution of this house in relation to the hon. *Joshua R. Giddings*, passed March 21st, A. D. 1842, be, and the same is hereby, rescinded.

Mr. *Mallory* and other gentlemen objected.

The *speaker* said, this being resolution day, and the call resting still with the state of Ohio, the resolution was in order.

Mr. *Cave Johnson* moved that the resolution be laid on the table.

Mr. *Anderson*, of Ohio, demanded the yeas and nays.

A motion was made that the house adjourn, which prevailing the house adjourned.

TUESDAY, AUGUST 9. Mr. *Wm. C. Johnson* asked leave to present a memorial signed by a number of respectable citizens of Pennsylvania in relation to state debts, and a system of measures proposed to be adopted in relation thereto.

The memorial having been read, Mr. *Johnson* moved that it be referred to a select committee. Mr. *C. Johnson* moved that the whole subject be laid on the table. By a vote of 116 yeas, to 16 nays, it was laid on the table. The following gentlemen voted in the negative, viz:

Adams, J. Cooper, Gentry, Giddings, Granger, J. R. Ingersoll, James, W. C. Johnson, J. P. Kennedy, McKennan, T. F. Marshall, Max-well, Maynard, Saltonstall, Toland, Thomas W. Williams—16.

The bill and report of the committee on conference on the army appropriation bill was on motion of Mr. *Fillmore*, recommitted to the committee of the whole house. The bill for the re-organization of the army was on motion of Mr. *Stanly* also committed to the committee of the whole.

The house then proceeded to the consideration of the resolutions offered by Mr. *Cooper*, in respect to the demand for information from the executive in general, and in the specific case of Lt. Hitchcock's reports on the affairs of the Cherokee nation.

Mr. *Cushing* obtained the floor, and had commenced his remarks when a message was received from the president. The subject was the laid over, and the veto message (see page 371,) was read.

The reading of the message having been concluded,

Mr. *Fillmore* rose and said that the message was one of too much importance to be acted on until it had been printed. He hoped, therefore, that the house would consent to the motion he was about to make, that the message be entered on the journal as prescribed by the constitution, and that it be printed, and that the further consideration of the subject be postponed until another day. It was unnecessary to specify *to-morrow*; but (hearing several suggestions to that effect) Mr. F. said if gentlemen were disposed to say to-morrow, he had no objection to put his motion in that form. The question on the demand for the previous question was then taken, and there was a second.

And the main question was ordered, and, being taken, the message was ordered to be printed, and *the further consideration thereof was postponed until to-morrow*.

Mr. *Stanly* offered the following resolution:

Resolved, That all debate in committee of the whole house on the state of the Union on Senate bill No. 283, and the amendments pending thereto, being a bill for the re-organization of the army, shall cease at 4 o'clock this day, when the committee shall proceed to vote on the pending amendments, or such as may be offered in pursuance of the rules, and then report the same to the house. The resolution was adopted.

Mr. *C. J. Ingersoll* rose and said he gave notice that he would at an early day ask leave to introduce a bill—[which is as the following words:

A BILL to provide revenue from imports.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, from and after the passage of this act, the annual duties upon imports shall be levied, collected, and paid, under the same laws, rules, and regulations, which were in operation, and paid between the 1st day of January, 1838, and the last day of December, 1839, under the provisions of the act approved 2d March, 1833, entitled "an act to modify the act of the 14th of July, 1832, and all other acts imposing duties on imports."

SEC. 2. *And be it further enacted*, That on the importation of all the articles made subject to a duty of twenty per cent. ad valorem under the provisions of the act entitled "an act relating to duties and drawbacks," approved September 11, 1841, there shall and hereby is, levied, collected, and paid a duty of thirty per cent. ad valorem, except upon rail road iron, which shall be subject to the same rate of duty as bar or bolt iron of similar manufacture under the provisions of this act; but nothing herein contained shall be so construed as to deprive any state or incorporated company which shall have imported rail road iron prior to the 3d day of March next of the benefit and advantages secured to them respectively by the proviso to the fifth section of the said act relating to duties and drawbacks.]

The reading of the bill was dispensed for; but, objection being made, it was not read.

The house, on motion of Mr. *Stanly*, resolved itself into committee of the whole and resumed the consideration of the bill "respecting the organization of the army and for other purposes," and the report of the committee of conference thereon.

Mr. *Thompson*, of Indiana, addressed the committee in opposition to the report of the committee of conference.

Mr. *Fessenden* replied to Mr. *Thompson*.

Mr. *Adams* said that he would vote for adopting the bill of the committee of conference though it was far from being acceptable to him as it seemed to be to the gentleman from Maine, (Mr. *Fessenden*.) The principle in the bill was retrenchment and reduction, and though they were but slightly, yet to obtain that principle he must take what he could get. He considered this act as one of the most important acts ever passed by the congress of the United States by the establishment of that principle, the principle of reduction instead of the principle of increase of the army. Mr. A. felt it important that this bill should pass in the form in which it was now presented—far more important than that it should fail. He was not without his fears that if it failed entirely, the result would be that nothing would be done but that appropriation for the army without any reduction at all; for if this bill was lost by the refusal of the house to concur with the report of the committee of conference, in which he believed the senate had already adopted, he did not see but the prospect was that this bill would fail entirely. If it was lost, the bill making appropriations for the army still remained to be acted on; and then on that, if they disagreed to the report of the committee of conference, which was conformable to the report in this case, they would be reduced to the alternative, either of passing the appropriation bill without the provisos which had been introduced into it, and which when for the

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reduction of the army, or of losing the bill entirely; and although he did not think that even in that case the responsibility would rest on this house alone, yet it would rest between this house and the senate, and at this time, above all things in the world, he was opposed to such a disagreement between the two houses of congress as to effect the loss of such a bill as that. We had discord—too much discord already, in the government of the United States. The two houses of congress were called upon to be true with the executive power, the result of which in future time he trembled to look at.

He believed that it had been entirely out of the power of the two houses to avoid it, and that they were under no responsibility whatever for this difference; but while they were laboring, and while their constituents were laboring under the sufferings which that brought on them, it would be a matter of aggravation to that state of things if the two houses of the legislature—on whom, and on whose firmness at this moment, he believed that the fortunes of this Union depended—should cease to harmonize. He believed that the existence of this Union depended on the continuance of harmony between this house and the other house of congress at this time.

Mr. A. had said that it was with great unwillingness that he should assent to the continuance of this second regiment of dragoons under its metamorphosis into a dismounted rifle regiment; because he persisted in the opinion that it was not at all necessary for the protection of the western frontier or of any other part of the union, but he might possibly be mistaken in respect. He would have preferred at the next session of congress this principle—now settled as it would be by this passage of this bill—that the army was to be reduced to the utmost extent, so far as absolute public necessity would admit, instead of being increased ad libitum, not to say ad infinitum, would not be disturbed.

Mr. A. said this because he understood that the system of administration of the present executive of the United States was in a great measure based on contrary principles he meant the principles of increasing the army as well as the navy, with the recommendations for which this session of congress commenced, and which Mr. A. confessed alarmed him. When he had seen the recommendation in the message of the president himself, when he had seen the propositions and recommendations of the secretary of war and the secretary of the navy; when he had seen an estimate from the treasury department, falling far short of the propositions made by these two military chiefs of the department amounting to five and twenty millions of dollars for the estimate of the expenses of the present year, and when he saw that if the plan of the proposition of these two military chiefs should be carried into execution, not five and twenty—no, nor fifty millions of dollars, would meet the expenditures of the present year, and that too when all on all sides were assumed for retrenchment and reform; when he had seen the utter inconsistency of the administration, which professed to go for a retrenchment and reduction of expenditures, coupled with a proposition for increasing army and navy, the least effect of which would be to double the expenditure of the present quarter; and when he had seen at the very commencement of the session a bustering and bullying tone assumed to other nations, great and small—a craving Jehu-like disposition for war—he had been alarmed, and on the perusal of the very first indications of what was to be the foreign and internal policy of this administration, had declared that when the military appropriations should come into this house he would show what was his opinion of the system, and what the system ought to be.

With this external system of bullying foreign nations and threatening war to them without cause and without mercy, was coupled another portentous presence of the head of the present administration, that he was a co-ordinate branch of the legislature, and that congress could pass no act or law without him; and expressions of contempt, not against a party but against congress, were promulgated to the world, at the same time they were to be treated with the constitutional president's objections to every important bill which should be brought before him for his action; and when constitutional objections could not be brought, something as an equivalent, utterly unconstitutional, was to be produced, viz, the signature of a bill, together with the objections against it!

Now, in reference to this bill, and to all its parts, it was on Mr. A's part a determined opposition to these principles, on which he understood the present executive administration of the government was founded, (and among these that which of all others required the direct adverse action of this and the other house of congress was this very bill), that induced him to the support of this measure. He believed that if they could in any shape or manner establish, by the authority of congress, and that in defiance of the wishes or desires or purposes of the executive administration, the direct contrary principle, that the armed force of this country was not to be increased when the necessities of the country by which it had been raised no longer existed, but that it was to be reduced, that it was incumbent on them to settle this principle. He considered it settled by this bill; and, therefore, although these concessions of the senate were not satisfactory, yet, as long the extent to which the principle was established by this bill, and although it would have been far more agreeable to him if it had been carried out, yet, establishing the principle of this country, which he would repeat again, notwithstanding the adverse opinion of his colleague, was, that a standing army was absurdly to be considered as the object of allegiance to the people of this union, and that whenever it could be reduced, and there was not an absolute necessity for its continuance, it must be reduced, that the people have the power to do so; and, notwithstanding these considerations, he should vote for the bill as now agreed on by the committee of conference of the two houses.

Mr. A. would call the attention of the house to the consideration of this combination of ideas and principles—to the president of the United States assuming that he had the power of the king of Great Britain, that he was a part of the legislative power, co-ordinate and independent, and liable to no dictation from the legislature: and not only assuming that principle, but carrying it into effect in the bill in his hands for the constitution, and further by doing that which the constitution did not authorize or warrant him to do, and to the heads of departments under him there assuming to be foreign ministers, and acting on the country to increase its armaments, to increase its naval force and its army, and adopting a tone of negotiation with regard to foreign powers as if purposely intended to provoke them to war.

Mr. A. believed that the army and navy bills, for additional expenditures and additional armaments to those which were estimated, were all the production of the president of the United States, and brought forward here and in the other branch of the legislature perhaps by gentlemen who had not sufficiently considered what that great system was which they were to be called upon to adopt. He hoped that we should hear no more of them during the present session or at the next session of congress. The fundamental error in them was that the executive assumed at the same assumption of the power of the king of Great Britain of being an independent co-ordinate branch of the legislature. They had heretofore had considerable discussion on the subject of the powers between the legislature and the executive, and on that occasion Mr. A. had stated to the house what he considered the difference between the king of Great Britain and the president of the U. States, and the principle by which it was impossible to consider the president of the United States as a co-ordinate branch of the legislature. His colleague (Mr. Cushing) had not quite so perfect a view of the federalist, written by Mr. Madison, on this subject of the division of powers between the legislature and the executive. This opinion, like all the other opinions of the illustrious writer of them papers, was undoubtedly of weight, but he had observed in these papers that it was supposed that Montesquieu was the first author or principal expounder of these differences, and Montesquieu alone was quoted. It was a very remarkable fact that no notice at all was taken of Locke, who preceded Montesquieu thirty or forty years, and who was perfect in the exposition of the principle of the difference between the legislative and the executive power, and it was from him that Montesquieu took every thing that he had said on the subject. Here was a treatise by Locke on civil government written and published thirty or forty years before Montesquieu wrote.

[From this work, and from Montesquieu's writings on the different forms of government, the distinction between the executive and legislative powers, &c. Mr. A. read copious extracts, which the reporter has not before him, and into which time does not permit him to enter.]

Mr. A. continued. He must be permitted to say and repeat that there was nothing in the constitution of the United States which warranted the assumption on the part of the president of the United States of a co-ordinate power in the making of laws with congress, and therefore that the principle assumed by the present head of the executive was totally unfounded, and was not to be tolerated by this nation. As he had before observed, when he had seen all this, and put it all together, he had become thoroughly satisfied that there was an absolute necessity on this congress to withstand the principle thus assumed, and prepare to resist it, and to defend the liberties of the country against it; and when he had seen it, in its consequences, connected with this system of conducting foreign affairs, driving the union into a war which would prove its ruin, he had felt himself called on, as one member of this house, to take his part in endeavoring to stay the progress of these principles.

If he might be permitted to reply to the remarks which his colleague (Mr. Cushing) had thought proper to make, he would say to his colleague, he would that when this subject was before the house the last time, after hearing the grave charge, not against a party, but against the congress of the United States, he did not think it was for him to sit silent here under it. He took to himself a portion of that charge, and considered it a charge of an aggravating, criminal nature. In fact, it was a perfect safe thing to charge bodies of men with heinous crimes under that sort of protection which the principle gave, that what applied to numbers indiscriminately applies to no one in particular; but if it was true that the "destiny" of this congress was to lay prostrate the government of the country, and if it was true that congress had been the cause of that prostration, which was to be completed, Mr. A. must take his share of it; and if he did not take his share of that charge of high crime against the congress of the United States, he should feel himself called on in common justice to his constituents, as a member of the majority of the house of congress, whose measures according to the opinion of his colleague, had brought and were bringing this country to a state of prostration, to come to their defence. He had thought his colleague fully considered the nature of this charge, and that although it was made on the whole body, there was not one of them who had constituted the majority by which the great acts of this congress had been passed could be exempt from it? He asked his colleague whether he would rise in his place and charge any one member of this or the other house of congress with producing and designing what he had charged to them as a body? If he did not, he would ask him whether he could here, in the face of this nation and of the world, get up and charge them all with that which he dared not to impute to any one individual?

This charge, too, was made from all the venal presses of this country that were under the patronage of the administration. It had been said that by the executive head himself more than once in private communication to individuals. Mr. A. said that every individual of the majority which had passed the acts thus described, and thus qualified by his colleague, was bound to consider it as a charge on himself; and he would ask where was the justification of his colleague for making such a charge?

His colleague had said something this morning about the depravity arising from party spirit. Did his colleague mean to say that this portion of this nation was to be attributed to the majority who passed the acts, or that it was to be shared by the majority who resisted and opposed them? Would his colleague on his conscience say that all of the twenty-one and forty members of this house there was one more criminal than another; that there was one who had any influence in this house whose private life was not as regardable as that of any? Would he get up and say that there was a member of this majority who wilfully and knowingly had pursued a course which must end in the prostration of the government of this country? If he would not say it of an individual, why had he said it of a number taken together, to the nation and to the other nations of the world?

The majority and the minority here differed in opinion on subjects of vast public importance—on matters, perhaps, involving the interests of the nation, and the support of the institutions of the nation; but who was to be the judge which of the two parties was the right and which the wrong one. Mr. A. differed from a large portion of this house on almost every question that came up before them, but on his honor as a man there was not a man against whom he would make the charge his colleague had made. He might hold the opinion that those votes tended to measures which would produce that prostration, but he would not say of the minority compounded, or of any single individual, that it was part of his destiny, and that he was pursuing a course of policy which would terminate naturally and necessarily in the prostration of the government of the country. In all criminal charges it was the intention which constituted crime. God forbid that he should ever charge any individual member of this house with an intention to prostrate this government or the liberties of the people; and if it could not be said of the minority, by what right could it be of the majority?

They had had a paper read to them to-day in which it was stated that it was doubtful whether there was

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a majority in both houses of congress for a bill which had been solemnly sent to the president, with, perhaps, more deliberation than any other had received. Mr. A. would not say that the destiny of the writer of that paper was to end in the prostration of the government of this country—nor as little as Mr. A. approved of his course, as much as he disapproved of all his acts in which he had come in collision with the legislative power, to which he was responsible, Mr. A. would not say that it lay in him. Mr. A. believed that if he had his will, it would end in the prostration of this government and of the liberty of the country, but still he relied on the majority of this very congress, and he relied on the benevolence of a superior being who could draw good out of evil, for the protection and preservation of the liberties of the people of this country; and much as he believed the president had been misled and misled, Mr. A. would not give up the hope that still there was an escape for the people of this country from the evils which the president's power, constitutional or assumed, exerted.

The hour here expired, and Mr. A. resumed his seat.

Mr. Marshall considered the military storekeepers as essential officers in peace as well as war, whose services could not be dispensed with, and who had existed since 1793. Mr. M. thought that Mr. *Adams* argument had been that as an act of opposition to the president, the army ought to be destroyed. He himself would not legislate on any such principle.—If the country did require an army, and the order and well being of that army required certain classes of officers to attend to its management and control, he went for retaining such officers notwithstanding that the appointment of them might rest in the hands of the president. The president had served three years yet to preside over the country, and if the legislative branch was to go on in the way it was now going, and the executive was to continue to act in the way he was now acting—if they were both to contend with each other in doing all the harm to the country that they possibly could, the Lord deliver the country from the executive and the legislative branches both! Our condition was perilous and perilous, and would be so for three years ahead: this he knew perfectly well but so far as the legislative power was concerned to Mr. M. it should be used in the real good of the country might require, be cared not how far the president might misuse the power confided to him.

There were differences between Mr. M. and that gentleman, and the great mass of the party with which he acted, touching the increase both of the army and navy; but it would do no good to state them, and he should not say a word on the matter. Could he have his own desire, he should like to see our navy enlarged very greatly, in a manner worthy of that extension of its power which the nation was destined to make, and ought to make; but that subject was not now in debate.

In regard to the abolition of these twenty paymasters, he was against it; and he planted himself on the nature of the thing, on example, on experience; on the opinions of the department, and of the most experienced military men; and on the belief that in their course on this subject the committee of conference had been entirely mistaken. In cutting away exrescences, let us be careful that we did not cut into vital parts, and wound and weaken, if not destroy them.

This congress, he was fully aware, had yet to meet a dreadful contest before the people. He should be with them in that contest; he had enough of the *esprit de corps* in him for that; but they should be cautious how they increased the difficulties of the contest. The charge would be made against them that they had tried to beard John Tyler, and could not do it, and that then they turned round, and in a spirit of factious opposition devoted their whole effort to crippling, and embarrassing, and "heading" him, with a view to make him odious before the people—to disgrace, and still further to dishonor in the public estimation a chief magistrate whom no man had any, the remotest, idea of ever making chief magistrate again. This would be the charge they would have to meet; and they ought not to take such a step. They might appear to strengthen it. Mr. M. entertained no disrespect for the president; he pitied his condition from the very bottom of his soul; his position was eminently difficult and dangerous.

Mr. M. had never recognised John Tyler as the real enemy they had to contend with far from it. And he was not going to retrench twenty useful public officers, for the sake either of saving some $30,000 to the treasury, or to retrench the patronage of John Tyler. It seemed to him a matter to be looked into before they consented to take such a step. They ought to discriminate: it might be proper to dispense with some; but as to acting in this way, it was what he was not going to do. He knew that by refusing he should expose himself to imputations. This was the day of imputations, so man could pursue an independent course and not expose himself to suspicion.

Mr. J. Campbell hoped the report of the conferring committee would not be concurred in, and if it was, he would insist upon the point of order whether they had not transcended their authority by not confining themselves to the subject of the disagreeing votes of the two houses.

Mr. *Adams* expressed the same hope and dwelled again upon the subject of the armories, and of civil in preference to military superintendance.

The hour of four having arrived, the committee, in pursuance of the resolution of the house of this morning, proceeded to vote.

Mr. *Everett* rose and moved that the committee disagree to the report of the committee of conference, and recommended to the house the appointment of another committee of conference.

Tellers were appointed, and the vote stood ayes 91, noes not counted.

So the motion of Mr. *Everett* was agreed to.

On motion of Mr. *Thompson*, of Indiana, the committee rose and reported accordingly.

And the question being put, shall the house concurred in the recommendation of the committee of the whole on the state of the union.

So the report of the committee of conference was disagreed to, and the appointment of another committee of conference on the part of this house was ordered.

Mr. *Pendleton* rose and inquired of the speaker whether any notice had been given of a motion to reconsider the vote in relation to the final adjournment of congress?

Before the speaker had replied—

Mr. *Roseveelt* rose and said that he now gave notice of that motion.

And it was ordered to be entered on the journal.

Mr. *McKennan* and gave notice of a motion to reconsider the vote by which the bill for the payment of the Florida militia had yesterday been passed.

Ordered to be entered on the journal.

The house resolved itself into committee of the whole on the state of the union, (*Mr. J. C. Clark*, of New York, in the chair.)

On motion of Mr. *McKennan*, the bill making appropriations for sites for marine hospitals on the western waters was taken up, considered, and, after debate, was laid aside to be reported.

The committee rose and reported, and the house adjourned.

WEDNESDAY, AUGUST 10. The resolutions proposed by Mr. *Cooper* and the amendment offered by Mr. *Everett*, in relation to the refusal of information by the secretary of war, were taken up.

Mr. *Carothers* was entitled to the floor, and addressed the house in favor of the report of the committee. After a few preliminary remarks directed to the propriety of that refusal of the secretary of war to communicate the reports and facts called for by the resolution of the house, Mr. C. proceeded to examine the reasons or excuses which had been assigned by the secretary for that refusal. These excuses, Mr. C. contended, were entirely insufficient and unsatisfactory, and he replied to the arguments advanced by Messrs. *Cushing* and *Preffit* in vindication of the course of that officer. Mr. C. then went into some several general remarks. He yielded the floor for purposes of explanation to Messrs. *Cushing* and *Preffit*.

After having spoken the hour within five or six minutes, Mr. C. moved to amend the first resolution by adding after the words "executive," the words "and executive departments;" and also to amend the motion of Mr. *Everett* by striking out only the third resolution of the committee, and adopting the others.

Mr. *Fillmore* rose and said he hoped the gentleman would keep the pledge he had yesterday made to him to renew the demand for the previous question.

Mr. *Carothers* demanded the previous question.

Mr. *Weller*. Surely not, after the party speech you have made.

Mr. *Carothers* said he would cheerfully withdraw the motion, if the gentleman from New York would consent.

Mr. *Fillmore* said he could not consent.

And, by ayes 81, noes 70, the demand for the previous question was seconded.

Mr. *Boone* asked the yeas and nays on ordering the main question: but the morning hour having expired, the house passed to the orders of the day.

The ("dittto") veto of the president on the revenue tariff bill was announced to be the first business in order.

Mr. *Adams* arose and addressed the house, and closed his remarks with a motion to refer the message of the president to a select committee of thirteen members. He said that the war was now declared—the issue was complete—the measure which would have spread joy over the land, was now lost. The executive had made open war upon this and the other branch of congress, and neither could yield to the executive without disgrace. The public interests had been prostrated, and by whom? His colleague, (Mr. *Cushing*,) had said upon another occasion by this congress. Where now lay the fault, he would ask him and the country? Mr. A. proceeded very briefly to enumerate the great measures of congress. He had voted for the bankrupt act, and did the president the justice to approve of his approval of this act. He next alluded to the national bank bill passed at the extra session of congress. That salutary measure was met with the executive veto." Congress passed another bill, framed to meet in some measure the wishes of the executive, so much so that he could not vote for it, and that was met by a second "veto"—"ditto." The country in consequence of this interference of the executive, was in no better condition when congress met than when it adjourned. The tariff bill was framed in conformity to his own suggestions, even framed at his request, even to the giving of a name to the act, was met by the executive's veto. He vetoed not only what he gave many gentlemen to understand he would approve, but he did more than this in vetoing the measure of congress.

The great great measure of this congress was upon retrenchment; and congress had done this most thoroughly in reducing the army and the navy. The president had recommended that both be increased. The president of war and the secretary of the navy had both recommended a large increase of their respective forces. Without the reduction of the army and navy there could be no retrenchment. In the expenditure of this income there could be no reduction of any great consequences. In the army and navy there could be a reduction of millions.—Mr. A. next alluded to the apportionment bill approved by the president, and then vetoed upon a protest. This he called a *masked veto*, and leaving this, he came to a commentary upon the veto of the little tariff bill.

I say, (said Mr. *Adams*) and the committee on the judiciary have said, that no revenue could be collected under the act of congress as it is now enforced by the president. Not a lawyer upon this floor would affirm that revenue could be collected under the acts of '32 and '33. And yet a bill which provided for the collection of revenue under these acts had been vetoed. The collection of money under that act Mr. A. thought was the exercise of sovereignty of England, but the power to collect revenue in this was to be decided, not by the supreme court, who might decide as the judges of England did, upon the necessity of the king, but by the president. Closing his remarks, Mr. *Adams* briefly referred to the view which seemed to to control the action of the president. He was, he concluded, acting in reference to the presidency, and that was the motive for re-election contrived all he did. He had uni ed himself in some measure with the democratic party, and in the event of that party succeeding, he would predict that they would be as much thwarted by the president as the party now in the majority in the house had been.

This would be done as soon as it was understood that the executive could receive the support of that party in congress.

Mr. *Foster*, of Georgia, raised a point of order to the effect that the motion of Mr. *Adams* was not in order. This was debated for nearly two hours by Messrs. *Hoe*, *Cushing*, *Preffit*, *Foster*, *Fillmore*, and *Underwood*, and then the appeal was laid upon the table by a vote of 106 to 86.

Mr. *Weller* took an appeal, and another point of order was debated. This took all interest from the main discussion, and succeeded in materially reducing the attendance. This point of order was rejected by the house by acclamation.

Mr. *Morgan* then moved the previous question upon the question of reference. The yeas and nays were ordered, and the message was referred to the select committee of thirteen members by a vote of 109 to 84.

Mr. *Cooper*, of Penn., then moved to lay the revenue bill upon the table.

Mr. *Johnson* contended that it was not in order, and made an argument to that effect. The house decided against the point of order. The bill was laid upon the table by a vote of 97 to 73.

Here ended all action upon the veto message and bill, until Mr. *Adams* makes his report as chairman of the committee of thirteen.

Several executive communications were then referred, and several senate bills, and the house adjourned.

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CHRONICLE.

A MEMORIAL to Queen Victoria, from the ladies of Leicestershire, Manchester, &c., for a total repeal of the corn laws, contains 275,555 signatures, weighs 96 pounds, and forms a roll of three feet in diameter.

HOPS AND SEEDS IN BOSTON. 2,164 cases sold at auction the other day for cash; good thick hops at 1,6½ @1 65; second quality, 1,40@1,45; coarse do. 1,05@1,15; prime thick hops, 85 cents; g d do. 60-70 cents; coarse do. 50@60 cents; good kip hops, 70@80 cents; second quality, 55@65 cents; women's grain hosses, 37½@38; roan shippers, 30-20). This was a falling off of five per cent. from the June sales.

BUNKER-HILL MONUMENT. The New York Commercial Advertiser, says: "The corner stone of the Bunker Hill monument was laid on the 17th June, 1825, by Gen. Lafayette, attended by ceremonies more imposing than we have ever seen on any occasion. The address, or rather discourse, was delivered by Daniel Webster—and was one of the loftiest specimens of human eloquence and intellect. It was in that discourse that Mr. Webster broke forth in that impassioned episode, the speech which he supposed the elder Adams to have delivered on the occasion of the Declaration of Independence—a speech which is declaimed with increasing delight by the young orators of every school in the land. The ding ney tale on the hill that day was set for ever in eloquence, all under a single canvass roof. One of the lonely given at this immense table, was

Bunker Hill Monument. It good remains shall bright then with the morning's first beam, and the evening's last ray. It shall glow with a still richer and purer light in speaking deeds who the principles that fill.

CALAMITIES. Galignani's Messenger observes that within the period of one hundred hours, three of the greatest calamities of this or any country have occurred, namely, the fire at Hamburg, on the 5th May; the earthquake at St. Domingo, on the 7th; and the fatal accident on the Versailles rail road, on the 8th.

CARACHES, CORRIVATIONS, and two other tribes of Indians have been commissioned gov. Butler, col. Melujosh, and Mr. Logan, to request the president of Texas to send commissioners to meet the chiefs of those tribes on Red river, to form a treaty of peace. [*Lou. Jour.*

CHINA. The German authorities give the population of China at 252,000,000.

CONSUL. The president of the United States has officially recognized Theodore A. Pinkney, as a vice consul of Belgium for the port of Key West, Florida.

GEORGE READ, esq. U. S. consul at Malaga, sailed from New York for Smyrna on Saturday, to the bark Bonna Sendon.

"THE FRATERNAL COMMUNITY." A religious sect have established themselves at Milford, Mass. who hold property in common and assume this appellation.

FROM CANTON. The ship Cosmopolitan is arrived at New York on Monday evening from Macao. The correspondent of the U. S. Gazette says: "Ship brings no latter dates than those previously received by the overland mail. Private letters state that the supply of Hyson, Shun and Twankey teas are 50 per cent. less than during the years 40 and 41, and other Green teas 30 per cent. less, Black teas were more plenty. It was thought exceedingly doubtful whether the English would be able to effect a landing at the mouth of the River Peeho, the entrance to Pekin as the Chinese had greatly strengthened themselves at the mouth, and on the banks of the stream. At Canton every thing was quiet."

DR. DAVID M. REESE, of N. Y. has been appointed professor of the functions of medicine and medical jurisprudence in the Washington University of Baltimore.

DADE'S MASSACRE. The 16th of August has been selected by Col. Worth for the removal of the St. Augustine of the remains of the gallant soldiers who fell at what is generally known as Dade's massacre. They will be reinterred, and a monument erected in their memory by their brother soldiers. All the disposable force in Florida will attend, and minute gunn will be fired from Fort Marion, and half hour guns from every other fort in Florida during the day.

DEATHS during last week in N. York, 191, of which 100 were under two years of age, and 14 were colored.

Gen. Zacharish Rossell, clerk of the Supreme Court of New Jersey, died at his residence in Trenton on Tuesday last, in the 55th year of his age.

Vice Admiral Baudin, the commander of the French fleet, at its attack on the castle of St. Juan Ulloa, at Vera Cruz, and also during the late difficulties between France and Brazil, died near Rosen on the 19th June.

EDWARD EVERETT. The honorary degree of L. L. D. has been conferred on Edward Everett, our present American minister, at the Court of St. James, by the Universities of Cambridge and Dublin.

ELECTIONS. We have as yet but partial returns of the progress of the August elections. So far as received they indicate than—

In North Carolina, Gov. Morehead, the whig candidate is re-elected by from five to eight thousand votes,—and it there will probably be a Whig Senate majority on joint ballot in the legislature. The Globe publishes returns from forty-six of the seventy one counties in the state, showing a V. B. gain of twenty-six members. A U. S. senator is to be elected.

Kentucky. The whigs will have a large majority in the legislature. The election seems to have turned upon the question of "relief" and "anti-relief," rather than upon politics.

Indiana. If the returns are correct, the election is exceedingly close. From 51 counties heard from, the whigs have 38 and Van Buren 29 members—being a whig gain of three since last election. If the remainder of the counties return as they did last year, the house will be tied. The whigs will have a majority however. In the senate so far as heard from, the whigs have elected eight and the Van Buren five—being a V. B. gain of one.

Illinois and Missouri but few returns from—those received indicate no change.

Alabama. Seven or eight counties heard from give a V. B. gain of three members.

Massachusetts. Ninth congressional district extra election. The official returns of votes for members of congress in as follows. Whole number of votes 5 933

Ezra Wilcox,	2,434
Samuel G. Goodrich,	2,469
William Jackson,	836
Scattering,	42

No time is yet appointed for another trial.

FIRE. The fire which destroyed the magnificent panorama of Jerusalem and Thebes, at New York on the 4th inst. is supposed to have destroyed a valuable collection of curiosities, pieces of ruins, specimens, drawings and plans recently brought by Messrs. Stevens and Catherwood, from Central America, they having deposited them in the rotunda.

FLOUR. The export of flour last year from the United States to foreign countries was 1,597,501 barrels—a larger amount than have been exported for many years. It is stated in the New York Express as a singular fact, that a very large portion of the hard bread that supplies the shipping of England, is manufactured in India, is made in New York. The manufacture here is so good, and the flour so much lower than in England, that it is shipped to Liverpool in bond, from which it is taken for the shipping, thus avoiding the heavy British duties. Formerly the hard bread biscuit was made round, it is now made square so as to make much better stowage, which in long voyages is important.

FORT ADAMS. All work on this fort, in Newport harbor, has been suspended, by orders from Washington, in consequence of the want of funds.

GREAT BRITAIN. It is officially announced in the London Gazette that the expenditures of the United Kingdom during the year ending 5th April last, exceeded the revenue by the sum of $2,342,000. It is hoped that nothing will be applied to the reduction of the national debt, between the 7th of July and the 10th October.

GAMBLERS. A law imposing a fine of one hundred dollars a day on gamblers, &c. is to go into operation on the 1st instant, at New Orleans.

ICE. Large quantities of ice have been fallen in with off the coast. The packet ship Cambridge, at New York on the 4th inst. in lat. 41 46 lon. 66 30 off July, latitude 45, longitude 43, fell in with immense bodies of ice, and for five days was surrounded with it.

H. H. KELLAM, a youth who gallantly risked his life to save the life of another during the late freshet at Richmond, is the son of a poor widow woman, and now out of employment. Measures have been taken to ensure him an appointment to a cadet at West Point, as a reward for his intrepidity. Well done.

MR. P. P. LEME, attached to the imperial engineer corps of the Brazilian empire, has been sent to this country by the government of the empire on a mission. It is his intention to visit every rail road, canal, dry dock, steam vessel, and ship yard.

MORRIS CANAL COMPANY. It is stated now to be ascertained that the state of Indiana about 2,000,000; to the state of Michigan 800,000; to British bondholders 1,300,000; besides sundry domestic creditors in a considerable amount, and the amount to stockholders 4,000,000—total nearly ten millions of dollars!! The concerns of the company are in the hands of receivers.

NAVAL. The United States frigate Macedonian, 23 Capt. Joseph Ferrand, and the sloop Hampton Roads on Tuesday morning—all well on board.

Charles Matthews, late boatswain of the United States frigate Brandywine, was drowned at Norfolk on Monday night. It is supposed he fell overboard in a state of intoxication.

Court Martial. The court martial at New York, found passed midshipman Hall guilty of "disrespect to his superior officer, and sentenced him to be reprimanded.—The sentence was approved by the president, and on Tuesday, he was publicly reprimanded on the quarter deck of the North Carolina.

The "reprimand" was in the following terms:

Department of the navy, 6th August, 1842.

Sir: The court martial before which you were recently tried at New York, upon charges preferred by the secretary of the navy, on the information of lieutenant Charles Wilkes, found you guilty of "disrespect to your superior in the execution of his office," and sentenced you to be publicly reprimanded by the department, at such time and place as it might deem proper. This sentence has been approved.

The officer of which you have thus been found guilty, although it involves no moral turpitude, strikes at the foundation of all discipline.

A respectful deportment is part of the duty of obedience, and obedience is the first law of military service. It is impossible, therefore, that the department can fail to look with displeasure on the conduct of an officer who has so far lost his self-control as to suffer himself to be betrayed into disrespect towards his superiors. I am, respectfully, your obedient servant,

A. P. UPSHUR.

Passed Midshipman May, U. S. navy.

The court is now occupied in the trial of lieutenant Pinckney.

The U. S. steamer Missouri, Captain Newton, made her run from the moorings off the Naval Hospital, Norfolk, to Cape Henry, a distance of 36 miles, in two hours and fifty minutes, against a flood tide running two and a half knots.

NORTH EASTERN BOUNDARY. Mr. Renwick, one of the U. S. commissioners of survey on the northeastern boundary, arrived at Quebec on Tuesday last, on his return to New York. The survey is very nearly completed.

M. M. NOAH, the facetious editor, has relinquished the ermine and the bench of the *judge*, and resumed the quill. He issues a new daily paper in New York which advocates president Tyler's administration.

NEW YORK. The introduction of the Croton water into New York has reduced the cost of insurance about 15 per cent.

OHIO STATE SCRIP. An effort is made in this state to have the scrip issued by the state bearing 5% and 10% in the expectation we presume, that they will pass as money. This is great mistake. The $100 bonds are not worth more than the bare paper they bride; and if smaller, they would be worth less; because it is more troublesome for the capitalist to convert it into what must be the ultimate investment, the regular state loans. The day for state script, passing as money, is gone by. Neither 5% nor 10% can be used here as money. It may be a temporary relief to the corporation, in dividing their payments; but, it can answer no purpose in increasing the circulation of money. *Cincinnati Chron.*

PLATTE CITY, in Missouri, was two years and a half since, a *forest!* It has now a hundred substantial dwellings, and five public buildings.

PENNSYLVANIA. The Harrisburg Capitolian of Friday says: "The sheriffs of the different counties of the state, will receive official notice that the governor has well not approve of the appointment bill, and that they need not, therefore, hold congressional elections."

GEORGE READ, esq. United States consul at Malaga, sailed from New York for Smyrna on Saturday, in the bark Emma Isadora.

REVOLUTIONARY VETERAN. Capt. Rufus Avery, who was at the storming of Fort Griswold, in Groton, Conn. in which engagement he defended his flag-staff, and who was severely wounded at the time, died at Groton last week, at an advanced age.

Judge Hulsey Jolly, one of Morgan's riflemen in the revolution died in Licking county, Ohio, on the 25th ult. in the 85th year of his age.

SILAS M. STILWELL esq. marshal for the southern district of New York, went out in the Belgian steamer British Queen, for England, with government despatches.

SPLENDID PACKET SHIP. Messrs. Grinnell, Minturn & Co. have, in these dull times, laid down the timbers of a ship of fifty hundred and fifty tons, for their Liverpool line. This will be the largest of all the packet ships, and superior in all respects, so far as it is possible to do better than the best of what is past. N. Y. *Amer.*

TEMPERANCE REFORM. A report on the progress of the temperance cause in the city of New York contains the following interesting facts: 179,624 names have been enrolled, of whom 120,000 have signed the total abstinence pledge. In this aggregate is included 237 clergymen, 129 physicians, 4,976 Germans, 900 colored persons, 12,000 Irishmen, and 22,300 Irish Protestants, and Roman catholics.

TEXAS. The two treaties with Great Britain, viz. commerce, &c. and of mediation, negotiated in 1840, and concluded in November of that year by Vicomte Pallmerston and Gen. James Hamilton, have at last, (the ratifications of the treaty granting the right of search having been first exchanged), been also ratified.

The Texas congress adjourned on the 23 July. The bill to "authorize offensive war against Mexico" was vetoed by President Houston on the 22nd. The war spirit still prevails however and parties annoy the frontier.

TUNNEL. The Springfield (Massachusetts) Gazette says that a tunnel through solid lime rock, in the town of Canaan, on the route of Great Western rail road, has been opened so that people have passed through on foot. It is 418 feet long, and its completion is the only thing necessary to finish the road to Albany. It is supposed that the cars will be able to run through the whole distance by the 1st September.

WOOL. The St. Louis New Era chronicles the arrival of the steamboat Panama, from Illinois river, with several large bales of wool, destined for the New York market.

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE PROSPERITY OF THE

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THE ARMY BILL. The two houses at length agreed to the report of the second committee of conference. Both bills passed and now await the signature of the president. The second regiment of dragoons instead of being discharged are to be dismounted and constitute a rifle corps. The number of rank and file in each company is reduced to a peace establishment. The office of commissary of subsistance is abolished. The number of surgeons, assistant surgeons and paymasters is reduced. The military superintendents of the armories are retained instead of civil superintendents.

THE REVENUE OR TARIFF BILL. It will be seen by referring to the proceedings of the house of representatives that three reports were delivered from the committee of thirteen to whom the president's message vetoing the revenue bill was referred. The report made by Mr. ADAMS, from the majority of the committee is inserted in this number—that made by Mr. C. J. INGERSOLL and signed by him and T. J. ROGERS EAY, and the third made and signed by T. W. GILMER, will be inserted in our next number with the yeas and nays upon the report of the majority which *was adopted*, ayes 100, nays 80—and also upon the resolution thereto attached, proposing an alteration of the constitution so as to limit the veto power, which, though it obtained a majority of votes, (ayes 98, nays 93) *failed* for lack of having two-thirds, as is required to effect any alteration in that instrument.

The question upon passing the tariff bill, *notwithstanding the president's veto*, was demanded at rather an unexpected moment, when a number of members were absent, and the previous question being ordered (the question itself a privileged one) a call of the house was not in order. There was the same majority for it by which it had previously passed the house; the vote was only, ayes 91, nays 87. Two-thirds being required to carry a bill notwithstanding a veto, the bill of course is negatived.

For the purpose of getting a test vote, Mr. FILLMORE on Friday the 18th, presented the following resolution under instruction from the committee on ways and means, in substance as follows:

That it is expedient to pass another revenue bill, similar to the one returned under veto, excepting the 27th section repealing the clause of the distribution act—and so modified as to abolish tea and coffee free of duty. On this question the yeas and nays were, *ayes* 86, *nays* 114.

THE SENATE remained in secret session on the British treaty during Thursday, the 18th.

TREATY WITH TEXAS. The National Intelligencer of the 19th says, "It is understood that the president yesterday laid before the senate for advice and consent, a commercial convention recently concluded with the republic of Texas."

NATIONAL AFFAIRS.

THE ARMY.

GENERAL ORDERS—NO. 50.

Head quarters of the army, adj't gen'ls office,
Washington, August 9, 1842.

The following *regulation* received from the secretary of war, is published for the government of the army:

War department, August 6, 1842.

When an officer of the army receives a temporary appointment from the proper authority (e.g. rail in the militia then in the actual service of the U. States, higher in rank than that held by him in the army, he shall be entitled to the pay and emoluments of the grade in which he serves, such appointments being analogous to staff appointments in the army where the officer receives the pay of the highest rank. But in no case can an officer receive pay under two military commissions or appointments at the same time: and in all cases of such militia service, the officer shall certify on his pay accounts therefor, that he has not drawn, and will not draw pay and emoluments for the same period under his army commission.

If any officer for such service, has received only one commission, he will be entitled to the difference; if he has drawn the double pay, he must refund accordingly. J. C SPENCER.

By command of major general Scott:
R. JONES, *adj. gen.*

Maj. J. Clark, quartermaster U. S. army, at New Orleans, fell from the steamboat Tiger, on Friday night, the 22d ult. and was drowned. His body was found below Vaneeburg, and decently interred.

THE NAVY.

The U. States ship St. Louis was at Callao April 22d, waiting the arrival of the frigate U. States, when it is expected she will return to this country. The corvette Cyane had sailed for Payta. The Yorktown U. S. sloop of war and Shark schr. were also at Callao. The U. S. sloop of war Dale was on the eve of sailing for Africa. The English frigate Dublin was at Callao, bearing the flag of rear admiral Thomas. [*New York Union.*

Among the developments during the trials now progressing before the naval court martial in New York harbor, that has attracted some attention, is the following extract from private instructions issued to lieut. Wilkes by James K. Paulding, secretary of the navy, to lieut. Chas. Wilkes, commanding the exploring expedition, dated 14th December, 1839.

"You are engaged in a great undertaking, which has excited the interest of the civilized world, and is looked upon by all your countrymen with great solicitude, as one which if successful in its objects, will redound to the credit of the United States.

"For that success you are in a great degree responsible, and nothing can be fairly justified in enforcing those measures which you believe best qualified to ensure the attainment of the great objects of the expedition

"The arrest of discontented officers must be promptly arrested, and their leaders either kept in subjection or detached from the squadron, as it is not to be endured that the purposes you are sent to attain are to be defeated by the *fantastic claims of rank*, which I shall never recognize to the extent of preventing any commanding officer from selecting such as he deems best qualified for a particular special duty, having no connection with the internal organization of his own ship."

These instructions have been criticised with considerable severity—and exception has been taken to them which we think they are not fairly liable to. It is "*fantastic claims of rank*" that is characterised. Intimating that there are such, certainly does not imply that grades of rank in the service are "fantastical."

The U. S. ship of the line *Columbus*, captain Wm. A. Spencer, now in Boston harbor is nearly ready for sea, and is expected to sail for the Mediterranean in a few days.

The U. S frigate *Potomac*, recently from Rio, has been hauled to the navy yard at Charleston, preparatory to undergoing repairs.

The frigate *Macedonian*, com't Wilkinson, from Pensacola, arrived in Hampton Roads on the 8th instant.

The U. S. brig *Somers*, A. S. Mackenzie, esq. commander, arrived at New York on the 14th inst. from a cruise, and last from Porto Rico, which port she left on the 30th ult.

The U. S. ship *Falmouth*, commander McIntosh, arrived at Pensacola on the 28th ultimo.

The U. S. steam frigate Missouri. We are gratified to learn that the splendid pair of engines on board this noble ship, are now in the highest possible state of efficiency, and that all the fears entertained by some of their not proving efficient, have been put entirely at rest.

The fort valves have been altered by making four where there were originally but two, so that she now works perfectly easy and quietly, and that, too, with 28½ pounds vacuum.

It is to be recollected that these engines are a bold and novel departure from any other marine engine afloat.

On her passage from Norfolk to this port, her coals were of the worst possible description, full sea-half per ton, the furnace had to be raked out again and thrown overboard. Yet she must go ahead, for she makes 14 revolutions with only 5 inches steam. Under sail, she made 8½ knots by the wind without steam.

She is under orders for the eastern ports, namely, Newport, Boston, Portland, Castine, Eastport, &c.

Sixteen attend her. She is called the "New Yorker," in contradistinction to the Mississippi, which is called the "Quaker." [*N Y. Herald.*

Lieut. R. E. Robinson has been acquitted by the court martial at New York, and the decisi n approved by the secretary of the treasury.

NAVAL COURT MARTIAL. At the meeting of the court martial on the 22d, lieut. R. E. Johnson handed in the following letter, which was read.

New department, August 8, 1842.

SIR: The court martial before which you were recently tried at New York upon charges of "disobedience of orders and wasting the public property in your custody," preferred by lieut. Charles Wilkes, acquitted you of the same. This sentence is approved. You are, therefore, relieved from arrest, and will resume your duties. I am, sir, very respectfully, your obedient servant. A. P. UPSHUR.

To lieut. Robert E. Johnson, U. S. navy, N. York.

THE BRAZIL SQUADRON. The brig Argo, at Baltimore, from Rio June 23d, reports that the American squadron, consisting of the Delaware, John Adams, Concord, and Decatur, had left port in company, to cruize on the station. The Enterprise was at Montevideo at the latest dates.

STATES OF THE UNION.

RHODE ISLAND.

THE ELECTION OF DELEGATES TO THE STATE CONVENTION, as directed by an act of the general assembly of Rhode Island, to be held for the purpose of amending the constitution of that state, is to be made on Tuesday, the 30th inst. Let all the citizens of the United States, except convicts, paupers, &c. who are 21 years of age and upwards, and who have had their permanent residence within the state for three days, and within the town where they propose to vote for one year next preceding the time of voting, will be entitled to vote for delegates.

Executive department, Providence, Aug. 8, 1842.

The commander-in-chief congratulates the citizens of the state upon the fortunate termination of the late dangerous crisis. He returns to them his sincere thanks for the prompt and noble manner in which they assembled in arms to defend the laws and government of the state. To their gallant conduct in the field, they owe the safety of their institutions, and the preservation of the state from disgrace. Their numbers and their zeal at once looked down all hostile opposition to the laws, and frustrated the wicked and unjust attempt, heretofore unknown among our South American Republics, to subvert the government of a free state by lawless force.

The commanding general has already expressed his thanks to the troops, and his approbation of their conduct in the field. The commander-in-chief only add his own grateful acknowledgment of their services. He regrets, as chief magistrate of this state, that a crisis should ever have arisen in the execution of the laws, when the whole military force of the state was required to maintain their supremacy, and that men should have been found so far wanting in the requisites of good citizenship, as to take arms to destroy the government which had protected them in life, liberty and property. Yet, he must not express to his fellow citizens, his gratitude at the result. They have nobly sustained the reputation long since earned by their fathers. The safety of the lives of their families, their property from outrage, and the security of the property of individuals and of the state, is but a portion of the re-

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suit of their appearance in arms. We have achieved a signal victory for the cause of law, which must be felt in every one of our sister republics. They have met this crisis as becomes the men of Rhode Island; nobly sustaining the cause of well-regulated civil liberty, as they ever have sustained that of moral and religious freedom.

"For the purpose of enabling the people to proceed without restraint, in discharge of the important civil duties soon to come before them, martial law will be suspended. No arrests have lately been made under it, and no persons are now detained by its authority. By the accompanying proclamation, therefore, it is suspended until the 1st day of September next.

"The commander-in-chief congratulates his fellow citizens upon the restoration of peace, consequent upon their recent decisive action. For its permanence, they must continue to trust, in a great measure, to their military strength, as the result of our own state, and the discontented among our neighbors, who have once assembled in arms, seem not entirely to have abandoned their attempts against our laws. The military will, therefore, hold themselves in readiness to obey promptly, such orders as may from time to time be given them through the proper officers. By maintaining a perfect organization, the inconvenience of the scene which we have lately passed through, will be prevented, and the change of government contemplated by the act of the general assembly, calling a convention to frame a constitution, be effected peacefully, and in order of law. SAMUEL WARD KING.

Governor and commander-in-chief.

By THOMAS A. JESSUPP, *adjt. general.*

To the above a proclamation is attached, which suspends the operation of martial law until the 1st September next.

A notification is published in New York calling a meeting of the friends of the suffrage party (sympathisers) "on business of importance."

PRISONERS. The Newport Mercury, a moderate paper, states that the whole number of prisoners taken and examined under martial law in Rhode Island, during the late disturbance, was 181—of which 122 have been discharged and 62 committed for trial before the supreme court.

NEW YORK.

EXTRA SESSION OF THE LEGISLATURE. The legislature met on the 16th inst. agreeable to adjournment. The question whether any business should be entertained other than that of districting the state for the election of representatives to congress under the new census, was started in each house, and the majority appeared to adhere to a determination to avoid no other proposition.

A select committee of the assembly, to whom the subject was referred consisting of two members from each senatorial district, appointed in the recess, by the presiding officer of the house, were notified by the speaker to attend at the capitala few days in advance of the session, in order to prepare their report. Of this committee Judge Rogers is chairman. They have submitted a report.

Governor SEWARD's message was communicated. He very earnestly urges the attention of the legislature to the condition of the public works. The New York and Erie railroad, upon which the state had invested $3,000,000, and individuals nearly 2,000,000 more, it seems, is advertised for sale in virtue of process directed by the state, and must be sold unless some legislative relief be afforded at this session. One or two of the private works have already been sold under the law. In one case an improvement which cost nearly $300,000, and the iron from which it estimated to be worth more than one-third of that money, was sold for almost nothing.

POLITICS. Parties are marshalling for the approaching election, and the papers are teeming with local rather than general politics. The main question seems to be, whether to continue, or rather, whether to *resume* the construction of public improvements that were in progress, and have been arrested or abandoned by those now in power in the state. The Albany Argus of the 11th inst. lays down the course urged by the Van Buren party to be "to adhere to the policy of the last session. To provide for the scrupulous fulfilment of the public obligations—and to arrest any and every increase of the state debt."

STATE FINANCES. As preliminary to the above conclusion, the Argus furnishes a statement of its truth, and also the speech at large of Mr. Dennison, in the state senate, in which the present financial condition of the state is represented as follows:

The state debt, on the 1st of July, amounted to nearly *twenty-seven millions of dollars*, viz.

For canals	$19,556,199
Defaulting rail roads	3,515,700
Other stock debt for incorp'd comp's	1,740,000
General fund debt	2,066,800
	$26,878,579

Deduct the amount loaned to companies not in default and the amount of the general fund debt, and the annual interest on the balance (say $22,000,000 at 5, 6, and 7 per cent., is $1,241,000." Add the annual expenses of the canals, $500,000 and $200,000 to the general fund for the support of government, and we have an aggregate expenditure from the annual revenues of $1,941,000. The receipts of tolls, so far, exhibit a falling off since last year of 134,000 dollars; showing, should the tolls for the residue of the year equal those of 1841, an aggregate of $1,873,000—an actual *deficiency* of $68,000—or a *surplus*, if the interest on the defaulting rail roads be charged to the treasury, or general fund, of 154,000 dollars."

Mr. Ruggles estimated the net revenue for 1842 at $1,200,000; the interest at $900,000; the surplus for that year, going to the sinking fund, at $419,841; and the aggregate amount of the sinking fund, at the close of the year, at $2,916,679. Mr. Ruggles' politicians and the friends of the Ruggles policy, have held the power from that period until the beginning of the present year—and while the nett revenue may nearly equal the estimate, the interest is $1,241,000, the surplus only $150,000, and the sinking fund without an existence!

The condition of the treasury is still more unpromising. The salt and auction duties, estimated for the present year by the late comptroller at $350,000, have so far yielded only $67,000; and including the appropriation of $200,000 from the canal fund, the general fund income must fall far short, not only of the estimates, but of affording the means for the support of government, estimated at not less than $600,000. Indeed, the treasury is alone rescued from prospective bankruptcy by the opportune aid of the mill tax.

But it is the amount of debts payable in the ensuing eight years, and until 1850, which will most severely tax the resources, the means and the utmost energies of the state. They present this large aggregate:

In 1845	$4,373 215
1846	571,304
1847	500,000
1848	2,150,257
1849	1,700,000
1850	1,256,000
	$10,551,043
Deduct for Hudson and Delaware canal in 1848-9	800,000
	$9,751,043

The means, estimated by Mr. Hoffman, as applicable to the payment of these debts, are as follows:

The surplus revenue from '42 to '45 inclusive	$2,050 000
Mill tax, one half in '44, '45 and '46	900,000
Supposed available of canal deposites	1,800,000
	$4,750,000
U. S. deposite and school fund to '45	2,000,000
	$6,750,000

But, the canal fund surplus, unless future years far exceed the present, will be scarcely a moiety of the sum estimated for the four first years; and the canal deposites ($687,000 being in broken banks) is estimated will not yield in 1845 more than $1,500,000. Take the account for the eight years may be supposed to stand as follows:

Surplus revenue, say $250,000 annually	$2,000,000
Mill tax, one half for three years, '46 included,	900,000
If continued for three years longer, to 1850,	900 000
Canal deposites,	1,800,000
U. S. deposite and school fund, if it can be called in, say	3,000,000
	$8,600,000

Showing a deficiency in the means of payment, of $1,151,000. But admit that the state, by the most careful management, a more fortunate state of things, and more favorable returns than we anticipate, aided by a tax, and by calling in the funds loaned to the people, at a period of severe pecuniary pressure, shall be able to meet its engagements of principal and interest for the coming eight years, shall we be justified in rushing into expenditures and engagements that will not only prevent any such result, but throw us back upon depreciation and embarrassment, not to say "repudiation?"

The whigs, on the contrary, have in a great measure identified themselves with the policy recommended by Gov. Seward in his several messages, and are for continuing to develope the vast resources of the state by an application of the public resources and public credit so far as they can be made safely available. In one of his late messages the governor says: "History furnishes no parallel to the financial achievements of the state. It had surrendered its share of the national domain, and relinquished for the general welfare all the revenues of its foreign commerce, equal to two-thirds the entire revenue of the federal government. It had nevertheless sustained the expenses of its own administration, founded and endowed a broad system of education, charitable institutions for every class of the unfortunate, and a penitentiary establishment which is adopted as a model by civilized nations. It had increased fourfold the wealth of its citizens, and relieved them from direct taxation; and in addition to all this, had carried forward a stupendous enterprise of improvement, all the while diminishing its debts, magnifying its credit, and augmenting its resources."

INTERNAL IMPROVEMENTS. Meantime those who have undertaken the works of internal improvement appear to be determined to go ahead through every obstacle. The mayor and a deputation of the corporation of the city of N. York and many other invited guests proceeded on the 3d inst. to Dutchess county to witness and assist in the ceremony of breaking ground for the,

NEW YORK AND ALBANY RAIL ROAD, for which very imposing preparations had been made. They were accompanied by a fine band of music, "The line of march was Somerstown, Sing Sing, to Sodom, thence to Paterson, thence to Paulding, thence to Dover, thence to Amenia. On arriving at Somerstown the cavalcade halted at the sign of the elephant, to partake of the old fashioned hospitality of Westchester county. After partaking of a most sumptuous repast, they proceeded through Sodom to Paterson, and took up their encampment for the night. On the morrow, the sun rose most gloriously, and witnessed a scene far different from that it witnessed on the memorable battle of Austerlitz. From the hill tops, the mountain sides, and the valleys of Putnam, Dutchess, West Chester and Columbia, were seen wending their way in carriages, on horseback and on foot, the wealthy and sturdy yeomanry of this delightful region of country. We had heard of the broad and beautiful estates of old Dutchess, of the interesting, fertile, and romantic Putnam—we appreciated the classic regions of West Chester, and recalled to mind the thrilling incidents narrated in 'the Spy,' by our inimitable Cooper; but, notwithstanding all this, we say with the famous queen of Ethiopia, after her visit to the wise Solomon, that the half its wealth and beauty had not been told us. The company, now a host which no man could number, fell into the line of march, and proceeded to the selected spot of ground. Here, under the stars and stripes of our country, accompanied with the roar of cannon and the voices of many waters, was commenced the great highway to the metropolis of the western world.

"Mr. Delafield commenced the work of breaking ground, in a neat and appropriate address, and introduced to the assembly Alderman Leonard, who represented the mayor of the city of New York on the occasion. Alderman Leonard, in his usual felicitous manner, commended the work to the wealth and sturdy yeomanry of the river counties, and concluded with an appeal to the ladies for their support in this great undertaking. The work now commences in earnest. Most of the members of the common council, as well as the Mayor of Troy, who with a deputation from that place had also been invited, busily applied themselves to the shovel and barrow, rivaling even the herculean feats of the sons of the Emerald Isle. And now, with gentle strains of music,

*Mr. Dennisson in his speech say, the whole debt now is as follows, as admitted by the governor in his last message:

Permanent debt, Sept. 30, 1841,	$15,540,530 00
Temporary canal loans,	1,855 000 00
Issued to corporations,	5,035,700 00
Omitted by the governor.	
Erie and Champlain canal debt,	2 022 187 25
Temporary loans by general fund and specific funds used up,	347,735 00
Due to contractors,	835,000 00
Due to contractors on work in progress,	750,000 00
Issued to rail road companies since Sept. 30,	1,000,000 00
Total,	$27,416,152 25

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now and then broken by the cannon's roar, falling melodious on the ear, the procession was formed again, and proceeded to a large church near Mr. Slocum's to hear an appropriate address on the occasion from Gen. Davies, of Troy. He reasoned on this subject with much earnestness and sagacity; his statistics were all calculated to inspire the friends of this project with hope. The ceremonies being closed by an address from Aldermae Leonard, the company then partook of an elegant banquet, which the ladies of Pittsam and Dutchess had provided for their refreshment. All being over, the cavalcade took up its line of march still farther north, and rested next at South Dover, where a most sumptuous dinner was provided in the open air, under a canopy of trees.

After dinner most excellent music, both vocal and instrumental, was discoursed, the echo of which resounded through the valleys and hung on the mountain tops of this fertile region of country. Dinner being over, the cavalcade again resumed its line of march still farther north, until it arrived at Amenia, a noble young village, exhibiting much architectural and horticultural taste.

This road, which is to connect the two important points of New York and Albany, passes through one of the richest and most productive portions of this state. The main route, as surveyed, commences on the north bank of the Harlem river, at a point from which a convenient entrance may be made into the city, either by the Harlem rail road, or such other route as may be preferred. From thence it proceeds north, through the county of Westchester, occupying for the first 35 miles, nearly middle ground between the Hudson river and the waters of Long Island Sound. From the north line of Westchester county, it passes through the eastern part of Putnam and Dutchess counties, nearly the centre of Columbia, and thence to the town of Greenbush, opposite Albany; thence to Troy, in Rensselaer county. The line from the Harlem river traverses successively portions of the valleys of either the Saw Mill, the Bronx, Croton and Ten Mile rivers, the latter of which is a tributary of the Housatonic. It also traverses the productive valleys of the Croton, Ancram creek, and Cline Hill, which is a branch of the Kinderhook, and from thence over the Kinderhook and Sebodan plains, to the termination at Troy. The whole distance is 147 miles, being almost the same as the channel of the Hudson, and gaining in distance from it from fifteen to twenty-five miles.

The route selected is said to be remarkably favorable for the undertaking. It will run on nearly a dead level for upwards of thirty miles. In the distance between Greenville and Chatham, the ascent is only eight feet per mile. The country through which it passes is not only abundantly fruitful, but highly picturesque, and the road also runs over some spots rendered sacred by the scenes of the revolutionary war.

A similar ceremony of breaking ground took place opposite Albany on the 31 inst.

The Hudson river rail road. The survey of this road, the route of which, as is implied in the name, varies little from the course of the Hudson, and is in close proximity to it—is now completed, and the maps, &c. nearly prepared for examination. The Poughkeepsie Eagle thus speaks of the results of the survey and the advantages of the route, compared with those of the eastern, or the New York, Albany and Troy rail road route:

"The length of the road by this survey, extending from the city hall in New York to a point opposite the centre of the city of Albany, is but *one hundred and forty four* 85-100 *miles*, which, let all be careful to observe, is *ten miles shorter* than the eastern route selected by the New York and Albany company. No grade of more than seventeen feet to the mile will be required, and no curve upon a radius less than 3,000 feet, and more than nineteen-twentieths of the line is on a dead level from a dead level. From Break Neck Hill to Greenbush, with the exception of a slight variation to cross Wappinger's creek, the route is all but *perfectly* straight and level, and yet passes through all the villages. For the distance, there is not a mere level, nor a straighter line of rail road, in the United States."

State prison statistics. There were discharged the past month 11 convicts from the Sing Sing state prison, New York, by the expiration of their sentences, and that there remained in the prison on the 11th, 741 men and 71 women—total, 812. The convicts generally were very healthy.

Canal tolls. The tolls received in all the canals of this state up to the 1st of August were in

1841 - - - -	$992,214
1842 - - - -	750,947
Decrease during the present year,	$161,267

MARYLAND.

Politics. Parties are organizing in the several counties for the October election.

By resolution No. 45, of the last legislature of this state, the federal numbers of each county, and the representation thereof in the next legislature is fixed and declared to be as follows:

Counties.	*Fed. num.*	*Del.*
Allegany	15 365	4
Anne Arundel	25 604	5
Baltimore	30 337	5
Calvert	7,561	3
Caroline	7,505	3
Carroll	16 791	4
Cecil	16 991	4
Charles	12,349	3
Dorchester	17,150	4
Frederick	34,637	5
Harford	16 062	4
Kent	9,748	3
Montgomery	13 492	4
Prince George's	15,294	4
Queen Ann's	11 019	3
St. Mary's	10,919	3
Somerset	17,335	4
Talbot	10,521	3
Washington	27,931	5
Worcester	16 961	4
Baltimore city	101,033	5—92

Besides those delegates, the term of one-third of the state senate expires and seven senators are to be elected to serve for six years in their places, one from each of the counties of Calvert, Charles, Prince George, Montgomery, Anne Arundel, Caroline, and Somerset. All these counties were represented in the last senate by whig senators, except Charles county, which though a slave county, was represented by a V. B. senator. There will be a warm contest for senator in most of those counties now.

Sheriffs are also to be elected.

VIRGINIA.

Rebellion. The Parkersburg Va. Gazette says, that Jackson county is in a state of open rebellion. On Monday, (court day) 25th ult. the people paraded the streets of Ripley, with guns, clubs, &c., and threatened to ride upon and tar any man who bid for property under two-thirds of its value. Property was offered but there were no bidders.

Western Virginia. The Wheeling Times says "Western Virginia has a population of 271,000, and a representation of 56 in the assembly, while Eastern Virginia has 269,000 and 78 delegates. Western Virginia has in the senate 13, Eastern 19. The consequence is, Eastern Virginia caring nothing about roads, we have none: nothing for common schools, we have none; opposed to the general policy of other states, and we are compelled to submit. Western Virginia is represented in congress by seven members, Eastern Virginia by fourteen members. No senator has ever been elected from west of the Blue Ridge; all public officers are appointed from the east; the governor is an eastern man, and all the state expenditures are made in the east. It strikes us these amount to something to quarrel for."

Lewisburg convention. Our western fellow citizens are acting with great unanimity on the subject of the convention at Lewisburg on the 1st of August, to take into consideration the propriety of certain amendments in the constitution of the state, with a view, according to their ideas, to a more equal distribution of political power between the eastern and western sections of the state.

A large meeting was held of citizens of Greenbrier county, at Lewisburg, on the 25th ult. at which Wm. Smith, esq. presided, and Edward B. Duty acted as secretary. A committee was appointed, of which J. Bowyer Caldwell was chairman, which reported a preamble and resolutions that were adopted, and a large delegation was appointed to the August convention.

We make the following extract from the preamble of the meeting. It evinces the proper spirit, and and strikingly contrasts with the rebellious proceedings in Rhode Island, to the honor of our commonwealth:

"Disclaiming, as we do, and disavowing all intention of exciting intemperate violence, sectional jealousy and animosity, yet we do not hesitate to make known, that our purpose and determination is to resort to every peaceable measure for redress—that our exertions will be unremitting and active, and with a dignity and firmness of conduct becoming freemen who know and appreciate their rights, and knowing, dare maintain them.' Although our purpose is so fixed and irrevocable, yet our object is not, nor do we design placing the commonwealth of Virginia before the world in the unenviable attitude and deplorable condition of a state divided against itself in a frantic conflict for power: or to run into those extravagances of party enthusiasm, which are only calculated to estrange and embitter the affections of a kindred common unity, and impair the best interests of their common country." [*Lynch. Va.*

NORTH CAROLINA.

The Raleigh Star says that the treasurer of that state recently went to Washington for the purpose of obtaining North Carolina's portion of the fund due her under the distribution act, but returned in consequence of the arrangements for the transfer not having been finished. As soon as these are completed, which will be in a few days, the secretary of the treasury will forward a draft for the amount.

Rich gold mine. We last week saw some of the most beautiful and valuable specimens of gold that we have ever seen taken from the ground. They were from a mine lately discovered on the land of Valentine Derr, on Stanly's creek, in Lincoln county. One piece weighed 49 pennyweights and 6 grains, and six other pieces averaged from 2 to 5 pennyweights, pure gold, when found. The mine has now been worked about six months, and seems only to increase in value. May it continue long to do so. [*Mecklenburg N. C. Jeffersonian.*

Manufactures. Some splendid steam engines have recently been manufactured in South Carolina. The Columbia Advocate speaks of them in warm terms of eulogy.

OHIO.

Extra session of the legislature. The legislature convened on the 25th ult. for the purpose of districting the state under the new census. In both branches of the legislature on the first day, resolutions were offered denying the right of congress to pass a law defining the manner in which members should be elected. The subject was referred to a committee of twenty-one. They could not agree upon a distribution of the districts. The chairman of the committee proposed a bill for the consideration of the legislature, sanctioned it is said by only three members of the committee. Other members proposed projects.

The State Journal says, that seven different projects were submitted in committee, five of them by members of the majority, and two by whigs. It was agreed in committee that the congressional requisition respecting single districts should be observed.

Parties are organising for the October election. Eighteen senators are to be chosen, one from each of the following districts:

Medina and Lorain,	Seneca, Sandusky, Hancock, Wood, and Ottawa,
Huron and Erie,	Franklin, Madison and Clark,
Portage and Summit,	Warren and Green,
Trumbull,	Montgomery,
Stark,	Miami, Darke, Mercer and Shelby,
Wayne,	Butler and Preble,
Tuscarawas and Holmes,	Hamilton,
Knox and Coshocton,	
Licking,	
Fairfield and Pickaway,	
Delaware, Marion, and Crawford,	

Of the eighteen senators who hold over, 8 are whigs, and 10 Van Buren.

The house of representatives will be chosen by the following districts. We give the last year's districts, that the changes may be noted.

	1841.	1842.
Ashtabula,	1	1
Lake,	1	1
Cuyahoga,	1	1
Geauga,	1	1
Lorain and Medina,	1	1
Huron and Erie,	1	1
Portage,	1	2
Summit,	2	1
Stark,	1	2
Trumbull,	1	2
Richland,	2	2
Wayne,	2	2
Columbiana,	1	2
Jefferson and Carroll,	2	2
Belmont,	2	1
Harrison,	1	1
Tuscarawas and Holmes,	2	1
Knox,	1	2
Coshocton,	1	1
Licking,	2	2
Muskingum,	2	2
Guernsey,	1	1
Monroe,	1	1

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Washington, Morgan, Perry,	2	1
Fairfield,	1	1
Pickaway,	1	3
Ross, Hocking, Pike and Jackson,	3	3
Athens and Meigs,	2	1
Gallia, Lawrence and Scioto,	1	1
Adams, Highland and Fayette,	2	4
Clermont, Brown and Clinton,	3	4
Hamilton,	4	2
Butler,	1	1
Preble,	1	1
Warren,	1	1
Greene,	1	2
Montgomery,	2	2
Franklin,	2	2
Madison and Clark,	2	2
Champaign,	1	1
Logan and Union,	1	1
Miami, Darke, Mercer and Shelby,	3	2
Lucas, Williams, Paulding, Henry,	2	2
Putnam, Vanwert, Allen & Hardin,	2	2
Delaware, Marion and Crawford,	3	2
Seneca, Sandusky, Hancock, Wood and Ottawa,	2	2
	72	72

OHIO NEW STATE LOAN. The Columbus Journal announces the passage, in the lower house of the legislature, of a bill authorising the fund commissioners to borrow $200,000 on the credit of the state, to be applied to arrearages due contractors. It provides for the issue of stock with 10 per cent. interest, payable at the state treasury (or if the money cannot be obtained on such terms) in New York, redeemable after 1850—the stock not to be sold at less than par. The Journal denounces the bill as destructive of the interests of the state, and expresses an opinion, moreover, that the money cannot be obtained under it.

TRADE OF CLEVELAND. During the month of June there arrived at Cleveland from the interior of Ohio by way of the canal, 211,923 bushels of wheat, and 70,342 barrels of flour. The number of vessels that arrived at the port of Cleveland in the same month, was 200, and the number cleared, 207.

The Zanesville (Ohio) Republican of the 30th ult. states that Gov. Corwin has applied to the general government for that state's portion of the proceeds of the sales of the public lands.

FINALE OF THE EXTRA SESSION. The session was brought to a close in an unusual manner. The particulars have not yet reached us in such form as to be able to state them with accuracy. It appears however that the whig members of both houses on the 11th inst. with but one or two exceptions, *hooted in their resignations*, and thereby left both houses without a quorum. The sergeant at arms was sent for them, as absent members, but they replied that they no longer considered themselves as members. Their reasons are of course to be assigned to the people of the state, to whom they considered to appeal for the propriety of their conduct under the circumstances of the case.

The members constituting the majority conceiving they had no authority to close the session in due form, agreed to disperse, and have accordingly done so.

There was much excitement. Meetings of the citizens were called in all directions; one held by the whigs at Columbus was very numerously attended, at which resolutions were adopted warmly approving of the resignations.

INDIANA.

WABASH AND ERIE CANAL. This great work is so far completed that last Monday boats passed at the Toledo aqueduct into lake Erie. The aqueduct across Swan creek is not quite finished; that prevents the navigation being carried into the terminus, although for all practical purposes the eastern termination may be said to be completed, and it is navigable in its whole extent by using the Maumee 22 miles, and a short portage. The whole length is 330 miles, 66 of which is in Ohio, and the remainder in Indiana. Lafayette on the Wabash is the western termination, and Toledo and Manhattan on lake Erie.

The first idea of this canal was suggested in 1817, and a grant of land was made by the United States to the state of Indiana to aid in the work. Gov. Jennings, first governor of the state of Indiana, was one of the first and most active individuals in obtaining the grant, and in the incipient arrangements for commencing the work. Gov. Clinton, of N. York, took an active part by correspondence and otherwise in promoting the project.

The state of Ohio very reluctantly came into the arrangement with the state of Indiana, to make the part within that state, and has been very tardy in the execution; although Ohio has the most profitable part of the canal in proportion to length and the value of the lands she received for making the canal.

This canal is the main trunk; it has been the cause of projecting other canals as feeders of greater extent than the trunk. The Miami canal is far advanced towards completion. The most expensive part of the work is finished. More than two millions of dollars have been expended; and a further half a million would complete the work. The canal from lake Michigan, to form its junction at Fort Wayne, is now in progress; also the White Water canal and several rail roads.

MICHIGAN.

EMIGRANTS. A meeting was held in Ann Arbor last Saturday to devise some means of attracting the 100,000 emigrants to Michigan, now said to be on their way or already in the country. The call stated that in consequence of the misrepresentations of the present condition of Michigan, not a few at Buffalo and other places, few find their way to that state, and they lose all the great advantages which an influx of these strangers would produce.

INTERNATIONAL COPYRIGHT.

The Parisian correspondent of the National Intelligencer writes: The New York American of the 9th ultimo contains a correspondence which teaches me that Mr. Dickens has been misinformed as to the errand which he broached at his first dinner in Boston: I mean international copyright. His language in the letter dated Niagara Falls is quite peremptory, though not quite so sharp as that of Thomas Carlyle's epistle, which laughters with a fine flourish. The division of Carlyle is gently called by some at your editors characteristic waywardness; a cid-devant member of the corps (your correspondent) deems it preposterous affectation. Mr. Dickens loftily settles the question of international copyright, pronouncing that it cannot be discussed in any other light than as one of plain right or wrong—justice or injustice. His friend, the supreme adept in neology, does not mince the matter at all; the American publishers and readers are thieves, and quite so sharp as that Dickens and their predatory fellows. Nevertheless, Mr. Dickens and Mr. Carlyle would, I doubt not, have decided without hesitation, in the affirmative, if this option had been originally presented to them, "American editions of your works, gratis, or no reprints" If the works of Boz had not been *stolen*, he could never have expected the pecuniary reward which he found in the country of the thieves, and which he professes to value beyond all other retribution.—You will find in one of Gibbon's pages a proud reproaching the immense field for British literary influence and renown that was opening over the transatlantic Anglo American empire. Gain by copyright in the new world did not enter into the imagination of the illustrious historian. Since then, the pecuniary reward has become incalculably more ample and general in Great Britain. Every one of the twelve millions whose names were printed to the circulation address to the American people, transmitted to Mr. Dickens, has received from the London booksellers abundant pay for his productions. They should have been there content with the circulation of their ideas and fame throughout our union, and the consequent increase of their claims at home, and have seen with complacency the cheapness of the American gratification, in order that they, as the amiable British writers who are not sure of being sufficiently paid at home, too many of the bad or inferior productions of their pen, consequently, the false vogue of the latter causes the American publishers to issue editions of their paltry performances. There would be some indemnity to the American public for an enhancement of the price of the good British books, if an international copyright would prevent the reprinting the inferior or trashy, but it might operate less with regard to these than the truly meritorious. Considering the American nation is held independent and distinct from the British—that the deserving British authors are adequately remunerated by home—that British and American press of Great Britain has constantly decried or reviled American character, institutions, and literature; that the true reward of superior authorship consists as much of extensive celerity and consumption, as of pecuniary profit, I cannot discover, with Mr. Dickens, that this is a question of justice or injustice towards the British corps of the pen and type, and still less that the reprinting, without fee to Mr. Carlyle, in a foreign land, of his paradoxes and affectations of every kind, his fantastic tropes, his distortions and contortions of phrase, can be properly or decently likened to *Reb Requism*. The question of justice or injustice, if any there be, relates to American authorship and the reading interests of the American public alone. If you have looked at the address of the twelve British authors, you must have been struck with the silliness which they express for the weal of American writers and literature. Some of these gentlemen, Rogers and Campbell for example, may be sincere; but, truly, the British press and public in general have hitherto manifested a feeling and used a tone disdainful and discouraging in the last degree. I have just perused in the London Athenæum an elaborate essay on this subject of international copyright, wherein it is said that "the field of literature in the United States would hardly feed a learned pig," and that the American who has a study or library must shame inwardly, in looking around him, to see none but foreign authors. The essayist, and all his domestic readers, would curl the lip at an American array of contemporary authors (which could easily be made) to meet the twelve names subscribed the address. I wish, by the way, that some one or more of your qualified literati would prepare a comprehensive volume of American bibliography, for the information to the American world itself, as well for the instruction of the multitudes in Europe—even of the erudite—who believe that you do not possess enough of native literature to feed a learned pig. The logic of the address is not better than its diction. If American authors could gain by international copyright, it would not, certainly, be in London, but because the American publishers, finding it economy under the law to reprint so much British matter, might obtain from it, and more readily purchase American manuscripts; in other words, because the representations, that the "great metropolis is the parent national literature," would be thus removed. But in the same breath the addressers hold this language: "The only interest the American public can have in the supply of English works is as cheap a form as at present, and there can be no doubt that this would continue to be the case were a copyright established. Works are now published at a cheap price, and in proportion as there is a copyright or not, but in proportion as they can obtain a larger or smaller community of readers. The noble cultivation of the American mind, with the rapidity and almost omnipresence with the entire population, renders it the obvious interest of every author (and every publisher) to adapt his price to the means of all his readers, and we receive the benefit. But were an international copyright established, not one popular English work would be sold in the United States at a higher price than at present, while there would be a humble apprentice, in American publishers, reprinting equally all the popular English works, but having to pay the English authors, would be still less able or inclined than they now are to purchase American compositions.—For a long series of years I had the best opportunities of knowing how American pens were paid at home, and my impression was that fair fees (because cheap) were always attributable for capacity. Very few of the good or distinguished writers have reason to complain on that score; mere scribblers, dabblers, sciolists, artificers, have been too successful in the same respect. Elementary treatises for the purpose of education, compendiums, synopses, lectures, law and medical and school books of every category, long prepared amazingly lucrative. If American literature has not duly prospered, the fault is more with the public than with the book trade. I am not sure that I should concur with Messrs. Bulwer & Co. in regarding that American nation as not become an "adequate and independent profession." The most valuable and durable works have not come from the mere *profession* anywhere. We might question whether the interest of morals, intellect, knowledge, and taste is benefited on the whole by professional authorship, stocked and exercised as it is in Europe. I have been ever disposed to much deference for the advancement and remuneration of American literature as any other person whatever; and still it was quite welcome news to me that the report of the senate's committee at Washington on international copyright would be adverse. The report, if extant, has not yet fallen into my hands. Guard the independence into which you mean primarily derived your political existence, and which, in some essential particulars, remains incomplete. Could the twelve appellants have said, with truth, to the American people, "the literary profession in Great Britain helped you to your independence; it has constantly been liberal towards your institutions, character and literary efforts; it has derived no advantage for itself, no benefit for Great Britain, by abolitional influence over your affections, ideas, and international concerns, from the boundless reprinting and dissemination of its effusions among you; it will

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not fail to assist earnestly American authors in obtaining in Great Britain good prices and due estimation;" then indeed those gentlemen might remonstrate against the retention of a strict American right, and invoke American gratitude, or generosity, or justice. But, even in this impossible case, they would not be warranted in some of the terms which they have employed in their "*proper*," such as piracy, smuggling, oligarchical interests, minor and selfish interests, &c. The American publishers, and interests, thus stigmatised could attempt a retort in hints about insincerity, obtrusiveness, supercilliousness, cupidity, and proceed to meet the point whether the volumes of Sir E. L. Bulwer (the framer of the address) have in any sense or degree improved the American people. For the rest, there is one danger to American bookmakers of every description from the concession demanded, which may well be pondered. The secondary orders of the British literary profession would probably contrive to undersell them in copyright, and supercede them by an express manufacture for the American fancy and educational market.

MR. DICKENS AND THE INTERNATIONAL COPYRIGHT. We find in the London Chronicle the following circular, sent by Mr. Dickens to other English authors:

"*1, Devonshire-terrace, York gate, Regent's park, 7th July, 1842.*

"You may perhaps be aware that during my stay in America I lost no opportunity of endeavoring to awaken the public mind to the sense of the unjust and iniquitous state of the law in that country, in reference to the wholesale piracy of British works.

"Having been successful in making the subject one of general discussion in the United States, I carried to Washington, for presentation to congress by Mr. Clay, a petition from the whole body of American authors, earnestly praying for the enactment of an international copyright law. It was signed by Mr. Washington Irving, Mr. Prescott, Mr. Cooper, and every man who has distinguished himself in the literature of America; and has since been referred to a select committee of the house of representatives.

"To counteract any effect which might be produced by that petition, a meeting was held in Boston—which you will remember is the seat and strong hold of learning and letters in the United States—at which a memorial against any change in the existing state of things in this respect was agreed to, with but one dissentient voice. This document, which, incredible as it may appear to you, was actually forwarded to congress, and remained on the ground that if English authors were invested with any control over the republication of their own books, it would be no longer possible for American editors to filter and adapt them (as they do now) to the American taste!

"This memorial was, without loss of time, replied to by Mr. Prescott, who remonstrated with the natural indignation of a gentleman, and a man of letters, upon its extraordinary dishonesty. I am satisfied that this brief mention of its tone and spirit, is sufficient to impress you with the conviction, that it becomes all those who are in any way connected with the literature of England, to take that high stand to which the nature of their pursuits and the extent of their sphere and usefulness justly entitle them, to disencourage the upholders of such doctrines by every means in their power, and to hold themselves aloof from the remotest participation in a system, from which the moral sense and honorable feeling of all just men must instinctively revolt.

"For myself, I have resolved that I will never from this time enter into any negotiation with any person for the transmission, across the Atlantic, of early proofs of any thing I may write; and that I will forego all profit derivable from such a source—I do not venture to urge this line of proceeding upon you, but I would beg to suggest, and to lay great stress upon the necessity of observing, one other course of action to which I cannot too emphatically call your attention.

"The persons who exert themselves to mislead the American public on this question; to put down its discussion; and to suppress and distort the truth, in reference to it, in every possible way, are (as you may easily suppose) those who have a strong interest in the existing system of piracy and plunder, inasmuch as, so long as it continues, they can gain a very comfortable living out of the brains of other men, while they would find it very difficult to earn bread by the exercise of their own. These are the editors and proprietors of newspapers almost exclusively devoted to the republication of popular English works. They are, for the most part, men of very low attainments and of more than indifferent reputation; and I have frequently seen them, in the same sheet in which they hoped to cut rapid sale of many thousand copies of an English reprint, coarsely and insolently attacking the author of that very book, and heaping scurrility and slander upon his head.

"I would therefore entreat you, in the name of the honorable pursuit with which you are so intimately connected, never to hold correspondence with any of these men, and never to negotiate with them for the sale of early proofs of any work over which you have control; but to treat, on all occasions, with some respectable American publishing house, and with such an establishment only.

"Our common interest in this subject, and my advocacy of it, single handed, on every occasion that has presented itself during my absence from England, form my excuse for addressing you. And I am faithfully yours,

CHARLES DICKENS."

TARIFF OR REVENUE BILL.

For purposes of future reference, we reinsert the yeas and nays upon the passage of the tariff bill, in the house of representatives, designating the names according to parties, the whigs being printed in Roman letters, and the Van Buren members in *Italics*.

YEAS—Messrs. Adams, Allen, L. W. Andrews, Sherlard J. Andrews, Appleton, Arnold, Ayerigg, Babcock, Baker, Barnard, Barton, Birdseye, Blair, Boardman, Borden, Botts, Briggs, Brockway, Bronson, Jeremiah Brown, Burnell, Calhoun, Thomas J. Campbell, Childs, Chittenden, John C. Clark, Staley N. Clarke, James Cooper, Cowen, Cranston, Craven, Cushing, Garrett Davis, John Edwards, Everett, Fessenden, Fillmore, A. Lawrence Foster, Gates, Gentry, Giddings, Goggin, Patrick G. Goode, Graham, Granger, Green, Hall, Halstead, Howard, Hudson, Joseph R. Ingersoll, James Irvin, Wm. W. Irwin, James, William Jones, Thomas D. Jones, John P. Kennedy, Lane, Linn, McKennan, Thomas F. Marshall, Samson Mason, Mathiot, Matteson, Maxwell, Maynard, Moore, Morgan, Morris, Morrow, Osborne, Pickens, *Parmenter*, Pearce, Pendleton, Pope, Powell, Ramsey, Benj. Randall, Alexander Randall, Randolph, Ridgway, Rodney, W. Russell, J. M. Russell, Silvestall, Sheppard, Simonton, Slade, Truman Smith, Sollers, Sprigg, Stanly, Stokely, Stratton, Alexander H. H. Stuart, John T. Stuart, Summers, Tallmadge, John B. Thompson, Richard W. Thompson, Thurston, Tolland, Tomlinson, Triplett, Trumbull, Underwood, Van Rensselaer, Wallace, Washington, Edward D. White, Joseph L. White, Joseph L. Williams, Yorke, A. Young, J. Young—116.

NAYS—Messrs. *Arrington*, *Atherton*, *Beeson*, *Bidlack*, *Black*, *Boone*, *Boyd*, *Brewster*, *Aaron V. Brown*, *Milton Brown*, *Chs. Brown*, *Burke*, *Samuel B. Butler*, *William Butler*, *William O. Butler*, *Green W. Caldwell*, *Patrick C. Caldwell*, *John Campbell*, William B. Campbell, Carothers, *Cary*, *Casey*, *Chapman*, *Clifford*, *Clinton*, *Coles*, *Patrick J. Cooper*, *Cross*, *Daniel*, *Rich. D. Davis*, *Doan*, *Dawson*, *Dean*, Deberry, *Doan*, *Doig*, *Eastman*, *John C. Edwards*, *Egbert*, *John Q. Floyd*, *Charles J. Floyd*, *Fornance*, Thos. F. Foster, Gamble, *Gerry*, Gilmer, *Wm. O. Goode*, *Gordon*, *Gunn*, *Harris*, Hasbrouck, *Harris*, *J. Hastings*, *Hays*, *Holmes*, *Hopkins*, *Houck*, *Houston*, *Hubbard*, *Hunter*, *Charles J. Ingersoll*, *Jack*, *Cave Johnson*, *John W. Jones*, *Keim*, *J. Kennedy*, *King*, *Lewis*, *Littlefield*, *Abraham McClellan*, *Robert McLellan*, *McKay*, *McKeon*, Mallory, *Marchand*, *Alfred Marshall*, *John T. Mason*, *Mathews*, *Medill*, Meriwether, *Miller*, Mitchell, *Newland*, *Partridge*, *Payne*, *Pickens*, *Plumer*, *Reed*, *Reding*, Rencher, *Reynolds*, *Rhett*, *Riggs*, *Rogers*, *Roosevelt*, *Sanford*, *Saunders*, *Shaw*, *Shields*, *William Smith*, *Snyder*, *Sherrod*, *Sumpter*, *Jacob Thompson*, *Turney*, *Van Buren*, *Ward*, *Warren*, *Watterson*, *Weller*, *James W. Williams*, C. H. Williams, *Wood*—112.

It will be seen that Mr. *Parmenter*, of Massachusetts, was the only Van Buren vote in the affirmative—all the rest of that party whether from north or south voted against the bill.

Of the southern whigs, *thirty-three* voted in favor of the bill, and *fourteen* against it. Mr. *Casey*, of Illinois, was the only northern whig that voted against the bill, and he assigned as his reason, and an objection to the protective system, but because the retaliatory provision against such foreign countries as would not admit our wheat, was left out of the bill.

The party vote therefore stood—

	Whigs.	*V. B.*
For the bill	113	1
Against the bill	15	97

A different disposition of the votes may thus be arranged, according to states:

	Yeas.		Nays.	
	Whigs.	*V. B.*	*Whigs.*	*V. B.*
Maine,	4	0	0	3
New Hampshire,	0	0	0	5
Vermont,	5	0	0	0
Massachusetts,	10	1	0	0
Connecticut,	6	0	0	0
Rhode Island,	2	0	0	0
New York,	18	0	0	14
New Jersey,	6	0	0	0
Pennsylvania,	12	0	0	13
Delaware,	1	0	0	0
Maryland,	6	0	0	2
Virginia,	7	0	0	13
North Carolina,	4	0	3	5
South Carolina,	0	0	1	8
Georgia,	0	0	6	2
Alabama,	0	0	0	5
Mississippi,	0	0	0	2
Louisiana,	2	0	0	1
Arkansas,	0	0	0	1
Tennessee,	3	0	4	5
Kentucky,	10	0	0	2
Missouri,	0	0	0	2
Illinois,	1	0	1	1
Indiana,	5	0	0	1
Ohio,	12	0	0	7
Michigan,	1	0	0	0

In the Senate, without repeating the names, which were inserted page 377, it is only necessary to observe that in a party view every Van Buren senator voted against the bill. It was carried by whig votes alone. Of the southern whigs Mr. *Preston*, of South Carolina, Mr. *Graham*, of North Carolina, and Mr. *Rives*, of Virginia, voted against the bill.

FOREIGN TARIFFS—FOREIGN POLICY.

We have taken occasion more than once to refer to the palpable trickery to which the British authorities resort whenever the tariff subject is to be agitated in this country. To aid the press in this country devoted to their interest, as well as their numerous foreign agents, and still more numerous foreign advocates, they systematically get up a specious exhibition of "Free Trade" doctrines, theories and statistics, and not unfrequently do they even by concerted parliamentary action, attempt to mislead this whole country as to their true policy. The late whig ministers ventured either in sincerity or in appearance, one step too far in this direction and actually advertised their places upon a proposition to open their ports to a *somewhat* more equitable disposition of trade—but what was the consequence? The aristocracy and landed interests of the nation instantly rallied to the aid of their *established policy*, the whigs were ousted by an overwhelming vote—and Mr. Peel and his tory partizans were elected by an overwhelming majority, upon the very question of sustaining the *corn laws* and other regulations under which the realm has succeeded to its present commercial and manufacturing preponderance.

Well, no sooner was Mr. Peel installed, than lo, and behold! we have him immediately announced as an advocate for a relaxation of the very laws, to sustain which he was expressly elected.

This was merely an exhibition expressly designed *for the American market*. Congress was on the eve of taking up our tariff question, with some prospect of making a law protective of American interests and at all events, the utmost must be done to "head" them in favor of British interests. This key was well understood, and serves to reconcile the apparent inconsistency of Mr. Peel and his party. The British are a national people, and soon took their cue, as the overwhelming votes by which Mr. Peel carried his tariff bill through both houses of parliament have sufficiently evinced. Would that our country men were as ready to distinguish and as prompt to heartily sustain American interests, as all parties are ever found to be in parliament, when questions arise between British interests and any other interests.

Well, we have at length copies of the substance of Mr. Peel's famous modification in favor of "*Free Trade*." We lay it before the American reader for his deliberate examination. And we ask him

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whoever he be, to point out one single modification of that tariff that is entitled to the credit of being a concession to "*Free Trade*"—as such? Not one iota is changed but with the express view to *British*, (not generally liberal), but strictly, *British interests*. The whole string of modifications embrace articles only of which less than two millions of the immense imports of that nation consists; and nearly every article in it touching American produce, is of those required for British naval stores, or raw materials needed for British manufactures, on which the reductions of duties are so modified, as to subserve those essentially *British* interests. And yet this is the measure that is trumpeted forth as a mighty concession to "*Free Trade*."

But look at the provisions of this new British tariff in another particular. As a further illustration of its "*Free Trade*" provisions, duties are laid in it upon imports from this country immensely higher than from British possessions. Take a few items selected to our hands by the editor of the Boston Atlas just at a venture, as a specimen.

	Of or from Foreign Coun. £.	s.	d.	*Of or from Brit. poss.* £.	s.	d.
Wheat, value 55s and under 56s the quarter	0	17	0	4	0	
Wheat, value 57s and under 58s the quarter	0	15	0	0	2	0
Barley and Indian corn value 28s and under 29s	0	9	0	0	2	0
Do. do. 31s	0	7	0	0	1	6
Beef and pork, salted, cwt.	0	8	0	0	2	0
Bacon, cwt.	0	14	0	0	3	6
Tongues, cwt.	0	10	0	0	2	6
Lard, cwt.	0	2	0	0	0	6
Butter, cwt.	1	0	0	0	5	0
Cheese, cwt.	0	10	6	0	2	6
Rice, hulled, cwt.	0	6	0	0	1	6
Rice rough, & in the husk "	0	7	0	0	0	1
Oil—Linseed, & hemp, tun,	6	0	0	1	0	0
Sperm oil, tun,	15	0	0	0	1	0
Hay, load,	0	16	0	0	8	0
Gypsum, ton,	1	11	8	0	1	3
Lead, ton,	1	0	0	0	5	0
Bitrus, gallon,	1	2	6	0	5	0
Wood & tim. 50 cubic feet,	1	10	0	0	1	0
Staves, the load of 50 cu. f.	1	8	0	0	2	0

Here we have a precious sample of how the British *practise*, whilst they preach "*Free Trade*."

But let us attend to the provisions of the tariff more in detail—and we subjoin for the advantage of further reference, an abstract of the French tariff also, not in the general more favorable than the British, but which certainly makes less pretensions to deceive us.

DUTIES OF CUSTOMS PAYABLE ON GOODS, WARES AND MERCHANDISE IMPORTED INTO THE UNITED KINGDOM FROM FOREIGN PARTS.

Articles.	*Of or from Foreign countries.* £.	s.	d.	*Of and from British possess.* £.	s.	d.
Goods, wares and merchandise, being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with duty, and not prohibited to be imported, into, or used in Great Britain and Ireland.	20 per ct.			20 per ct.		
Goods, wares and merchandise, not being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with duty, and not prohibited to be imported into, or used in G. Britain or Ireland.	5 per ct.			5 per ct.		
Acorns, bush.	0	1	0	0	0	6
Apples, raw, bush.	0	0	6	0	0	2
Dried,	0	2	0	0	2	0
Ashes, pearl or pot,	0	0	6		Free.	
Bacon, cwt.	0	14	0	0	3	6
Bark, for tanners' or dyers' use,	0	0	3	0	0	1
Beef, salted, not being corned beef, from and after 10th Oct. 1842,	0	8	0	0	2	0
Bees' wax, cwt.	0	2	1	0	1	0
Bleached,	1	0	0	0	10	0
Berrin, bay, juniper and yellow,	0	1	0	0	1	0
Bitter,	15 per ct.			15 per ct.		
Cassia, cwt.	0	10	6	0	2	6

Co.—If imported from any foreign country:

	£.	s.	d.
Wheat.—Whenever the average price of wheat, made up and published in the manner required by law, shall be for every quarter			
Under 51s. the duty shall be for every qr.	1	0	0
51s and under 52s	0	19	0
52s and under 53s	0	18	0
53s and under 54s	0	17	0
54s and under 57s	0	16	0
57s and under 58s	0	15	0
58s and under 59s	0	14	0
59s and under 60s	0	13	0
60s and under 61s	0	12	0
61s and under 62s	0	11	0
62s and under 63s	0	10	0
63s and under 64s	0	9	0
64s and under 65s	0	8	0
65s and under 66s	0	7	0
66s and under 69s	0	6	0
69s and under 70s	0	5	0
70s and under 71s	0	4	0
71s and under 72s	0	3	0
72s and under 73s	0	2	0
73s and upwards,	0	1	0
Barley.—Whenever the average price of barley, made up and published in the manner required by law, be for every quarter			
Under 26s the duty shall be for ever qr.	0	11	0
26s and under 27s	0	10	0
27s and under 30s	0	9	0
30s and under 31s	0	8	0
31s and under 32s	0	7	0
32s and under 33s	0	6	0
33s and under 34s	0	5	0
34s and under 35s	0	3	0
36s and under 38s	0	2	0
37s and upwards	0	1	0
Oats.—Whenever the average price of oats, made up and published in the manner required by law, shall be for every quarter			
Under 19s the duty shall be for every qr.	0	8	0
19s and under 20s	0	7	0
20s and under 23s	0	6	0
23s and under 24s	0	5	0
24s and under 25s	0	4	0
25s and under 26s	0	3	0
26s and under 27s	0	2	0
27s and upwards	0	1	0
Rye, peas, and beans.—Whenever the average price of rye, or of peas, or of beans made up and published in the manner required by law, shall be for every quarter			
Under 30s the duty shall be for every qr.	0	11	6
30s and under 33s	0	10	6
33s and under 34s	0	9	6
34s and under 35s	0	8	6
35s and under 36s	0	7	6
36s and under 37s	0	6	6
37s and under 38s	0	5	6
38s and under 39s	0	4	6
39s and under 40s	0	3	6
40s and under 41s	0	2	6
41s and under 42s	0	1	6
42s and upwards	0	1	0
Wheat, meal, and flour.—For every barrel, being one hundred and ninety-six pounds, a duty equal in amount to the duty payable on thirty-eight and a half gallons of wheat.			
Oatmeal.—For every quantity of one hundred and eighty-one pounds and a half, a duty equal in amount to the duty payable on a quarter of oats.			
Maize or Indian corn, buck wheat, bear or bigg.—For every quarter, a duty equal in amount to the duty payable on a quarter of barley.			
If the produce of and imported from any British possessions in North America, or elsewhere out of Europe.			
Wheat.—Whenever the average price of wheat, made up and published in the manner required by law, shall be	£.	s.	d.
Under 55s for every quarter, the duty shall be for every quarter	0	5	0
55s and under 56s	0	4	0
56s and under 57s	0	3	0
57s and under 58s	0	2	0
58s and upwards	0	1	0
Barley.—Whenever the average price of barley, made up and published in the manner required by law, shall be			
Under 28s for every quarter, the duty shall be for every quarter	0	2	6
28s and under 29s	0	2	0
29s and under 30s	0	1	0
30s and under 31s	0	1	0
31s and upwards	0	0	6
Oats.—Whenever the average price of oats, made up and published in the manner required by law,			

	£.	s.	d.
Under 22 for every quarter, the duty shall be for every quarter	0	2	0
22s and under 23s	0	1	6
23s and upwards	0	0	6
Rye, peas and beans.—Whenever the average price of rye, or of peas, or of beans, made up and published in the manner required by law, shall be under 30s. for every quarter	0	3	0
30s and under 31s	0	2	6
31s and under 32s	0	2	0
32s and under 33s	0	1	6
33s and under 34s	0	1	0
34s and upwards	0	0	6
Wheat, meal and flour.—For every barrel, being one hundred and ninety-six pounds, a duty equal in amount to the duty payable on thirty-eight and a half gallons of wheat.			
Oatmeal.—For every quantity of one hundred and eighty-one pounds and a half, a duty equal in amount to the duty payable on a quarter of oats.			
Maize or Indian corn, buck wheat, bear or bigg.—For every quarter, a duty equal in amount to the duty payable on a quarter of barley.			
Hams and bacon	0	14	0
Hides, raw and tanned—Horse, mare, gelding, buffalo, bull, cow, ox, calf, kid, swine, and hog, sea cow, elephant, and eland or large deer hides, viz. not tanned curried, or in any way dressed dry, cwt.	0	6	0
Ditto, wet per cwt.	0	3	0
whether whole, cut, rounded or trimmed, or pieces thereof, not cut into shapes, tanned, but not otherwise dressed—lb.	0	0	2
tanned, curried, or in any way dressed, not being varnished, japanned or enamelled	0	4	0
if varnished, japanned or enamelled	0	6	0
Lush hides lb.	0	0	4
Hides, or pieces thereof, raw or undressed, not otherwise enumerated for every £100 va.	10	0	0
Honey, cwt.	0	10	0
Hops, cwt.	4	10	0
Indigo, cwt.	0	2	0
Lard, cwt.	0	2	0
Meat, salted or fresh, not otherwise described cwt.	0	8	0
Linseed, rape, hemp, tun	6	0	0
Train, blubber and spermaceti, the produce of fish or creatures living in the sea, taken and caught by the crews of British vessels, and imported direct from the fishery, or from any British possession in a British vessel, tun		0	1
Train, blubber and head matter, the produce of fish or creatures living in the sea, foreign fishing, until the 5th July, 1843, tun	26	12	0
Train and blubber, the produce of fish or creatures living in the sea, of foreign fishing, from and after 5th July, 1843, tun	6	0	0
Spermaceti of foreign fishing, from and after 5th July, 1843, tun	15	0	0
or spirit of turpentine,	0	5	0
not particularly enumerated or described, not otherwise charged with duty	20 p. ct.		
Fork, salted, (not ham), from and after Oct. 10, 1842, cwt.	0	8	0
Rice, not rough nor in the husk, cwt.	0	6	0
Rice, rough and in the husk, qr.	0	7	0
Rosin, cwt.	0	2	0
Sassafras, cwt.	0	6	0
Sausages and puddings, lb.	0	3	0
Tar, par last, containing 12 barrel, each barrel not exceeding 31½ gallons,	0	2	6
Tobacco, unmanufactured,	0	3	0
Snuff,	0	6	0
Manufactured or segars,	0	9	0
Stalks and flour of tobacco,	prohibited.		

[Manufactured in the United Kingdom, at or within two miles of any port into which tobacco may be imported, made into shag, roll or carrot tobacco, drawback upon exportation or shipment as stores, the lb. 2s. 7½d.]

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Turpentine, viz:						
Not being of greater value than						
9s. per 3 wt.	0	0	1	0	0	1
From 9s. to 15s. per cwt.	0	1	0	0	0	3
Above 15s. per cwt.	0	5	0	0	2	6
Wax, bees,	0	2	0	1	1	6
Do do in any degree bleach'd	1	0	0	0	10	0
Cotton wool or waste of cotton						
wool				cwt.	0	2

NOTES FROM THE CUSTOMS' DUTIES' ACT.

Clause III—Repeals so much of the act for the management of the customs, as prohibits the importation into the United Kingdom of beef or pork, fresh or corned, or salted, great cattle, mutton, lamb, sheep, swine, and fish of foreign taking or taking, or in foreign vessels.

Clause IV—Prohibits the importation of fish of foreign taking, in vessels which have not regularly cleared out from some foreign port, except anchovies, eels, turbots, and lobsters; and all train oil, blubber, spermaceti oil, head matter, skins, bones, and fins, the produce of fish or creatures living in the sea.

Clause VI—Tobacco, the produce of Mexico, may be imported from British possessions in packages of eighty pounds weight; and negrohead tobacco from the United States of America in packages of 150 lbs.

Clause VII—The weight need not be marked on the hogshead containing the tobacco.

Clause VIII—Tobacco may be imported into the United Kingdon by bill of store.

Clause IX—A separate manifest for tobacco no longer required.

Clause X—No drawback allowed on tobacco improperly manufactured.

Clause XI—Foreign goods bearing British marks prohibited to be imported into the United Kingdom or British possessions abroad after the 5th Jan. 1843.

Clause XII—Spirits may in future be imported in bottles, not exceeding the size of quart bottles.

Clause XIII—The silk manufactures of Europe may be imported into Southampton.

Clause XV—And whereas by the last mentioned act the officers of customs are authorised to detain and secure goods entered at value, if upon examination it shall appear to them that such goods are not valued according to the true value thereof, and within certain periods therein mentioned, to take such goods for the use of the crown, and it is expedient to make further provision for the security of the revenue, and the accomodation of merchants importing such goods, be it therefore enacted, that if upon examination of any goods entered to pay duty according to the value therefore, it shall appear to the officers of customs that such goods are not valued according to the true value thereof, it shall be lawful for such officers to detain and secure such goods, and within seven days from the day on which the goods shall be finally examined by the proper officer by virtue of a duty-paid entry, if it be in England, or within ten days from the last mentioned day if it be in any port in Scotland, Ireland or the Isle of Man, to take such goods for the use of the crown; and the commissioners of her majesty's customs shall thereupon cause the amount of such valuation, together with an addition of ten pounds per centum thereon, and also the duties paid upon such entry to be paid to the importer or proprietor of such goods in full satisfaction for the same, and shall deal with such goods in such and the like manner as goods so circumstanced are directed to be dealt with by the said act mentioned act.

BRITISH AND FRENCH TARIFFS.

ABSTRACT OF THE BRITISH TARIFF BILL.

Prohibition to importation of cattle and meat repealed: also in respect to fish brought by foreigners, if cleared at a foreign port.

Turbots of foreign taking not to be landed without entry.

Tobacco, the produce of Mexico, Columbia, the continent of South America, St. Domingo, or Cuba, may be imported from British possessions in packages of 80 lbs. weight; and negrohead tobacco, from the United States of America, in packages of 150 lbs.

Particular weight and tare of tobacco need not be marked upon each hogshead, &c.

Separate manifest for tobacco not required.

Tobacco and other goods not worth the drawback, entered and brought to the quays for shipment or drawback, forfeited.

Foreign goods importing into the United Kingdom of British possessions, with names of British makers, forfeited after 5th January, 1843.

Spirits may come in stone bottles, not exceeding one quart each.

European silk manufacture may be admitted at Southampton.

No allowance made on sugar damaged on the voyage.

Goods detained for being undervalued, can only be so dealt with in the space of seven days in England and ten days in Scotland after final examination.

Warehousing bonds to continue in force longer than three years.

No abatement of duties on account of damage on cantharides, cocoa, coffee, pepper, tea, sugar, tobacco, wine, &c. to be made on such when found defective, jetsam, flotsam, or wreck.

No drawback to be allowed on goods entered out on merchandise or stores, which may be of less value than the amount of drawback. Penalty of £200, or double the amount claimed.

Goods exporting on drawback to give bond for due landing at the place entered for.

Wine for officers of the royal navy may be shipped at Liverpool on drawback.

No books whatever, reprinted abroad from original British publications, allowed to be imported, except when the copyright has expired.

Prohibitions not to take place unless notice of copyright and date of its expiration to be given to commissioners of customs.

Goods, the produce of any British possession abroad (except the territories of Bengal, Madras, and Bombay), not to have the benefit of such unless the goods are mentioned in the official documents.

Lords of the treasury empowered to regulate certificates or probrie.

Timber and wood to be piled at the expense of the importer, so as to enable the officers of custom to measure it, and no allowance to be made for interstices in the pile.

But deals, battens, boards, and planks may be measured by the piece, and taken account of separately.

Vessels that required licences as being under 200 tons by the old act of admeasurement, not to require such if under 170 tons by the new.

Vessels from which goods are thrown overboard to prevent seizure, liable to be seized.

Act for regulating registry of vessels in Great Britain shall extend to vessels belonging to British possessions.

Repayment of duties on berilla, used in the bleaching of linen repealed.

Lords of the treasury to have the power of reducing local duties and charges upon foreign goods and vessels in cases of reciprocity.

Salted beef and pork may be exported without the restriction of a special bond or declaration.

Commissioners of customs may remit the duties on any goods in bonded warehouses lost or destroyed by unavoidable accident.

Any goods (besides woollens, linens, silks, or cottons) may be delivered from the bonding warehouses to be cleaned, under the regulations of the commissioners of the customs.

Committee of sugar-refiners to provide sample loaves of patent sugar; and sugar entered for bounty, not equal to the standard sample, forfeited.

Drawbacks on silks, and on wool used in the mines of Devon or Cornwall, to cease after the 10th of October next.

Goods, the produce of British possessions abroad, to be certified as such upon the clearance.

No foreign gold or silver plate to be exposed to sale unless stamped or marked at a British or Irish assay-office.

THE NEW TARIFF OF FRANCE.

Article 1. The customs' duties on importation will be established or modified in the manner following with regard to the undernamed articles:—

Linen or hempen threads, plain, measuring by the kilogramme 6,000 metres or less, raw 28f. bleached in any degree 34f. dyed 36f. the 100 kilogrammes.

More than 6,000 metres and not more than 12,000 metres, raw 48f. bleached in any degree 66f. dyed 70f. the 100 kilogrammes.

More than 12,000 metres and not more than 24,000 metres, raw 89f. bleached in any degree 106f. dyed 100f. the 100 kilogrammes.

More than 24,000 metres, raw 125f., bleached in any degree 163f. dyed 160f., the 100 kilogrammes.

Linen or hempen threads, twisted, measuring 6,000 metres at least, raw 44f. bleached in any degree 61f. dyed 70f. the 100 kilogrammes.

More than 6,000 metres and not more than 12,000 metres, raw 60f. bleached in any degree 81f. dyed 86f. the 100 kilogrammes.

More than 12,000 metres and not more than 24,000 metres raw 104f. bleached in any degree 136f. dyed 134 the 100 kilogrammes.

More than 24,000 metres, raw 167f. bleached in any degree 215f. dyed 205f. the 100 kilogrammes.

All threads of different kinds from the above are to be presented at the custom house, under the penalties prescribed by the law of the 6th of May 1841, in bales or separate chests, each bale or chest to contain only one kind of thread.

Linen or hempen cloths, without distinction of the manner of their importation.

Plain cloths presenting more or less opening in the space of five millimetres:

Number of threads.	*Raw, the 100 kilogrammes.* *Francs.*	*Hf. bleached, the 100 kilogram's.* *Francs.*	*Dyed, the 100 kilogrammes.* *Francs.*
Less than 8 threads,	60	95	90
8 threads,	80	116	116
9, 10, 11 threads,	126	191	146
12 threads,	144	219	167
16 threads,	267	317	299
17 threads,	287	457	317
18 and 19 threads,	297	477	323
20 threads,	342	567	380
More than 20 threads,	467	817	537

Table linen, of which the web presents more or less opening in the space of five millimetres:

Worked, less than 16 threads, the duty on plain cloth of 15 threads.

Ditto, 16 threads and more, the duty on plain thread according to the fineness.

Damasked, the duty on worked linen augmented 20 per cent.

Linen cloth for matrasses, without distinction of fineness, 212f. the 100 kilogrammes.

Twilled linen cloths for beds 212f. the 100 kilogrammes.

Twilled linen cloth for clothing, raw, 364f. the 100 kilogrammes.

Thick cloth for carpets, either of linen or hemp, dyed, of less than 8 threads to the five millimetres, 75f. the 100 kilogrammes.

Linen and hempen cloth and thread imported by the frontier situated between Armentieres and Maimaison, near Longey, are not to be subjected to the above mentioned duties longer than to the 20th of July next, unless another ordinance shall be issued for that purpose.

Mahogany wood, imported in French vessels from India and other countries situated beyond Europe, to pay one half the present duties.

The drawback granted on the exportation of mahogany furniture and veneering to be reduced one-half.

Cigars and other manufactured tobacco imported for the account of the government by French ships from all countries beyond Europe, the present duty is to be maintained.

Manufactured tobacco imported from entrepots in French ships, 7f. the 100 kilogrammes.

By foreign ships, 15f. the 100 kilogrammes.

Nuts imported from India in French ships, 10f. the 100 kilogrammes.

Sulphate of potash, 19f. the 100 kilogrammes.

Old printing type, exclusively imported for melting-down, 10f. the 100 kilogrammes.

Produce imported from the west coast of Africa by French ships:

Yellow and brown wax from Senegal, 3f. the 100 kilogrammes.

From all other parts of Africa, 50f. the 100 kilogrammes.

Exotic resinous produce from Senegal, 25f. the 100 kilogrammes.

From all other parts of Africa, 50f. the 100 kilogrammes.

Produce of Martinique and Gaudaloupe:

Cassia, unprepared, 20f. the 100 kilogrammes.

Rocou, made as from French Guiana.

Woodden clocks with metal works, 2f. the piece.

Feathers, black, same duty as at present.

All others, 100f. the 100 kilogrammes.

Metal gems, except gold and silver, 4f. the 100 kilogrammes.

Gold and silver, and minerals, 10 centimes the 100 kilogrammes, cubic measure.

Isinglass, 50 centimes the 100 kilogrammes.

Article 11. The tonnage of St. Laurent du Var is added to those mentioned by the law of the 24 of July, 1836, for the admission of prepared plaster, whether cast or calcined, with a duty of 10 centimes the 100 kilogrammes.

Article III. The privilege of warehousing salt is granted to the town of Gravelines (North), under the conditions prescribed by article 25 of the law of the 8th Floreal, year 11st and 13th article of the 11th of June, 1806; and the 9th and 10th of the law of the 27th of February, 1832.

Special regime for the Island of Corsica:

Article IV. Italian paste will pay 15f. the 100 kilogrammes on importation into Corsica.

The second bark of oak will cease to be exported from Corsica to any foreign port. Exports of that article to Algiers will continue to be permitted on paying the duty fixed by the law of the 24 of July, 1836.

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ANALYTICAL TABLE

OF THE COMMERCE, NAVIGATION AND REVENUE OF THE ISLAND OF CUBA.

For the year 1841.

Condensed from the Diario and Lucero of Havana

COMMERCE.

IMPORTATIONS.

Provisions.	
Wines, Liquors, &c.	$3,429,875
Pork and beef	2,180,566 6
Spices	63,085 6
Fruits	297,575
Grain	4,023,616 2½
Grease, &c.	1,437,887 7½
Fish	438,479 6
Other articles	200,139 2
Total,	11,032,925 5
Manufactures.	
Cotton goods	1,991,036 7
Woollen do	195,578 6
Linen do	1,943,880 3
Leather	384,688 6
Silk goods	294,303 1½
Total	4,809,185 7½
Lumber	1,319,154 7½
Metals	1,173,935 7
Other articles	8,569,803 5
Total	10,931,340 3
Importation into the government stores	3,057,142 4
Total imports	25,031,408 7
Do in 1840	24,700,189 2½
Increase in 1841	331,219 1½

IMPORTATION UNDER FLAGS.

National commerce.	
In national vessels	$5,841,326 1
Foreign commerce.	
In national vessels	6,622,716 4
In foreign vessels	9,317,883 5
In the government entrepot	3,299,483 2
Total	25,081,408 4

The importations of 1841, exceeded those of the previous year $381,219 1½, which is equivalent to 1½ per cent.

EXPORTATIONS.

Produce of the Island.	
Sugar	$11,613,798 3
Coffee	1,426,024 4
Molasses	821,189 0
Brandy	226,050 0
Wax	307,132 0
Copper Ore	4,505,490 0
Tobacco in leaf	719,360 3
Do. in segars	1,351,121 4
Other articles	1,332,588 3½
Total	22,292,753 1½
Foreign produce	550,495 2
Precious metals	1,092,671 4
Exportation from the government stores	2,848,604 5
Total	26,774,614 4½
Exportation in 1840,	25,941,783 3
Increase in 1841,	832,831 1½

EXPORTATION UNDER FLAGS.

National commerce.	
In national vessels	$3,454,988 0
Foreign commerce.	
In national vessels	2,269,339 2
In foreign vessels	18,201,592 5½
From the government entrepot	2,848,604 5
Total	26,774,614 4½

The exportations of 1841, exceeded those of 1840, $832,831 1½; which is equal to 3, 2 per cent.

Among the articles of general consumption, comprising a great part of the importations, the following table will show the difference between 1840 and 1841.

Spanish flour, bbls.	181,500 a	54,644
Foreign do do	45,955 —	21,136
Rice arrobas	897,189 a	12,107
Beef do	394,719 a	165,679
Pork and bacon	62,525 a	15,167
Salt beef, bbls.	10,022 a	830
Codfish arrobas	369,495 —	52,916
Cheese do	43,488 a	14,600
Lard and butter do	268,504 a	86,946
Tallow candles do	74,349 a	22,178
Sperm do	4,782 —	1,262

Among the productions of the island comprising a great part of the exportations, the following table will show the difference between 1840 and 1841.

Brandy, pipes	11,302 a	1,092
Sugar, arrobas	13,225,949 a	40,056
Coffee, do	1,235,066 —	908,567
Wax, do	32,024 a	5,992
Molasses, hhds.	131,390 —	15,074
Copper ore, quintal	693,660 a	73,868
Tobacco, leaf	5,757,577 a	1,351,802
Do segars M.	170,171 a	28,534

a This denotes the increase, and — the diminution.

The proportion contributed by each port is exhibited in the following table:

Havana	$32,788,170
Santiago de Cuba	8,625,058 2½
Matanzas	6,370,092 4½
Trinidad	2,100,232 6½
Cienfuegos	795,105 6
Manzanillo	290,556 6
Gibara	289,150 7½
Neuvitas	258,421
Baracoa	167,751 1
Sta. Cruz	117,992 5½
Sancti Espiritu	40,133 5
Remedios	12,362 4
Total,	51,856,025 1

NAVIGATION.

The arrivals and departures for 1841.

Vessels.	*Arrived.*	*Cleared.*
Spanish,	1,053	1,036
American,	1,349	1,445
English,	357	315
German,	97	112
French,	59	57
Flemish and Dutch,	41	44
From the Baltic,	35	29
Sardinian,	8	8
Portuguese and Brazilian,	20	32
Spanish America,	14	10
Haytien,	1	1
Total,	3,034	3,118

REVENUE OF THE CROWN.

Importation,	$5,943 819 6
Exportation,	1,322,644 7½
Total of maritime revenue,	7,266 464 5½
Ditto in 1840,	7,387 498 3
Increase in 1840,	121 032 5½
Territorial and other revenue,	4,650 935 2
Ditto in 1840,	4,281,903 5
Increase in 1841,	368,831 5
General total,	11,917 399 7½
Ditto in 1840,	11 669,402
Increase in 1841,	247,897 7½

REPORT ON AGRICULTURE.

[PRESENTED BY MR. H. DENNY, OF PA.]

In convention, at New York, May 7, 1842.

The committee on the subject of agriculture "has effected by the commercial relations of the United States with other countries, and the protection of American labor," beg leave to report:

The agricultural department of industry embracing what relates to the production of cotton, silk, hemp, flax and wool, rice, tobacco, beef, pork, grain, broadstuffs, and a variety of other minor productions, presents to our view an extensive field, fertile in topics interesting to the statesman, and political economist, but requires much time and labor in order to be surveyed and explored with accuracy. It cannot be expected of the committee to go at present into such a cursory examination of most of the subjects here mentioned. On this occasion it has been thought expedient to offer a few remarks accompanied with a brief statement of some facts connected with the farming interest, more particularly as belonging to the *grain growing, and grazing districts* of the United States.

It is an imperative and primary duty of government, in legislating for the promotion of the happiness of the people, to have a continual regard to whatever will improve the condition of the great mass forming the laboring and productive classes in the community; to whatever will secure to them regular and certain employment, give activity to industry, and guard, as far as practicable, the value of honest labor from ruinous fluctuations caused by *foreign* influences, so that every one may receive a just and fair compensation for his skill and labor. This, it must be admitted, is of much importance to all engaged in labor, that it is directly the interest of the farmers, cannot well be doubted after a full consideration of the whole subject.

In the great controversy which is being carried on in our country relative to the policy of protecting American labor, the agriculturalists in some parts of the country were found arrayed on the side of the delusive theory of what is called free trade, against the protection of our own mechanics and laborers; others took little or no part in the matter, not believing that their interests were involved in the question; while many imbibed the opinion that protective measures which were denounced as burdening our *foreign* trade with injurious restrictions, would operate to their disadvantage, as tending to produce countervailing and retaliatory restrictions, excluding them from the *foreign* market. The *foreign* market, occupied almost their whole attention; upon it, they depended for the sale of their produce; upon the *foreign* market they were induced to believe they must chiefly rely. The fallacious doctrines to be found in a famous report which emanated from a committee at Boston in 1832 were confided in as perfectly sound. The wheat growers were gravely told "if we import *foreign* goods we must export *domestic produce* to pay for them; in proportion therefore as we import more *foreign* goods we shall create by the importation a new demand for *agricultural* produce." The farmers were further seriously and emphatically told that "there is no class of people more interested in resisting the prohibitory American system than the farmers," and that this protective system diminished "the value of the whole produce of the farmer, by depriving him of a market for that surplus produce, on which his *returns* mainly depend." The importance, and incalculable value of the home market, to the farmer, was overlooked; the foreign market engrossed his thoughts, and he became unwilling to aid, or was induced to oppose, from an honest opinion at the time, the measures intended for fostering American labor and industry. It is believed, that among our farmers in many parts of the country different sentiments are now entertained; the Boston notions of the free trade committee have been repudiated and cast aside. The doctrine of that enlightened statesman and agriculturist, Mr. Jefferson, is now being received as just, and patriotic, viz: "we must now place the manufacturer by the side of the agriculturist," that is as much as a home market for our produce, and a supply of home manufactures for consumption. The committee will forbear to enlarge on this subject at present, and will submit a few practical considerations touching the *foreign* market, to show to the country and the farmers that it is not, comparatively, to be regarded of that high importance in which it is held by its eulogists, and under existing regulations has indeed been injurious.

Our breadstuffs are charged with heavy duties or excluded from most foreign countries. Our commercial intercourse is merely greater with Great Britain than with any other nation; yet the introduction into that country of our flour, and other produce of our farms, is very limited. The British government, true to the interests of the farmers under its protection, excludes our flour, except under particular circumstances, such as a scarcity, or a failure in their own crops, and when the price of wheat rises in the British market to a certain sum above the usual high average price, for their own wheat, then the duty is reduced so as to admit of a supply of *foreign* produce, sufficient for the time.—This brings down the price, and *foreign* grain and breadstuffs become again subject to higher duties which shut them out from the market. Under the operation of this sliding scale of duties, constant fluctuations are experienced by the shippers of American flour. The committee has good authority for stating that about three-fourths of the exports of flour to Great Britain for the last twenty years have been attended with great loss. On shipments made last autumn with the expectation that the cargoes would be received under low duties, heavy losses will be sustained; thousands of barrels are now lying in bond, which if sold at present prices would not nett more than about $5 per barrel, which cost from $6 to $7. The losses fall immediately on the merchant, but ultimately reach the farmers, by causing a less demand for the foreign market. The American farmer has no reason to hope for a more liberal system on the part of the British government, from which he could derive any essential advantage. The landed and farming interest of the kingdom is too powerful and influential to permit any material and permanent relaxation of the corn laws to be made, by which the American producer or shipper would be much benefitted. Any amelioration of the system would be felt sooner among the masters of the

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peasantry of Poland and Germany than it would among the farmers of the United States. Those great steps of the grain of the north of Europe, Hamburg and Dantzic, are now conveniently to Great Britain than are the ports of the United States—hence supplies reach London from the north of Europe long before a shipment from New York. Thus the sliding scale and average system operates, not only for the protection of the British farmer, but to the positive disadvantage of American exporting corn merchants, who are too remote to take immediate advantage of a downward tendency of fake duty.—Their shipments may not reach the British market until after a supply has been thrown in from Amsterdam, Hamburg, and Dantzic, sufficient to check the demand and lower the price, and the duty rises to the exclusion of American products, which must go into warehouses, there to wait, to take advantage of any new change in the market, or to be sold at a loss. For a few years the wheat growers in the country bordering on our lakes have enjoyed some advantage from the easy introduction into the British provinces of flour made, to be exported as colonial produce. But as this interferes with the interests of the Canadian and provincial farmers, efforts are being made to impose a duty of 3s. per quarter on wheat and 2s. per barrel on flour from the United States. This or some measure of the kind will probably be adopted, and our farmers will be restricted in that direction. There is no foreign market to which they can resort and must will for a long time to come. They must look to the home market; this is under their own control; it is their own; no foreign producer can interfere with them. The demand for flour for home market to be enlarged to any extent by exerting their influence with the national legislature, in favor of a wise, and patriotic policy which would protect the people in manufacturing the articles from the withering and unfair competition with the half-paid and poorly fed, laborers of Europe, and thus greatly multiply consumers of the farmer's produce.

That this convention and the farmers of our country may be able properly to appreciate the *foreign* market the committee subjoins to this report some statistical tables chiefly drawn from the reports of the treasury department on the commerce and navigation of the United States. From these tables it will be perceived, that, although our population has increased from 3,929,328 in 1790 to 17,069,453 in 1840, more than quadrupled in 50 years, that, although there has also been a large accession to the population of those countries with which we hold the greatest commercial intercourse, viz. Great Britain, Great Britain has augmented in population from 10,942,646 in 1801 to 18,664,161 in 1841; and although during this period many millions of acres of the most fertile soil which a beneficent Providence has bestowed on any people, have been brought under successful cultivation, and the quantity of the three great staples, flour, beef and pork, increased by many millions of surplus, yet the b asted *foreign* market has not voluntarily extended its arms more widely now for the reception of these products of our farms than it did fifty years ago. During the four years from 1791 to 1794, both inclusive, we exported the average quantity of 811,198 barrels of flour annually, besides about four millions of bushels of wheat. For 4 years, 1833 to 1836 inclusive, we exported the average annual quantity of 768,977 barrels. For the 4 years ending September 1840, we exported annually the average of 816,843 barrels, for the eight years ending September 1840, the average annual export was 832,931 barrels, being somewhat less than was exported during the period first stated. In 1837, there was a scarcity of wheat in United States, and consequently the exportation of flour was very limited. There were years also during which large exports were made to Europe, caused by the war in Spain and Portugal, and by the failure of the crops in Great Britain. An inspection of the table, however, will show that as to the article of flour we have gained but little if any thing from a *foreign* market for nearly half a century. See App. No. 1.

We will now examine into the consumption abroad of another staple of the produce of the middle and Western states. Let us ascertain what the beef eaters in the *foreign* markets have done for us. From the table herein annexed, prepared from the public documents, it will be seen that we exported for the ten years from 1791 to 1800 inclusive 809,227 barrels of beef, and for the ten years 1831 to 1840 inclusive 402,471 barrels, showing an actual falling off in the use abroad, of this article, produced by our farmers, of 406,756 bbls.

Turning our attention to the exports of pork, we find a difference in relation to this article—while the export of beef has greatly diminished, that of pork has increased during the last twenty years. From 1791 to 1800 inclusive there were exported 496,933 barrels of pork, and from 1831 to 1840 inclusive 576,347 barrels. The export of this article diminished very considerably during the years 1837, 1838, and 1839, although it will appear that the consumption abroad of pork has increased beyond what it was in 1791, yet the aggregate quantity exported for the last five years 1836 to 1840 both inclusive, was only 186,071 barrels, while for the 5 years from 1791 to 1795, there were exported 242,077 barrels, showing an excess at that early period over the present of 56,006 bbls. For statement respecting the pork trade, see App. No. III.

It farther appears that the aggregate quantity of beef and pork exported during the period of ten years from 1791 to 1800, both inclusive, was 1,306,160 barrels, and from 1831 to 1840 inclusive 978,818 barrels, exhibiting a falling off in the *foreign* market, amounting to 327,342 barrels. If we compare the first five years of the former period with the latter five years of the latter period, the difference will be found to be about 327,821 barrels against the farmers of the present day. Facts and experience should be preferred to theories. The farmers of the middle and western states and of the grain growing and grazing regions may now well ask where is the use demand for our agricultural produce promised by the free trade party—the party which has in years *past* we been deprived of a *foreign* market for *that surplus* produce on which it was alleged our *revenue* tariff depended? It has not been diminished as those gentlemen declared it would be—by the protective system." The protective system which was recognised in the tariffs of 1824, 1828 and 1832, terminated with the establishment of the principles of the compromise act of March 1833, and from that very period commenced a retrograde movement in the exports of the three great staples of the middle and western states. The compromise bill was passed on the 2d March, 1833, and took effect from and after the 31st of December, 1833. From 1827 to 1833, both inclusive, there were exported of beef 435,366 barrels, but during the next seven years, from 1834 to 1840, there were only 281,827 barrels exported, a reduction taking place of 213,994 barrels, almost one half. During the former period we exported 496,933 barrels of pork, and during the latter only 330,589 barrels, the difference being 148,002 barrels. Of flour, there were exported from 1827 to 1833, 7,421,326 barrels, and from 1834 to 1840, 5,707,269 barrels, showing a reduction that during seven years of the operation of the compromise tax, there was a reduction in the exports of flour of one million, one hundred and twenty-six thousand six hundred and fifty-six barrels, and of beef and pork of three hundred and sixty-one thousand nine hundred and ninety-six barrels. The whole of which may be reduced to twenty-five millions of millions of dollars, a sum about equal to the debt of the state of Ohio, or of Illinois. It is worthy of remark also, that our imports augmented so rapidly under these years of compromise, that at the end of six years, from 1834 to 1839 inclusive, the excess of importations of foreign goods over our exports amounted to the enormous sum of one hundred and eighty-one millions five hundred and fifty-eight thousand eight hundred and twenty-four dollars, ($181,558,824).—All this did not "create" any proportionate demand for the produce of our farms. The lamentable experience of the country since 1833 refutes the proposition laid down by the Boston free trade advocates, "that in proportion as we import more foreign goods we should create by the importation a new demand for our agricultural produce." See App. No. 11.

Our country is admirably adapted from its extent, variety of climate and fertility of soil to supply without limit all those agricultural productions which are essentially connected with the sustenance of the nation. What the farmers most desire is a regular, convenient market, and a steady and a great home demand. Our tariff protects the graziers and grain producers from foreign competition; they possess the home market exclusively. The foreign market, has, as we have seen, been very uncertain and presents no greater advantages to the American farmers now than it did half a century ago. What then can be done for their enterprising, industrious and hardy cultivators of the soil, who laboriously fell the forest, who are instrumental in causing the wilderness to blossom as the rose, and who land to teem with every thing necessary for the comfortable subsistence of their fellow men?

If the protective system, from which we receded in 1833, operated to afford an enlarged market for agricultural products, gave value to land, employment to capital, and fair compensation for all kinds of labor, certainly it would be a dictate of sound wisdom to retrace our steps, and every farmer from Iowa to New England will say, restore to us that system under which the country prospered, which will multiply consumers, cause a brisk demand for our produce, stimulate, protect and reward industry.

The protection of American labor may be considered as affecting agriculture in two respects, directly, where the farmer is protected in his own department, from an injurious competition with foreign labor, in the supply of the home market; and indirectly, where the protection afforded to other interests augments the demand for the products of agriculture. A duty of twenty-five cents per bushel on wheat, and of two cents per pound on beef and pork (the latter was by the tariff of 1828 subject to a duty of three cents per pound) protects the farmer. They meet with little or no competition in the home market, except what arises among themselves, they encounter no ruinous fluctuations in price from the importation of foreign products. The material evils they meet with, are caused by redundant or scarce crops at home, by an occasional short crop in Great Britain, where a temporary and uncertain opening may be afforded for foreign breadstuffs, or, more especially, by a vacillating and mistaken policy of our own government, by which the other great department of industry become depressed, and broken down by *foreign* competition, which compels many useful and laborious citizens to abandon their old occupations and seek a subsistence by cultivating the soil. The benefit to be mutually effected by being himself protected from foreign pauper competitors, and also by measures which yield ample protection to American labor, in all its variety and in every branch. The resources which such a system of protection developes, the enterprise which it calls forth, the impulse which it gives to industry, to intellect, to ingenuity, to science, and the multitude of occupations which consequently spring up under it and invite to their pursuit, all tend to increase consumers and enlarge the home market for the farmer and promote the demand for agricultural produce. To supply merely subsistence, for the population, is not the only object of interest to the farmer. Upon agriculture mainly depends the supply of important raw materials for manufacturing; also of many of the comforts and luxuries which enter into the subsistence of a free people advanced in civilization and refinement, such as the garden, the orchard, poultry yard, dairy establishment, orchard, &c. Agriculture is therefore doubly interested in a system of protection of American labor. From it manufactures, mechanics, and others are not only fed, but derive valuable raw materials, &c. for manufactures.

The whole productive labor of the nation may be considered as chiefly employed in agriculture, manufactures, mining, and fisheries, on these depend the national wealth and prosperity. The consumption of manufactures in this country is immense and constantly increasing with the increase of population. That our country possesses the means and ability of supplying ourselves cannot be disputed. In order to effect this desirable object and secure our independence, it has become expedient and necessary to establish a system of protection for American labor, against the destructive competition to which it would be exposed in our own market, with products of foreign labor. How is the farmer affected by such a system? one thing is obvious, it would be for his interest that the workmen and workshops should be in his own country and within his reach, as he could then supply them with provisions and raw materials, free from embarrassments and restrictions imposed by the policy of foreign governments. It must also be obvious to the farmer that the more numerous the manufactories, workshops, workmen, mechanics, artists and laborers at home, the greater will be demand for the farmer's produce and the more lucrative his business. It is also of importance to him by exchanging his products to be able at all times to procure upon advantageous terms those manufactured articles which are required in his business and family. The more extensively the raising operations be carried on in the country the better for the farmer, the more numerous and diversified the manufacturing establishments and mechanical pursuits in the country, the greater will be his benefit. The home demand for his produce is much increased and the home supply of manufactures becomes more abundant and cheaper.

As the immediate effect of the protective system is to encourage the employment of capital and labor in establishing and carrying on manufactures at home, the amount of benefit to the farmer will be made more palpable and distinctly understood by adverting to facts and experience, which illustrate the magnitude of the interest which agriculture has in the protection of American labor employed in manufactures.

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Wool. It is estimated according to the best calculations that there are in the U. States, 34 millions of sheep worth about (70,000,000) seventy millions of dollars, requiring about eleven millions of acres of land for their keeping, which may be estimated at $10 per acre, making the value of the land about one hundred and ten millions of dollars. Aggregate of capital employed in sheep husbandry, $181,000,000. The annual crop is estimated at $20,000,000, worth about $40,000,000. Here is an interest of immense importance exclusively belonging to the farmers, and for its value they are dependent on the home market.

Suppose the home market were destroyed by the introduction of foreign woolens and our manufactories broken up, where would the farmers find a market for their 20,000,000 lbs. of wool? Their manufacturers have disappeared, and in the desolation and silence of the factory they would read the ruin which must overtake those whose capital and labor were employed in sheep husbandry. To the shambles the sheep would soon be consigned, and at least one half of the land, appropriated for their support, be subject to other tillage. This would add five and a half millions of acres to the quantity already under cultivation, and, if we allow the average of 12 bushels of wheat to the acre, would add to the surplus already in the country, sixty-six millions of bushels, or, at two-thirds of the whole wheat crop of the United States, as reported by Mr. Ellsworth for 1840, and to be more double the amount required for the wheat product of all the western states, of Ohio, Indiana, Illinois, Michigan, Missouri and territories of Wisconsin and Iowa. Are the wheat growers and producers of the middle states willing to receive such a large accession to the surplus which they already produce? Where can a market be found for it? But a further depression would take place, to the dismay of the farmer. To wash up the 20 millions of pounds of wool would require one person for every 1,000 pounds of wool annually. It is supposed that each laborer produces two other persons, making in all 270,000. For every 100,000 pounds of wool manufactured, there is constant employment, equal to the labor of six men in the erection and repair of buildings, machinery, blacksmiths' work, and in dyeing, whether for wool worked up in handles or factories, say 3,600 men whose labor supports at least two others, making 10,200 in all. The aggregate number of persons employed to work up the wool will be about 286,200, each of whom at a moderate calculation consumes $25 worth of agricultural products amounting in the whole to the sum of $7,155,000, to which add $500,000 for home use, by, each having eig $7,655,000 paid to farmers. But if the surplus woolen fabrics from foreign pauper labor be thrown into our market, to be sold at any price rather than American manufacturers, left without adequate protection, cease to work, and abandon their employment, then another serious inconvenience would result to the farmers. At least two-thirds of the persons who may then be compelled to seek some other pursuit, become grain growers and producers of bread-stuffs; they are no longer purchasers from the farmers, but competitors with them. What they formerly purchased they now produce; this would leave two thirds of the $7,655,000 worth of produce without a market, say $5,000,000, equal to five millions of bushels of wheat at $1 per bushel, a high price—this added to the former quantity would make a dead unavailable surplus of 71½ millions of bushels, on hand among the farmers. Although the capacity of the woolen factories are limited and restrained and the protection by no means adequate, yet the woollen business presents to the farmers a market for their wool and other products to the amount of forty-seven and a half millions of dollars. It has been estimated by good judges, that one dollar employed in woolen manufactories gives employment to five dollars of agricultural capital; some estimate the amount at eight dollars. The capital invested in woollen manufactures, according to the imperfect returns furnished to the census reports, is about $15,765,134. This is believed to be below the true amount. In 1831 the amount was stated to be $10,000,000; at present it is probably less, as many establishments have closed and others work on a reduced scale. It is supposed that the amount now invested in lands, water power, machinery, &c. is not less than $25,000,000, and this will give employment to $125,000,000 of agricultural capital invested in lands, sheep, &c. But this beautiful country of ours, with its hill and dale and wide-spreading prairies, so admirably adapted for sheep husbandry, under the judicious management of our industrious farmers, could in a very short time, if a proper system of protection were extended to woollen manufactures, and encouragement to wool growers, supply any quantity of the raw material adequate to the whole consumption of the nation.

For the last seven years, from 1834 to 1840, both included, there have been imported, cloths, cassimeres, blankets, flannels, carpetings, hosiery, worsteds, &c. amounting to the average annual value of more than $13,000,000. Judging by a careful comparison, it may not be unreasonable to suppose that to produce articles of the value of $13,000,000 annually, would require a fixed and floating capital invested in buildings, machinery, implements, tools, stock, &c. of eight millions; this, according to the rule adopted, would call into active operation agricultural effort equivalent to employing a capital of $64,000,000, invested in sheep, lands, &c. and in providing subsistence. It is certainly a matter of vital importance to the farmers that the $25,000,000 in manufactures and $125,000,000 of agricultural capital, making $150,000,000 of actual investment by farmers and manufactures in the woollen business, should not only not be placed in jeopardy, but fully protected. And if the $13,000,000 paid to the foreign laborers for their woollens were applied to those of American make, there would then be given in the aggregate, employment for $165,000,000 of agricultural capital.

There may seem to be a discrepancy in the estimates of the annual value of agricultural, and that in manufactures of wool. The first estimate states the agricultural capital to be about $180,000,000: this perhaps is near the true amount: then according to the rule adopted the capital in manufactures should be about one-fifth, or $36,000,000. This exceeds the amount upon which the calculations were based. Our object is not to magnify the importance of these investments, but to take such reasonable data as are furnished by persons who have deliberately investigated the subject, in order to illustrate the large and important interests and the protective policy, to the farmers. The sum mentioned as the value of agricultural product consumed by each person, viz: $25, we consider as under the actual amount; perhaps $35 or $37 would be about the correct sum.

Flax is a material used in a description of goods consumed in this country, to a very large amount.—This also is the product of the farmer, and consequently he has an interest in measures which would promote a demand for this raw material, and thus give employment to his capital.

By an examination into the trade and consumption of linens, the Report of the United States may obtain some knowledge of the advantages which might accrue to them from the establishment, protection, and encouragement of the manufacture of linen in this country. At present, this business is comparatively of small account; even the household manufacture of linen is perhaps much less than it was some years ago. The returns of the marshals state the value of flax manufactured in families, which is a small amount for our agricultural people. The linen business met with a ruinous blow from the act of July 1832, which authorised bleached and unbleached linens to be admitted free of duty. This law has since been altered, and they are now subject to a duty of 20 per cent. *ad valorem*. Linens are imported chiefly from Germany. It is supposed that in Great Britain and Ireland about 172,000 persons, are wholly employed in the linen manufacture, each earning about eighty-six or eighty-seven dollars per annum, producing an annual value of the manufacture about $36,500,000. The average value of the imports for four years ending Sept. 1840, of linens and flaxen goods was $5,485,827, not quite one-tenth of the value of the manufacture of Great Britain and Ireland, and allowing about ⅓ for raw material would give $1,828,609 as the value of the raw material of the manufactures imported into the U. States; this with perhaps half a million for subsistence was paid to the foreign producer. Bounties, premiums and encouragements, were granted for a long time in the agricultural lines in Great Britain, the effect of which was to supply foreigners with linens at less than cost, or very low prices, by which the foreign manufacture was kept down. In the United States the manufacturer had consequently to struggle against every disadvantage, and without protection it has nearly perished. This has redounded to the advantage of the British and other foreign manufacturers. They are 3,000 miles from our market now, and so firmly established at home that the British government no longer pays a bounty on the export of linen. If sufficient encouragement is permanently secured for the manufactures of flax and hemp, the agricultural interest in the United States would be essentially benefitted, in thus having a home market for raw materials which can be raised in quantities unlimited. Ninety-five thousand tons of hemp and flax were produced in the year 1840 by the farmers of the United States; certainly they deserve protection from a ruinous competition with the serfs of Russia who labor for sixteen cents a day.

Silk is another article largely consumed in this country, and which unites the interests of the agriculturist and manufacturer.

The committee might proceed still further with details to show in how many instances and to what an immense extent the farmers are interested directly in the protection of American industry, to do so would however swell this report to a volume. The committee have given a few in view of cases in which the farmer is not recognised as having that kind of interest which belongs to him as a producer of raw material, but as a provider of subsistence for others, who are endeavoring to supply the nation with all those commodities which condduce to the comfort, defence and independence of the people.

Iron.

Our attention is naturally drawn to the subject of iron, this is an article of the first necessity. The improvement in this manufacture marks, more than any other, the advance in civilization, and the progress in those arts which elevate the nation and constitute the best evidence of its wealth. In consequence of various measures of government, commencing with Mr. Jefferson's restrictive policy, followed by war, and occasional protective tariffs, this manufacture has advanced very considerably, although at times materially retarded by pressure. Infiproportion as the resources of the country and facilities for manufacturing have become known, so has the domestic supply increased and the quality improved. The United States possess a country that our country possesses inexhaustible quantities of the richest mines of coal and iron ore, and the power to manufacture to any extent.

Different Providence has so admirably disposed of these two great elements of national wealth in our extensive country, as almost irresistibly to invite to their use and forcibly to display the mutual dependence and connection of mining, manufacturing and agriculture.

That large iron district which spreads from New Jersey through the great coal fields of Pennsylvania, Maryland and adjacent states, abounding in water power, is in close proximity and ehequered with the most fertile agricultural districts. Go farther west, and we find Ohio, Kentucky, and above all Missouri, presenting in a few iron region and mineral resources in the immediate vicinity of the most fruitful portion of the union. Let these be called into active operation, and fully improved under proper protection then the industrious farmers of the west will be provided with a nearer market for a vast amount of their products. Then they may drive the manufacturer to the forests with the virgin soil of their pastures, or cover them with flocks and herds, without the fear of not finding a market to compensate for their labor.

The advantage to the farmers of the domestic iron manufacture, under the protection, incidental and direct, which it has received, will be best understood by considering a few particulars based upon facts, and the census returns. It is believed from the data furnished that there are 257,025 persons, men, women and children, sustained in carrying on the iron manufacture. Allowing each person to consume 12; cents per day of agricultural product, the whole amount consumed per annum would be $11,726,765.

"This amount falls a little short of the facts actually ascertained in several establishments, owing principally to grain and forage fed to horses and cattle, employed in the business."

Here then is a market for the farmers at which they dispose of $11,726,765 worth of produce, to which may be added $6,387,503 paid for subsistance for about 140,000 persons, connected with the manufactures of hardware, cutlery, machinery, small arms and cannon, wagons, carriages, &c. making an aggregate of $18,114,265 worth of agricultural produce consumed among the iron operatives, being about thirteen millions, or 12,933,131 more than the average annual value of flour exported during the last 26 years; almost equal to the aggregate amount of the exports of beef, tallow, hides, &c., pork, hogs, lard, &c. for the same period, from 1833 to 1840; the value of the whole exports of beef, &c. and pork, &c., from that period amounted to but $19,551,519. The average annual value of the exports of flour, beef, &c., pork, &c., for eight years, viz: from 1833 to 1840 inclusive, was $7,369,913. Thus it would appear that in the production and manufacture of iron, the farmers have a market for their produce, for their produce, worth in one year $10,744,352 more than the value of all the flour, beef, &c., and pork, &c. together, sent to the foreign market of the whole world, annually, for the seven years ending September, 1840. Can any proof be more conclusive of the importance to our farmers of the protection of these manufactures? Can they afford to give all this up, adopt the free trade doctrines, and trust to the consumption in the foreign market? Can the farm-

er concur in measures which would convert at least one-third of the 257,025 persons sustained by the iron manufacture into tillers of the soil and producers of bread stuffs, and thus not only supply themselves, but raise more than enough for the other two-thirds! What is here said with regard to the iron manufacture may be predicated relatively of all the others, which are now seeking protection against the destructive operation of the commercial and free trade principles. This subject may receive additional illustration, evincing more strongly the advantages to the farmers, if the protective system were fully carried out. The importation of bar iron and steel, and manufactures of iron for the two years of 1839 and 1840, amounted to $20,102,317, making on an average, for these two years $10,051,158, and the average for the seven years from 1834 to 1840 inclusive, will be found to have been but little below what is here stated; while from 1827 to 1833 inclusive, the average was about seven millions. Now it is obvious if the foreign manufacturers to whom we have paid these $10,051,158, had been residing in the United States, they would have paid about $7,500,000 for labor, of which there would have been paid to our farmers about $5,000,000 for produce. It is estimated that the capital employed in the manufacture of iron is a little less than the amount of annual product. But iron alone forms more than three-sevenths of the whole amount—about $4,316,377. If we estimate the whole value as that of bar iron and existing, and that the annual product rather exceeds the amount of capital; which has been ascertained to be nearly the fact at a number of establishments, exclusive of woodland and mines of iron and coal, we may assume that the capital employed was about 10,000,000. It is stated that the capital employed in the United States is about $422,500,000, and employs and subsists 257,025 persons. We may, therefore, reasonably suppose that the $10,000,000 paid for foreign iron manufactures gives employment and subsistence to one third that number, viz: 85,675 persons, who would consume in the United States $3,968,921 worth of agricultural products. All which goes to sustain the foreign land owners, and producers of subsistence, but which might, in a great measure, if not wholly, be secured to our own farmers by a wise system of protection.

It is not necessary to go into further details, and before closing this report, it may be useful to present a condensed view of the beneficial results of protection, as manifested in what has been already detailed respecting woollen and iron manufactures. Amount paid to farmers for annual product of wool, - - - - $10,030,000
Do. for subsistence, - - - - 7,655,003

Paid for subsistence by the iron manufacturers, - - - 18,114,265

Total paid for agricultural produce, $35,769,265

Being at the same time, the value of the flour, beef and pork, taken by the foreign market. If we add to this the probable gain, were sufficient and steady protection afforded to these operations so as ultimately to cause a supply for the home consumption, the amount would be swelled largely, say for wool and subsistence for manufacturing 13,000,000 imported woollens $26,666,666; for subsistence for manufacturing imported iron, say $4,000,000, making an additional sum of $30,666,666. Thus the amount which a wise system of national policy might secure to the farmers, would be about $66,433,931 derived from these two branches of industry, wool and iron, to which might be farther added, the value of subsistence required by other business operations incidentally and directly connected with and dependent upon the former, such as the oil trade, soap, wire, &c. Where is the foreign market equal to this? What would become of this amount of agricultural production, if our manufacturing establishments were broken up, this home market destroyed, and the country surrendered to foreign manufacturers and laborers who do not even consume, taking the average of the seven years, 1834 to 1841, seven and a half millions worth of flour, beef and pork?

If such be the immense results accruing to the farmers under a protective system in the cases of wool and iron, may we not well conclude that similar benefits follow in all other instances where like protection is found? There are other great interests in the country equally demanding the fostering care of paternal legislation which diffuse among the farmers incalculable benefits; all of which, in common with wool and iron, are threatened with destruction unless the protecting arm of the government be extended for their relief. And the ruin which is impending the manufacturers will come like an avalanche upon the farmers, involving all in the same distress.

That such will be the fatal catastrophe attendant upon the existing law, which has been gradually undermining our manufacturing interests, no one can longer doubt, after an impartial examination into their condition and prospects. Even foreigners, advocates of free trade, hostile to every measure intended to promote the independence of the country and protect American labor, and who view with a jealous eye American prosperity, behold the fatal effects, and entertain the same opinion of that measure. The Edinburg reviewers, and that distinguished British free trade writer, J. R. McCulloch, confirm the prediction in the fatal results which follow under the compromise law. Here is their language. "The tariff forced cotton, woollen, iron and other manufactures into a premature growth in the U. States; but we have little doubt, that except in the coarser fabrics, and those where it is necessary to use large quantities of the raw material, the *late modification of the tariff has rendered it impossible for the American manufacturing system.*" This is the deliberate judgment of those who are anxious to build up and sustain British manufactures upon the ruin of all others. What, then, is the duty of the American government? Is it not to disappoint the expectations of those who seek the overthrow of our best interests, by placing around our country that great shield of protection which can be moved only by the arm of government.

The stimulus which the protective policy gives to the whole industrial and productive property of the farmers; a general activity in trade and commerce is felt beneficially by them. And while home competition excites to improvement, it invariably, ultimately results in reducing the prices of commodities of domestic manufacture which are largely consumed by the farmers have not only been cheapened, but many of them greatly improved. In all instances where the foreign manufacturers have secured the command of the market the foreign manufacturer has been compelled to reduce his price or leave the market; take for example, nails, window glass, white lead, ploughs, axes, scythes, sickles, hoes, spades, shovels, &c. as well as cotton goods. But to retain a position, or to gain the ascendancy in our own market, the foreign manufacturers are driven to the necessity of sacrificing their goods at auctions, or greatly reducing the wages of the laborers and workmen, so low, that they are deprived of the comforts, and even the common necessaries of life, or supported in part out of the poor rates. This is a condition to which no patriot would wish to see the free men of this country reduced. If protection to whitesmiths and nailers, which downward march must inevitably take place, and our mechanics and laborers be assimilated to the degraded, half starved workmen of Great Britain, and our free farmers reduced to the miserable condition of the serfs of Russia or Leibregners or bond men of Hanover and Prussia.

HAIMAR DENNY, Penn.
J. G. CHANDLER, N. Y.
ALEXANDER WALSH, N. Y.
R. L. ALLEN, N. Y.
R. C. NICHOLAS, N. Y.
J. SPRIGG, MD.
L. J. S. CARPENTER, Mass.
R. NORTON, Mass.
B. TAFT, Mass.
J. W. THOMPSON, N. Y.
} Committee.

MR. ADAMS' REPORT ON THE VETO.

IN THE HOUSE OF REPRESENTATIVES, AUGUST 16, 1842.

The select committee, to whom was referred the message of the president of the United States returning to this house the act which originated in it, "to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes," with his objections to it, with instructions to report thereon, have, leave to have attended to that service, and respectfully report:

The message is the last of a series of executive measures the result of which has been to defeat and nullify the whole action of the legislative authority of this union, upon the most important interests of the nation.

At the accession of the late President Harrison, by election of the people, to the executive chair, the finances, the revenue, and the credit of the country were found in a condition so greatly disordered and embarrassing, that the first act of his administration was to call a special session of congress to provide a remedy for this distempered state of the great body politic. It was even then a disease of no sudden occurrence, and of no ordinary malignity. Four years before, the immediate predecessor of Gen. Harrison had been constrained to resort to the same expedient, a special session of congress, the result of which had only prolonged the first of a succession of paralytic, purchasing momentary relief at the expense of deeper seated disease and aggravated symptoms, growing daily more intense, through the short four years of that administration. It had expended, from year to year, from eight to ten millions of dollars beyond its income, absorbing in that period nearly ten millions pledged for deposite with the states, eight millions of stock in the Bank of the United States, from five to six millions of trust funds, and an much treasury notes, and was sinking under the weight of its own improvidence and incompetency.

The sentence of a suffering people had commanded a change in the administration, and the contemporaneous elections throughout the union had placed in both houses of congress majorities, the natural exponents of the principles which it was the will of the people that should be established in the administration of their government, instead of those which had brought the country to a condition of such wretchedness and shame. There was perfect harmony of principle between the new administration of the people and this majority, thus constituted in both houses of congress; and the first act of his administration was to call a special session of congress for their deliberation and action upon the measures most urgently necessary for relief to the public distress, and to retrieve the prosperity of the great community of the nation.

On the 31st day of May, 1841, within three months after the inauguration of President Harrison, the congress assembled at his call. But the reins of the executive power were already in other hands. By an inscrutable decree of Providence the chief of the people's choice, in harmony with whose principles the majorities of both houses had been constituted, was laid low in death. The vice president, who succeeded the meeting of congress was no longer the president when the congress met. A successor to the office had assumed the title, with totally different principles, and in direct opposition to the tenor of his election, which, far from harmonizing, like those of his immediate predecessor, with the majority of both houses of congress, were soon disclosed in diametrical opposition to them.

The first development of this new, and most unfortunate, condition of the general government, was manifested by the failure, once and again, of the first great measure intended by congress to restore the credit of the country, by the establishment of a national bank—a failure caused exclusively by the operation of the veto power by the president. In the spirit of the constitution of the United States, the executive is not only separated from the legislative power, but made dependent upon and responsible to it. Until the establishment of our bank, all reference in either house of congress to the opinions or wishes of the president, relating to any subject in deliberation before them, was regarded as an outrage upon the rights of the deliberative body, among the first of whose duties it is to spurn the influence of the dispenser of patronage and power. Until very recently, it was sufficient greatly to impair the influence of any member to be suspected of personal subserviency to the executive; and any allusion to his wishes in debate was deemed a departure and a flagrant deceiver than from order. An anxious desire to accommodate the action of congress to the opinions and wishes of Mr. Tyler had led to modifications of the first bill for the establishment of a national bank, presented to him for his approval, widely differing from the opinions entertained of their expediency by the majority of both houses of both houses of congress, but which failed to receive his approval for the sake of which they had been reluctantly adopted. A second attempt ensued, under a sense of the indispensable necessity of a fiscal corporation for the revenue and credit of the nation, to prepare an act, to which an informal intercourse and communication between a member of the house, charged with the duty of preparing the bill, and the president of the United States himself, might secure by compliance with his opinions a pledge in advance of his approval of the bill, when it should be presented to him. That pledge was obtained. The bill was presented to him in the very terms which he had prescribed as necessary to obtain his sanction, and it met the same fate with its predecessor and it is announced that the reasons assigned for the refusal to approve the second bill are in direct and immediate conflict with those which had been assigned for the refusal to sign the first.

Thus the measure, first among those deemed by the legislature of the union indispensably necessary for the salvation of its highest interests, and for the restoration of its credit, its honor, its prosperity, was prostrated, defeated, annulled, by the weak and wavering obstinacy of one man, accidentally, and not by the will of the people, invested with that terrible power, as if prophetically described by one of his own chosen ministers, at this day, as "the right to deprive the people of self government."

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The first consequence of this executive legislation was not only to prostrate the efforts of the legislature itself, to relieve the people from their distresses, to replenish the exhausted treasury and call forth the resources of the country, to redeem the public faith to the fulfilment of the national engagements but to leave all the burdens and embarrassments of the public treasury, brought upon it by the improvidence of the preceding administration, bearing upon the people in an aggravated pressure. The fiscal report of the preceding administration, had been an excess of expenditure beyond its income. That excess had been an average of eight millions of dollars a year, at least, during the first years of its existence. The practical system of its fiscal operations had been a continued increase of expenditures and diminution of revenues, and it left as a legacy to its successor no effective reduction of expenses but a double reduction of revenue to the amount of millions, to occur, of course, by the mere lapse of time, unless averted, within fifteen months, by subsequent legislation.

By the double exercise of the presidential interdict upon the two bills for establishing a national bank this legislation was prevented. The excess of expenditures beyond the revenue continued and increased. The double reduction of revenue, prescribed by the compromise of 1833, was suffered to take its full effect—no reduction of the expenditures had been approached; and, in the fourteen intervening months, since the inauguration of President Harrison, an addition of at least fifteen millions to the enormous deficit already existing in the treasury at the close of the last administration, was charged upon the prevailing party in congress, by those who had made it the law, while the exercise of the veto power alone disabled the legislature from the power of applying the only remedy which it was within the competency of legislation itself to provide.

The great purpose for which the special session of congress had been called was thus defeated by the exercise of the veto power. At the meeting of congress, at the regular annual session, the majorities of both houses, not yielding to the discouragement of disappointed hope and baffled energies, undertook the task of raising, by impost duties, a revenue adequate to the necessities of the treasury, and to the fulfilment of the national obligations.

By the assiduous and unremitting labors of the committees of both houses charged with the duties of providing for the necessities of the revenue, and for the great manufacturing interest of the northern, eastern, and western states, a tariff was reported, affected by any adjustment of a tariff, to raise exclusively a revenue adequate to the necessary expenses of the government from duties on imports, a tariff bill offered to be nearly, if not wholly, sufficient for that purpose, was elaborated and amply discussed through a long series of weeks in both branches of the legislature. The process of gestation through which alone such a complicated system could be organized, necessarily consumed many months of time; nor were the committees or the house exempted from severe pressure. The purchased pressure of the executive chief are even yet causing upon congress, without rebuke or resentment from him. The alarm was sounded by the patriots and the rival recital of the whole subject by the appropriate committees. As the period approached when the so called compromise tariff was to be consummated, leaving the government without any revenue tariff sanctioned by the law, the prudence of congress, without precipitating their decision upon the permanent system which they fondly hoped to establish, provided such that the president a temporary expedient, limited in its operation to the space of one month, during which to avoid, as they thought, the possibility of a conflict with the apprehended authority of the president, they had suspended for the same month the distribution of the proceeds of the sales of public lands, which, by a previous law, was to take effect the day after the expiration of the compromise. Not only was this most conciliatory measure contemptuously rejected, but, in total disregard of the avowed opinions of his own secretary of the treasury, concurring with those, nearly unanimous, of all the most eminent lawyers of the land, in solitary reliance upon the hesitating opinion of the attorney general, he has undertaken not only to levy taxes to the amount of millions upon the people, but to prescribe regulations for its collection, and for ascertaining the value of imported merchandise, which the law has left, in express terms, reserved for the legislative action of congress.

And now, to crown this system of continual and unrelenting exercise of executive legislation by the alternate gross abuse of constitutional power or bold assumption of powers never vested in him by any law, we come to the veto message referred by the house to this committee.

A comparative view of the four several vetoes which in the course of fifteen months, have suspended the legislation of this union, combined with that assiduous, industrious, the reasons for approving and signing a bill, and at the same time striking, by judicial construction, at its most important enactment, illustrated by the contrasted influences of temper and of sentiment divulged at convivial festivals, and obtruded upon the public eye by the fatal friendship of sycophant private correspondents, and stripped to naked nature by the repeated and daring assumption both of legislative and of judicial power, would present anomalies of character and conduct rarely seen upon earth. Such an investigation, though strictly within the limits of the subject embraced in the reference to this committee, would require a volume for report, which the scantiness of time will not admit, and which may be reserved for maturing judgment of the house upon the document now before them.

The reasons assigned by the president for returning to the house of representatives, with his objections, the bill to provide revenue from imports, and for raising and maintaining a revenue, duties and for other purposes, are preceded by a brief disseration upon the painful sensations which any indulgence of sentiment with the veto power, should in exercising it upon important acts of the legislature. The paragraph is worded with extreme caution, and with obvious intent to avoid the assertion, made in the second and third paragraphs of his letter read at the Philadelphia Independence day dinner party, that congress can enact no law without the concurrence of the executive. There is in this paper a studious effort to save any imputation from the imputation of asserting the unqualified independence of the executive upon the legislature, and the impotence of congress to enact any law without him. That assertion, made in so explicit and unqualified terms, in the Philadelphia letter, is here virtually disclaimed and disavowed. The exercise of now independence of legislation, by one of the parts of legislation, by any individual invested with the veto power, is here curtailed and narrowed down to the mere privilege of not yielding his well considered, most deeply felt, and repeatedly deliberate opinions on a matter of great public concernment, to those of a co-ordinate department, without requesting that department seriously to reexamine the subject of their difference. The co-ordinate department of the legislature is no longer the co-ordinate branch of the legislature.—The power of congress to enact a law without the co-operation of any individual executive is conceded, not merely by unavoidable inference, for the closing paragraph of the message, recurring again to the same troublesome reminiscence, observes that, after all, the effect of that he does, is simply to call on congress to *reconsider* the subject. If, on such reconsideration, a majority of two-thirds of both house should be in favor of this measure, it will become a law notwithstanding his objections. The truism of this remark may perhaps be accounted for by the surmise that it was a new discovery, made since the writing of the Philadelphia dinner party letter, and the modest presumption arrogated by constitution that the executive can commit no error of opinion unless two-thirds of both branches of the legislature are in conflict with him. He concludes with the amiable assurance that in that event he will cheerfully acquiesce in a result which would be precisely the same whether he should acquiesce in it or not. The aptitude of this hypothetical position may be estimated by the calculation of the chances that the contingency which it supposes is within the verge of possibility.

The reasons assigned by the president for his objections to this bill are further preceded by a narrative of his antecedent opinions and communications on the subject of distributing the proceeds of the sales of the public lands. In this paper at the opening of the extra session he recommended such a distribution, but he avers that this recommendation was expressly *coupled* with the condition that the duties on imports should not exceed the rate of 20 per cent. provided by the compromise act of 1833.

Who could imagine that, after this most emphatic coupling of the revenue from duties of import with the revenue from the proceeds of the sales of the public lands, the first and paramount objection of the president to this bill should be that it unites two subjects, which, so far from having any affinity to one another, are wholly incongruous in their character—which two subjects are identically the same with those which he had coupled together in his recommendation to congress at the extra session? If there was no affinity between the parties, why did he join them together? If the union was illegitimate, who was the administering priest of the unhallowed rite? It is objected to this bill that it is both a revenue and an appropriation bill. What then? Is not the act of September 4, 1841, approved and signed by the president himself, both a revenue and an appropriation bill? Does it not enact that, in the event of an insufficiency of impost duties not exceeding twenty per cent. ad valorem, to defray the current expenses of the government, the proceeds of the sales of the lands shall be levied as part of the same revenue, and appropriated to the same purposes? The appropriation of the proceeds of the sales of the public lands to defray the ordinary expenditures of the government is believed to be a system of fiscal management unwise, impolitic, improvident, and unjust, and it is proper for the present reason that the bill now before the house provides that they shall not be so appropriated. The public lands are the noble and inappreciable inheritance of the whole nation. The sale of them to individuals is not a tax upon the purchaser, but an exchange of equivalents scarcely more burdensome to the grantee than if he should receive it as a gratuitous donation. To appropriate the proceeds of the sales to defray the ordinary expenses of the government is to waste and destroy the property. This property is held by congress in trust. Will the president of the distribution act if it was *giving away* the property. It is precisely the reverse. It is restoring it to the owner. To appropriate the proceeds to defray the current expenditures is to give it up in consolidation and waste. It is in political economy precisely the same as if an individual landholder should sell off, year after year, parcels of his estate, and consume its proceeds in the payment of household expenses. The first principle of political economy necessary for a nation is to raise by taxation within the year the whole revenue required for the expenditures of that year.—Every departure from this principle is a step in the path of national bankruptcy and ruin. The daily demands of the treasury must be supplied by the revenue derived from taxation by the people, and not by the dissipation of the common property.

The second reason of the president for objecting to the passage of this bill is not more ponderous than the first. The present condition and embarrassed state of the treasury, and the impotent, if not unconstitutionality, of *giving away* a fruitful source of revenue, which it retained may be seized by the government, and applied to the purposes which wants. But the president had just told us that this fruitful source of revenue was a subject wholly dissimilar in its character from that of revenue raised by duties of imposts—so dissimilar that the mere mention of it formed in his mind an insurmountable objection to the passage of the bill. "I most respectfully submit (says the message) whether this is a time to *give away* the proceeds of sales of the public lands, when the public lands constitute a fund which of all others may be made most useful in sustaining the public credit." And how are the public lands thus useful? Precisely by *giving them away*. By giving them away forever! For if the principle be once established that the proceeds of the sales of the public lands shall be substituted for revenue from taxation to defray the ordinary annual expenses of the national government, never more will the people of any state in this Union have the benefit of one dollar from this richest of sources of inexhaustible wealth, bestowed upon them by their bountiful Creator for the improvement of their own condition. But *given away*—yes, to the last cent *given away*, forever, to pamper the reckless extravagance of government forever preaching retrenchment and economy, and forever heaping millions upon million of annual expenditures "to suckle armies and dry nurse the land."

The committee submit to the house their unhesitating opinion that the appropriation of any part of the proceeds of the sales of the public lands to the ordinary annual expenditures would be the most effectual and irretrievable *giving away* of that great and inestimable inheritance of the American people. That, if once that growing and inexhaustible fund shall be doomed to form the whole or any part of the ways and means for the annual estimates of the receipts and expenditures of the national government, the people may be forever, at a long interval, to every hope of ever receiving a dollar's useful improvement from that gift of God to them, thus cruelly and perfidiously wrested from their hands.

Nineteen of the states of this Union, in the ardent, perhaps, in some cases, inconsiderately ardent, pursuit of this improvement of their own condition, have become involved, some of them heavily involved, in debt. The greatest portion of this debt has been contracted for the accomplishment of stupendous works to expedite and facilitate the intercourse of travel and of trade between the remotest extremes of this great republic, swarming, from year

to year, with redoubling millions of population. It is no exaggerated estimate of the value of these works to say, that the saving of time, of labor, and of expense to individual citizens of the Union, enjoying the benefit of these public works, more than repays, in every single year, the whole cost of their construction.

But, while these immense benefits have been thus secured to the people, as a community of individuals, the states have been authorised to have contracted a burden of liabilities heavier than they are able to bear. They need the assistance of a friendly and powerful hand, and where should they find it but in the sympathies of the national government? In their fidelity to the trust committed to their charge in this immense and almost boundless public domain? The application of the proceeds of the public lands to alleviate the burdens of these debts pressing upon the people of almost all the states, is, if not the only, the most unexceptionable mode of extending the mighty arm of the Union to relieve the people of the states from the pressure of the burden bearing upon them—a relief consisting only of the distribution among them of their own property—relief furnishing them the means of paying to the United States themselves no inconsiderable portion of the debts due from the states to them; so that by one and the same operation the people of the states will be relieved from the intolerable pressure of their debt, and the common treasury of the Union will receive back in payment of debt no small part of the same sums allotted to the states as their respective portions of the distribution.

The committee regret that the shortness of the time which they have allowed themselves for the preparation of this report compelled them to pass over numerous other considerations amounting to the clearest demonstration that the distribution among the states of the proceeds of the sales of the public lands will be infinitely most conducive to the ends of justice and to the relief of the people from their embarrassments, than the devotion of the same funds to be wasted up in the insatiate gulph of the ordinary annual expenses of the federal government—to perish in the using like the nine millions of the fourth instalment promised to the states, the seven or eight millions of stock in the Bank of the United States, and the five or six millions of Indian trust and navy pension funds, all sunk, during the Van Buren administration, without leaving a wreck behind.

This review of the reasons of the president for objecting to the passage of the bill might be extended far more into detail, and all leading to the conclusion that they are feeble, inconsistent, and unsatisfactory. It remains only for the house to take, by yeas and nays, the question upon the final passage of the bill, and as the majority of the committee do not indulge, even hypothetically, the absurd hope of a majority either in this or the other house of concurrence consistent to the enactment of the bill into a law, they leave the house to determine what further measure they may deem necessary and practicable by the legislative authority in the present calamitous condition of the country.

They perceive that the whole legislative power of the union has been for the last fifteen months, with regard to the action of congress upon measures of vital importance, in a state of suspended animation, struck by the five times repeated mortar-fire of the executive cord. They observe that, under these unexampled obstructions to the exercise of their high and legislative duties, they have hitherto preserved the most respectful forbearance towards the executive chief; that while he has, time after time, annulled by the mere act of his will their commission from the people to enact laws for the common welfare, they have forborne even the expression of their resentment for these multiplied insults and injuries—they believed they had a high destiny to fulfil, by administering to the people in the form of law remedies for the sufferings which they had too long endured. The will of one man has frustrated all their labors and prostrated all their powers. The majority of the committee believe that the case has occurred in the annals of our union, contemplated by the founders of the constitution by the grant to the house of representatives of the power to impeach the president of the United States. They are aware that a resort to that expedient might, in the present condition of public affairs prove abortive. They see that the irreconcilable difference of opinion and of action between the legislative and executive departments of the government is but sympathetic with the same discordant views and feelings among the people. To them alone the final issue of the struggle must be left. In the sorrow and mortification under the failure of all their labors to redeem the honor and prosperity of their country, it is a cheering consolation to them that the termination of their own political existence is at hand; that they are even now about to return to receive the sentence of their constituents upon themselves; that the legislative power of the union, crippled and disabled as it may now be, is about to pass, renovated and revivified by the will of the people, into other hands, upon whom will devolve the task of providing that remedy for the public distempers which their own honest and agonizing energies have in vain endeavored to supply.

The power of the executive to veto an act laws essential to the welfare of the people has been struck with apoplexy by the executive hand. Sidbaniism is but still in the agonies of death; it will not permit them to act. For the enactment of a measure earnestly recommended by himself he forbids their action unless coupled with a condition declared by himself to be on a subject so totally different that he will not suffer them to be coupled in the same law. With that condition congress cannot comply. In this state of things he has assumed, as the committee fully believe, the exercise of the whole legislative power to himself, and is levying millions of money upon the people without any authority of law. But the final decision of this question depends neither upon legislative nor executive, but upon judicial authority, nor can the final decision of the supreme court upon it be pronounced before the close of the present congress. The committee believe the abusive exercise of the constitutional power of the president to arrest the action of congress upon measures vital to the welfare of the people, has wrought conviction upon the minds of a majority of the committee that the veto power itself must be restrained and modified by an amendment of the constitution itself, a resolution for which they accordingly herewith respectfully report.

JOHN QUINCY ADAMS,
JNO. M. BOTTS,
JAMES COOPER,
R. I. INGERSOLL,
THOS. J. CAMPBELL,
TRUMAN SMITH,
F. GRANGER,
H. St. L. ROC,
JEREMIAH MORROW,
J. A. PEARCE.

Resolved by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring therein, That the following amendment of the constitution of the United States, in the seventh section of the first article, be recommended to the legislatures of the several states, which, on the adoption of the same, by three-fourths of the said legislatures, shall become part and parcel of the constitution:

Instead of the words "two-thirds" twice repeated in the second paragraph of the said seventh section, substitute in both cases, the words "a majority of the whole number."

TWENTY-SEVENTH CONGRESS, SECOND SESSION.

SENATE.

August 11. The bill to increase the pay of revenue officers, when employed in the naval service, coming up, it was suggested that it had better be over till the next session. It was then laid upon the table.

The act to establish a police for the protection of valuable and private property in the city of Washington (having been laid on the table on Tuesday last and the vote reconsidered yesterday) was taken up, and the question on the amendment pending, viz: to make out the appointment of the lieutenant of the captain of the guard to the president and substitute therefor the mayor of the city of Washington, being taken, it was decided in the affirmative, by yeas 18, noes not counted. The bill was then ordered to be engrossed by a vote of yeas 21, noes 20.

The bill for the relief of Henry N. Shreve, and to authorise the purchase (at $20,000) of his patent for the snag boat, was taken up, debated, and laid on the table.

Several private bills of the calendar were passed.

The treaty negotiating with Great Britain in relation to the northeastern boundary having been received, the senate went into executive session, and after some time spent therein, the doors were reopened.

The bill for the augmentation of the marine corps, was taken up, debated by Messrs. *Huntington, Buchanan, Archer, Caldwell, Calhoun* and others, was amended so as strike out the offices, five captains and sixteen lieutenants, and to limit the increase to five hundred, and then ordered to be engrossed for a third reading, and the senate then adjourned.

August 12. The day was devoted chiefly to the private calendar, and after acting upon several of its bills of no very general importance the senate adjourned.

August 13. Memorials were presented for admission of Florida into the union and for increase of duty on wool.

The bill to provide an auxiliary guard for the city of Washington was put upon its third reading.

Mr. *Calhoun* expressed his opposition to its passage, because it was the first attempt at combining the public proceedings with the municipal authorities of Washington, and he thought that in the end, it would render the corporation utterly worthless.—He demanded the yeas and nays. And the vote on the passage of the bill stood yeas 21, nays 15. So it was passed.

The bill to amend the acts of July 1836 and 1838, allowing pensions to certain widows, was then taken up, amended and reported. Mr. *Calhoun* then expressed his opposition to it as contrary the pension system to an improper extent. The yeas and nays being ordered, stood yeas 24, nays 14. The bill as passed reads thus.

Be it enacted, &c. That the marriage of the widow, after the death of her husband, for whose services she claims a pension under the act of the 7th of July, 1838, shall be no bar to the claim of such widow to the benefit of that act, she being a widow at the time she makes application for a pension.

The contingent bill was then on motion of Mr. *Evans* taken up, and debated, the numerous amendments proposed by the committee of finance were concurred in, and the bill finally reported to the senate, whereupon the senate adjourned till Monday.

August 15. Mr. *Calhoun* presented a petition from citizens of Florida, praying that the territory may be admitted into the union, and that grants of land may be made for state purposes.

Mr. *Archer* presented a petition from citizens of Amelia county, Virginia, remonstrating against the passage of any tariff bill which alienates the proceeds of the public lands from the territory of the U. States.

Mr. *Rives* moved that the senate proceed to the consideration of executive business on a matter which would take up but little time, though of some importance.

The motion prevailed; and after about fifteen or 20 minutes the doors were again opened.

The bill to provide for ascertaining and disposing of the lead mines in the state of Illinois and the territories of Wisconsin and Iowa was taken up in committee of the whole, explained at some length by Mr. *Smith*, of Indiana, and opposed by Mr. *Rives*, and amended by Mr. *Evans*, when Mr. *Smith* asked that the bill might have its third reading then, in order that it might go to the house. The bill was then read a third time and passed.

The motion of Mr. *Cuthbert*, all the previous orders were postponed with a view to take up the bill to authorise the adjustment of the claims of the municipality No. 1 of the city of New Orleans to certain lands within said municipality, and now in the occupation of the United States. The bill was argued at length by Mr. *Conrad*, and opposed by Mr. *Wright*, when Mr. *Buchanan* moved to postpone the further consideration of the bill until the next session, and asked the yeas and nays on the motion. The question having been put, it was decided in the affirmative yeas 26, nays 15.

The bill for the payment of the Florida militia, called out in the years 1839 and 1840, was read a third time, and passed.

Mr. *King* moved to take up the bill for the relief of Gideon Lee, Oliver, (laid on the table on the motion some time since), which was adopted. The bill was debated by Messrs. *Bayard, Young*, and others, and laid on the table.

Mr. *King* moved to take up the resolution of the house designating the day of adjournment of the present session. He was anxious to have the matter fixed, whether it was to be the day indicated by the resolution, or whether it should be even if a month hence, let it be fixed and understood.

The president of the senate said that the resolution was under the special order, and was consequently now before them in committee of the whole.

Mr. *Preston* moved that it be laid on the table.—He hoped they might be able to call it up by Thursday next. It could not be laid on the table without understanding that it should be taken up as early as possible.

Mr. *Buchanan* said he would not vote for fixing any day of adjournment until they had given the house full opportunity to adopt some revenue bill.

Mr. *Wright* asked the yeas and nays; which were ordered, and the vote stood as follows:

YEAS—Messrs. Archer, Atkins, Bayard, Benton, Berrien, Buchanan, Choate, Clayton, Cuthbert, Dallas, Crittenden, Dixon, Evans, Huntington, Kerr, Miller,

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Morehead Porter, Preston, Rives, Smith, of Indiana, Sprigg, Woodbridge—23.

NAYS—Messrs. Bagby, Calhoun, Fulton, Henderson, M. Roberts, Sanquin, Sevier, Walker, White, Woodbury, Wright, Young—12

The bill from the house for the relief of certain settlers in the territory of Wisconsin was taken up, and after having been amended on motion of Mr. *Smith*, of Ind. was ordered to a third reading.

Mr. *Allen* moved to take up the joint resolution submitted some days since by Mr. *Preston*, in relation to reimbursing the treasury for any moneys that might be expended by the general government in the extinguishment of Indian titles. The question having been put, the vote stood for the motion: ayes 12, noes 18.

Mr. A. said as there was a matter in embryo in which the disposal of this resolution had an important bearing, he should move to call up the resolution to-morrow, and ask the yeas and nays on it.

The bill from the house entitled "an act to authorize the selection of school lands in lieu of those granted to the half breeds of the Sac and Fox Indians," was considered in committee of the whole, and read a third time and passed.

The senate adjourned.

AUGUST 16. On motion of Mr. *Evans* the bill making contingent appropriations for the year 1842, was taken up, the amendments made on Saturday were all one or two exceptions concurred in, and additional amendments adopted, and the bill ordered to be engrossed and read a third time.

After transaction of minor business the senate adjourned.

AUGUST 17. The bill for the relief of the representatives of General De Kalb was reported with amendment.

The adverse report on the claim of Margaret Bienerhassett was taken up, and laid aside as she had died since her memorial was presented.

The sum of twenty fund bill was passed by yeas 26, nays 2. The report of the committee of conference on the army appropriation bill was concurred in, by yeas 29, nays 7.

The senate then at 1 o'clock went into executive session on the subject of the British treaty, and thereafter adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, AUG. 11. Mr. *Cost Johnson* asked leave to offer the following resolution, which was read for information:

Resolved, That the secretary of war report to this house at the next session the number of resignations in the army since the 1st January 1835, and the causes of resignation as far as known; and whether any of them have been restored to the army, and to what stations, giving the names of the officers and the dates of resignation, and the amount of money paid each for any time or any cause after the resignation, and before their restoration.

Mr. *Stanly* wished the resolution to lie over for a while. Mr. *C. Johnson* moved that the rules of the house be suspended for the purpose of considering the resolution. And the question being taken and decided in the affirmative, (two-thirds voting therefor), the rules were suspended. The resolution being now before the house, and the question being on its adoption—

Mr. *Cave Johnson* demanded the previous question.

Mr. *Jewett* suggested to Mr. J. so to modify his resolution as to substitute the year "1834" for "1835." Mr. J. modified the resolution accordingly.

Mr. *Roosevelt* suggested to Mr. J. so to modify the resolution as to designate which of the said officers had been educated at West Point at the public expense.

[A voice: "Oh no! That's clap-trap."]

Mr. *Johnson* modified the resolution accordingly.

And the question being taken on the demand for the previous question, there was a second.

The main question on the resolution was then ordered; and, being taken, the resolution was *adopted*.

On motion of Mr. *Barnard*, and by general consent, the house proceeded to the consideration of the following senate bill:

AN ACT to amend the act entitled "an act supplementary to the act entitled 'an act to amend the judicial system of the United States.'"

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the fourth circuit shall be composed of the districts of Maryland, Delaware and Virginia.

The fifth circuit shall be composed of the districts of Alabama and Louisiana.

The sixth circuit shall be composed of the districts of North Carolina, South Carolina and Georgia.

The circuit courts in the district of Virginia shall be holden at Richmond on the first Monday in May and on the fourth Monday in November.

The circuit courts in the district of North Carolina shall be holden on the fourth Monday of May and second Monday in December.

This act shall not take effect until the first day of February next; before which time the justices of the supreme court of the United States, or a majority of them, shall allot the several districts among the justices of the said court.

Sec 2. *And be it further enacted*, That when the time of holding any court by this act has been changed, all processes, proceedings, and causes shall be regarded and have the same continued to the said courts, at the times herein provided for their meeting, respectively.

The question on its passage being taken the vote stood, yeas 115, nays 68.

Mr. *Stanly*, on leave given, offered the following resolution, in the nature of an amendment to the resolution hereinbefore referred to, as having been adopted on motion of Mr. *Cave Johnson*:

"After the words, 'as far as known,' insert the words 'and also to state how many of the officers who resigned were educated at West Point.'"

Mr. S. said he opposed this resolution, because he thought it was another attack on the army, and we had had enough of that. His object was to enable the secretary of war to show that many resignations were not educated at West Point. He was not sure his amendment would have that effect—he had barely glanced at the resolution; if not, he would call for additional information hereafter.

The resolution was adopted.

Mr. *Preffit* moved to take up the tariff bill laid upon the table yesterday. By yeas 82, noes 104, the house refused to take up.

The house then on motion of Mr. *Fillmore* resolved itself into committee of the whole and proceeded to the consideration of the fortification bill.

The fortification bill was diffusively discussed and variously modified and amended and the question being then on a motion to rise and report.

Mr. *Graham* moved that the bill be reported to the house with the recommendation that it be rejected and advocated his motion in a brief address. A debate ensued, and finally, on motion of Mr. *Fillmore* the committee rose.

Mr. *W. W. Irwin* rose to ask to be excused from serving as a member of the select committee on the president's veto message considering it as an unconstitutional proceeding. The question being taken, by an almost unanimous vote Mr. I. was excused.

The house then adjourned.

FRIDAY, AUGUST 12. The speaker announced that the vacancy occasioned by the resignation of Mr. *W. W. Irwin* on the select committee appointed on the president's veto, had been supplied by the appointment of Mr. *Long*, of Indiana.

Mr. *Ingersoll*, on leave given, from the committee of ways and means, reported the bill from the senate entitled "an act to define and regulate the payment and pay of engineers in the navy of the United States, reported the same with amendments."

Mr. *Wise*, on leave given, from the committee on naval affairs, to which had been referred bills from the senate of the following titles, reported the same without amendments, viz.

An act to regulate enlistments in the army, navy and marine corps.

An act concerning the professors of mathematics in the navy of the United States.

Also, from the same committee, the following senate bills with amendments, viz:

An act to reorganize the navy department of the United States.

An act for the establishment of a school for instruction in the naval service of the United States.

On the suggestion of the speaker, and by general consent, a number of senate bills on the speaker's table were taken up on their first and second reading, and appropriately referred.

Mr. *Barnard* asked the house to do him the favor to allow him to make a motion to discharge the committee of the whole on the state of the union from the further consideration of senate bill 142, being a bill to amend the judiciary act of 1789. The bill had passed the senate, had been referred to the judiciary committee of this house, and by a unanimous vote of that committee, had been reported to the house. He hoped no objection would be made to the motion.

Mr. *Smith*, of Virginia, objected. Mr. *Barnard*—It is not the remedial justice bill. Mr. *Smith* thereupon withdrew his objection. The bill was read (in part)—when, Mr. *Black* objected.

On motion of Mr. *Barnard*, (the rules being, by a vote of two-thirds, suspended for the purpose), the committee of the whole on the state of the union was discharged from the further consideration of the said bill, the title of which is as follows:

"An act further supplementary to an act, entitled 'an act to establish the judicial courts of the United States,' passed th 24th of September, 1789."

Mr. *Fillmore* offered a resolution to terminate debate in committee of the whole on the bill making appropriations for certain fortifications, after the same shall have been further considered one hour. The resolution was adopted by yeas 81, noes 67.

On motion of Mr. *Fillmore* the house resolved itself into committee of the whole on the state of the Union, (Mr. *Hopkins*, of Virginia, in the chair,) and resumed the consideration of the bill making appropriations for certain fortifications of the United States for the year 1842.

The question being on the motion of Mr. *Graham* that the committee rise and report the bill to the house, with a recommendation *that it do not pass*.

Mr. *Irwin* and Mr. *Wise* occupied the floor until the hour specified arrived.

The committee, in pursuance of the order of the house, proceeded to rise.

The question was taken on the motion to report the bill to the house, with a recommendation that it do not pass, and it was decided in the affirmative.

After some conversation on a point of order, the committee rose and the chairman made report accordingly.

Mr. *Fillmore* laid before the house a communication from the engineer department in relation to the situation of the fortifications, and the unexpended balances of former appropriations. The statement is as follows:

"There is now in the treasury, applicable to the fortifications which are included in the bill of the committee of ways and means, only the sum of $132,075 70; and of this sum $103,156 is applicable to Boston harbor—leaving for all the other works only $28,919. And the August estimates are not yet provided for."

Mr. F. said his own impression was that in the present situation of the treasury, the bill should be ordered to be engrossed, and be then laid aside until it was seen whether any measure to supply revenue would be adopted. He hoped, therefore, that the house would consent to the engrossment of the bill, and he moved the previous question.

Mr. *Wise* asked the yeas and nays, which were ordered; and, being taken were, yeas 95, nays 65. So the bill was ordered to be engrossed for a third reading.

Mr. *Fillmore*, for the reasons before stated, moved that the bill be laid on the table. And by yeas 102, nays 54, the bill was laid upon the table.

Mr. *Fillmore* then for the purpose of placing the bill within the control of the house moved to reconsider the vote laying it on the table, and thereupon the house adjourned.

SATURDAY, AUGUST 13. Mr. *Wise*, on leave given, from the committee on naval affairs, to which was referred the bill from the senate entitled "an act to regulate the appointment and pay of engineers in the navy of the United States, reported the same with amendments."

Mr. *Wise*, on leave given, from the committee on naval affairs, to which had been referred bills from the senate of the following titles, reported the same without amendments, viz.

An act to regulate enlistments in the army, navy and marine corps.

An act concerning the professors of mathematics in the navy of the United States.

Also, from the same committee, the following senate bills with amendments, viz:

An act to reorganize the navy department of the United States.

An act for the establishment of a school for instruction in the naval service of the United States.

On the suggestion of the speaker, and by general consent, a number of senate bills on the speaker's table were taken up on their first and second reading, and appropriately referred.

Mr. *Barnard* asked the house to do him the favor to allow him to make a motion to discharge the committee of the whole on the state of the union from the further consideration of senate bill 142, being a bill to amend the judiciary act of 1789. The bill had passed the senate, had been referred to the judiciary committee of this house, and by a unanimous vote of that committee, had been reported to the house. He hoped no objection would be made to the motion.

Mr. *Smith*, of Virginia, objected. Mr. *Barnard*—It is not the remedial justice bill. Mr. *Smith* thereupon withdrew his objection. The bill was read (in part)—when, Mr. *Black* objected.

On motion of Mr. *Barnard*, (the rules being, by a vote of two-thirds, suspended for the purpose), the committee of the whole on the state of the union was discharged from the further consideration of the said bill, the title of which is as follows:

"An act further supplementary to an act, entitled 'an act to establish the judicial courts of the United States,' passed th 24th of September, 1789."

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The bill was read, and, no debate arising, was ordered to a third reading, [at this time], and was read a third time and *passed*.

The resolutions offered by Mr. *Cooper* in relation to call for information from the executive and the substitute thereunto offered by Mr. *Everett*, being taken up, Mr. *W. W. Irwin* moved to lay the whole subject on the table. His motion was negatived by yeas 61, nays 105.

Mr. *Carruthers* had moved to amend the first of the third resolutions, by inserting after the words "the executive" the words "and heads of departments;" and by a corresponding amendment making the resolution read "his or their."

Mr. *Carruthers'* amendment was agreed to.

Mr. *Everett's* amendment was (by a vote of 62 yeas, 104 nays) rejected.

The question was then taken on each resolution separately (see page 366) and the first was adopted by yeas 142, nays 8, the second was adopted by yeas 94, nays 64, and the third was adopted by yeas 89, nays 59.

Mr. *Yorke* called up the motion submitted by him yesterday to reconsider the vote rejecting the bill entitled an act to amend "an act to provide for the payment of horses or other property lost or destroyed in the military service of the United States," approved the 18th of January, 1837.

The vote was accordingly reconsidered and after remarks the bill was passed and the house adjourned.

MONDAY, AUGUST 15. Mr. *W. Cost Johnson*, in pursuance of notice heretofore given, asked leave to introduce a bill of the following title:

"A bill to meet all the current and contingent liabilities of the government by raising revenue from imports; to benefit the grower of grain and tobacco, by counteracting and reciprocal duties on articles specified; to prevent abuses in the collection and disbursement of the revenues, by requiring the gross amount to be paid at once into the treasury to be drawn out only by law, to present defalcations, by requiring purchasers of public lands, and importers of dutiable goods, to place the amount to be paid the government in government depositories or in the treasury, at once, to the credit of the government, and to receive a receipt payable only to the receivers upon presentation of the certificate of such deposite; to benefit the states and increase the capital of the nation, by authorising the issue, upon the faith of the government, of two hundred millions of government stock of denominations of not less than one hundred nor exceeding one thousand dollars, to be divided among the states, the territories and the District of Columbia, upon the basis of federal numbers; and to suspend the operation of the distribution of the proceeds of the sales of the public lands until the redemption of the stock by the government."

Mr. *Barnard* objected.

Mr. *W. C. Johnson* (objection being made) moved that the rules of the house be suspended for the purpose of enabling him to offer the following resolution:

Resolved, That a select committee of ——— be appointed, with instructions to consider the propriety of reporting the following bill.

Mr. J. asked the yeas and nays on the motion, which were refused. The question being taken, the house refused to suspend the rules.

Mr. *W. Cost Johnson*, of Maryland, laid on the table a memorial, signed by a large number of citizens of Pennsylvania on all parts of useful business, praying congress to issue two hundred millions of government stock, to be divided among the states and territories, and pledging the revenues of the government for the payment of the interest, and the proceeds of the public lands for the discharge of the principal; urging, also, a tariff of sufficient duties, and maintaining that the plan is important as a measure calculated to relieve the government, to relieve an oppressed people, and benefit the states in their embarrassments.

The house then resolved itself into committee and proceeded to the consideration of the bill to provide further remedial justice in the courts of the United States.

Mr. *Barnard* addressed the committee till the expiration of the hour.

After remarks from Messrs. *Floyd, Gordon, Everett, Smith*, of Va., &c. the further consideration of the bill was postponed for the present by yeas 73, nays 58.

On motion of Mr. *Wise* the bill to reorganize the navy department of the U. States, which had been reported from the naval committee with certain amendments was taken up.

Mr. *Sprigg* opposed the bill at some length, and the bill was finally laid aside without action.

The bill fixing the naval rank of professors of mathematics was taken up, discussed and laid aside to be reported.

The committee proceeded to the consideration of the bill to amend and consolidate the several acts concerning navy pensions and for other purposes.

After some debate, the committee, on motion of Mr. *W. B. Campbell*, rose, and the chairman reported the bill in relation to professors of mathematics, and pending on the other bills which had been under consideration. And then the house adjourned.

TUESDAY, AUG. 16. Mr. *W. C. Johnson* laid on the table a memorial signed by a large number of citizens of Pennsylvania praying congress to increase the sound capital of the nation and to benefit the the states by issuing two hundred millions of government stock, and to pass a wise tariff law.

Mr. *Adams*, from the committee of thirteen on the president's veto message, presented a report and resolution.

Mr. *Botts* suggested that, if agreeable, the gentleman from Massachusetts, should read it himself—the speaker said if the gentleman from Massachusetts desired, the chair supposed there would be no objection. Mr. *Adams* had no wish, he said, upon the subject. But if the house desired him to read the report he would do so.

Mr. *Adams* then rose, and, in a firm and distinct tone of voice audible in every part of the hall read his report, [see page 395], and having concluded its reading, moved that the report and the two other reports which had been or would hereafter be made, be printed; and that the resolution at the close of the report of the majority of the committee be made the special order of the day, for to-morrow at 12 o'clock.

Mr. *Rayner* rose and demanded the previous question on that motion.

Mr. *Gilmer* claimed the floor. And the *speaker* decided that Mr. G. was entitled to it, and Mr. *Gilmer*, from the minority of the select committee, made, in his own behalf, a counter-report, which he read from his place. Mr. G. having concluded—

Mr. *C. J. Ingersoll*, in behalf of himself and his associate on the committee, Mr. *Roosevelt*, submitted "a protest against the elaborate report of the majority," which Mr. I. read from his place.

The reading of all the reports having been concluded—

Mr. *Adams* modified his motion so as include the printing with the reports of the bill itself and the president's veto message thereon.

After a brief conversation, the question on the modified motion of Mr. *Adams* was taken, (without the interposition of the previous question), and the three reports, with the bill and the veto message, were ordered to be printed and the resolution appended to the report of the majority of the committee was made the special order for to-morrow at 12 o'clock.

Mr. *Wise* moved that the house now take up from the speaker's table the revenue bill lately returned by the president with his objections. The question being taken, Mr. *Wise's* motion was decided in the negative by yeas 83, nays 104.

Mr. *Sturdy*, on leave, made a report from the joint committee of conference on the disagreeing votes of the two houses on the bill from the senate "respecting the organization of the army and for other purposes" which was read.

Mr. *C. Johnson* and Mr. *Calhoun* expressed the opinion that the gentlemen composing the committee of conference had not reflected the true will of the house in restricting the extent of the reduction of the army.

The question was then taken and the report of the committee of conference, by yeas 97 nays 66, was concurred in and the bill "respecting the organization of the army" awaits only the signature of the president to become a law.

On motion of Mr. *Fillmore* the house resolved itself into committee of the whole on the state of the union, (Mr. *J. R. Ingersoll* in the chair).

Mr. *Fillmore* moved to take up the report of the joint committee of conference on the disagreeing votes of the two houses on the army appropriation bill.

The motion was agreed to and the report was read by the clerk.

Mr. *C. Johnson* hoped the report would not be concurred in.

The question being taken the report was concurred in without a division, and the committee rose and reported the bill to the house, and the house then concurred in its various details.

Mr. *W. C. Johnson* moved to suspend the rules to enable him to offer a resolution to refer to a select committee his proposed bill of yesterday. By noes 122, yeas 8, the house refused to suspend the rules.

Mr. *Barnard* made a motion to terminate debate in committee on the bill to provide further remedial justice. Mr. *Boyce* moved that the house adjourn and the house adjourned.

WEDNESDAY, AUG. 17. Mr. *McKennan*, of Penn. moved to suspend the rules for the purpose of receiving the following resolution:

Resolved, That it is expedient to pass a new revenue bill in the form of the bill returned with the objections of the president, with the exception of the 27th section, and the items imposing a duty upon tea and coffee. A call of the house was first ordered. The motion was carried to suspend the rules to receive the resolution. The vote was: for suspension, 108; against it, 85.

Mr. *Charles Brown*, of Penn. moved that the rules of the house be suspended in order to go into committee of the whole upon the motion to reconsider the bill from the judiciary legalizing the existing revenue bill.

Mr. *Brown* called for the yeas and nays upon the motion to suspend, and the motion was lost 113 to 81.

Mr. *Fillmore* moved a reconsideration of the vote by which the two-thirds had declined to receive the resolution offered by Mr. *McKennan*.

The yeas and nays were again ordered, and the vote was 130 to 70. The vote having been reconsidered, finally a new motion was submitted by Mr. *McKennan* to suspend the rules. The yeas and nays were again ordered, and the vote was 122 to 72, not two-thirds.

Mr. *Adams* now called for the orders of the day which were the resolution concluding his report, and the reports of the committee of thirteen members.

Mr. *Wise*, Mr. *Johnson* moved to take the revenue bill from the table, with a view to proceed to its reconsideration. The yeas and nays were called, and the motion to suspend the rules prevailed, a majority over only being required for that purpose. The vote was 123 to 77.

Mr. *Johnson* was entitled to the floor, having submitted the motion. He addressed the committee at length upon the course of action at the present session of congress, which he conceived had been misunderstood, and was highly important. The land distribution system was defended, and to create a government market for the relief of the states based upon the public lands. Mr. *Johnson* said he voted against the movement this morning to strike out the 27th section, but he was ready to strike out distribution if the house was ready to insert a better clause in place of it.

Mr. *Arnold*, of Tenn., moved the previous question. The main question was ordered by acclamation, and the vote was taken upon the question prescribed by the constitution "shall the bill pass notwithstanding the objections of the president." The yeas and nays were required by a call from the speaker, no motion being necessary. A number were absent not expecting that the question would be taken. The vote was 91 in favor of the bill, and 87 against

As it required two-thirds to pass it, it was of course negatived.

The reports from the committee of thirteen were made the next order of business.

Mr. *Adams* addressed the house for five or ten minutes upon the subject of the veto power. He did not, he said, desire to debate the subject. It was argued in the resolution which he proposed. The country, he intimated, might hitherto have been adverse to the proposed amendment of the constitution, but sentiment was no longer in conformity with this opinion. He had been theoretically in favor of the veto, but he could not stand his repeated exercise. It was an abuse of power, pernicious in its practice, and if tolerated would lead to a destruction of legislative independence. It was in brief a question whether the executive should possess himself of the whole legislative power.

Mr. *Roosevelt*, of N. Y., spoke briefly in defence of the course of the minority, and in favor of an early adjournment, and concluded with a motion for the previous question. The previous question thereupon was a second. The main question was ordered, and a motion was made to lay the report upon the table, with the resolution. This was negatived, 101 to 85, by yeas and nays.

The question recurred upon the report and resolution proposing an amendment to the constitution.

A division was called for, and the report was adopted by a vote of 100 to 80. A motion to reconsider the vote was made by Mr. *Sprigg*, and rejected.

The question then recurred on the resolution to amend the constitution in relation to the veto power, on which the yeas and nays were called.

The result was, ayes 98, nays 90. As the constitution requires two-thirds to accord in any alteration of the constitution, of course the resolution was *rejected*.

Mr. *T. F. Marshall* moved a reconsideration of the vote, but subsequently withdrew it. It was renewed by Mr. *Wise*, who then spoke for an hour on the subject, and gave way for a motion to adjourn, which prevailed.

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CHRONICLE.

AMERICANS AT THE SANDWICH ISLANDS. A late number of the Polynesian, a paper published at recently established at the Sandwich Islands, estimates the number of Americans in those islands, including children, at nearly 600, which is more than the aggregate of all other foreigners. The amount of property held in the islands is then 600 Americans to estimated at 1,000,000 dollars. Besides this, a great amount of American property is constantly at the islands, connected with the whale fishing. In the year 1840, according to the custom houses, 91,00 163 of American property touched at Tahiti, in the Society Islands. The Polynesian mentions these and other facts as showing the importance of more frequent visits from our ships of war, and the need of a plan contemplated the establishment of an American naval depot at the Sandwich Islands.

BANK ITEMS. Official statements show the banks of Ohio to be in a sound condition, having, by the report for June, nearly two dollars in specie to every three in circulation.

	Specie.	Circulation
April,	$713 697 16	$1 162 3 41 00
May,	577 6 33 49	1,193 2 61 50
June,	522 6 0 00	1 124 3 0 00

The Wheeling, Va. Times says, the banks in that place will resume with the other banks of the state, on the 15th September next.

The banks of Tennessee have anticipated the period proposed for resumption, and are now paying specie for their liabilities.

The attorney general of Louisiana has instituted proceedings, in the name of the state, against the Citizens', the Consolidated, the Commercial, and the Canal Banks, of New Orleans for alleged violations of the bank law passed at the last session of the legislature.

BRITISH WEST INDIA ISLANDS. An official paper recently submitted to parliament, gives the total revenue for military, civil, and ecclesiastical purposes in the British West India Islands for a single year, at 387,910 pounds.

BUNKER HILL MONUMENT. The cap stone is laid, but some time will elapse ere the work will be finished, as there is yet much to be done. In the mean time, visitors, for a small fee, are furnished with lights, and permitted to ascend to the top of the structure. Arrangements have also been made to convey persons by steam, in a perfectly safe and expeditious manner, from the foot of the cylindrical portion in the centre, of well room, to the upper story of the monument. [*Mercantile Jour.*

COTTON. The first of the new crops reached New Orleans on the 27th ult.

Mobile, Alabama, April 16th. "Very favorable accounts of the cotton crop near have again reached us from Conimbus, the planters are now putting to from 5 to 10 000 pounds daily. The prospect of a good crop appears much more show than the native crops in the vicinity, although is now pretty certain that the cotton crops in the south will be very more in the aggregate to Indian. The comparative success of the American seeds is, therefore, very satisfactory, for although seeds month of a very inferior quality, it is more equal to Creek with the native cotton. Should next season prove a favorable one for the cotton crops, we are inclined that a portion of 1,000 bales of American cotton is by no means improbable."

DEATHS, during the last week in *New York* 223, of which 122 were under two years of age, and 8 were aged fifty years. *In Philadelphia* 128, of which 50 were under two years of age, and 7 were colored people.

ELECTIONS. *North Carolina.* A decided majority of Van Buren members are elected to both houses. The whig candidate for governor, Morehead, is re-elected.

The general result is ascertained from Illinois, Missouri and Alabama all of which remain decidedly Van Buren. In Indiana the tenth congressional district of Kentucky has elected a decided whig majority of members to the legislature.

EMIGRANTS. The number of emigrants that had arrived up to Apr. 30 in 1840, was 36 127. During the same period last year, the arrivals were 43 219.

Adverse times lately been and still continue of the emigration also have come to a stop. Many of the purpose of employment, have returned to England, being unable to procure work here. The ship Acadiana, from New York, carried one two hundred and twenty steerage passengers.

A late Liverpool paper says that the alarm produced by the change in the corn laws, has given a great impetus to emigration, and in all the principal Irish ports, vessels are taking passengers for Canada and the United States to such much more on sixteen shillings has been winnowed in any former year. Hitherto the bulk of emigration had been persons of very limited means, but at present the case is widely different. The far larger part of the emigrants now are respectable and well to farmers, chiefly protestants, who had held land and cooperatively in large but having taken it upon their hearts that St. Robert Peel's measures will ruin the farming interests of Ireland, have determined rather to seek a home in the United States.

Immense numbers of emigrants, from the counties of Clare, Kerry, Cork and Tipperary, have arrived at Limerick for embarkation.—"Fifteen hundred," says the Limerick Chronicle of the 9th, "we have never seen in any one month such a multitude of respectable farmers and mechanics, the former class preponderating, as arrived this spring to emigrate from their native shores to America."

EXCHANGE. N. York on London remains at 109½ a 109; on France 5 36, 5 35; Philadelphia and Baltimore par; North Carolina 2 4 a 2 2 3; Virginia 2 1 3 a 2 2 3; Charleston 1 3 a 1 5 8; Savannah 1 5 8 a 1 3 4; Columbus 30 3-8; Apalachicola 1 1 2 a 2; Tuscaloosa and Montgomery par; New Orleans 2 a 2 4; New Orleans (prem) 1 a 1 premium; Nashville 6; Louisville 2½ a 3; St. Louis, specie 3 a 4, Cincinnati 4 a 4½.

FALL OF THE AMERICAN INSTITUTE. The managers of the concert hall, corner of Broadway and Grand, New York, are engaged in making extensive preparations for their approaching anniversary on the 10th of October, which will be held in that hall. The hall will be adorned with very fine paintings have already been contributed by the national institution, and the beautiful and historic paintings of Trumbull, Vanderlyn, Powers, Ferris, Ranney, Rembrandt Peale, and others, have been offered for the occasion by the rev. J. O Choules, well known as a practical and scientific agriculturist, and highly competent to the task of reviving.

FLOUR. Prices declined. $5 00 would be willingly taken at Baltimore. The inspections of last week consisted of 16 031 bbls. and 1,071 half bbls.

METEORS were seen, twice this year to be numerous on the morning of the 11th and 12 August, New York. New Haven 79 were seen and between eleven and twelve o'clock on the night of the 9th.

PUBLIC LANDS. For the last eight years the proceeds of the land sales have been as follows:

1833	$1,972 093	1837	$7 005 000
1834	5 099 000	1838	4 3 5,000
1835	15 000 000	1839	3 464 000
1836	25,067,000	1840	2,252 000

The whole amount for the eight years being more than $72 000,000, or on an average, $9,000,000 per annum.

REVOLUTIONARY HEROES. General *John K Smith*, expired at his residence in Portland, Maine, on the 6th instant, in the 89th year of age,—an officer of high standing in the army, conspicuous for bravery and prudence.

The Lockport Democrat announces the death of Major Jonathan Lyon, Niagara county, New York, aged 81 years. He was a soldier of the revolution, and was originally from Haverhill, Mass.

REVENUE. The largest amount of revenue, from the commencement of our government up to the present time, has been derived from the sale of public lands, over $10,000,000, and from dividends on bank stock, &c more than $22 000,000. Only about $12,000,000 were derived from direct taxation.

STEAMER. Mr. Adams, from the committee on foreign affairs, to whom had been referred the message of the president relative to a steamship from the French government for transporting the mails and passengers between New York and Havre, made a report accompanied by a resolution which was adopted. It requests the president of the United States to inform the secretary of the navy, by the next session of congress, relative to the aforesaid plan, together with the probable expense thereof.

The Great Western left New York with a fair proportion of passengers. Amongst whom was capt. Wright, of the Illinois, the vessel's special messenger, bearer of the treaty signed by the plenipotentiaries and now awaiting the ratification of the two governments. M. Bacourt, the excellent minister of France to the United States, M. Ricardo, the London banker, and several officers of the British army. The rev. Mr. Pise, formerly of Maryland, but now of New York, also went as a passenger.

THE WEST INDIA MAIL STEAMERS. A late number of the British United States Service Journal announces that for some time past the loss of the company on these steamers have not fallen short of £7 000 per annum; that the contractors have secured the admiralty to relieve them of the heavy expense, which the admiralty will purchase the boats, and that, in the course of July, the entire service will be placed under the direction of the board.

A steamboat named the Bangor, was advertised to sail from Boston for Gibraltar and Constantinople. The fare to Gibraltar is $85; to Constantinople $125

Captain of steam packet *Gallant*, lately plying from Georgetown to the Falls, and to work well, but unexpectedly sickness only five miles particular. Lessons this 5 lb. tem ded.

STEAMS AT LEXINGTON. The dirt is have found the remains of that ill-fated steamer, and have thoroughly examined the after part of the hold. The centre was covered by a part of the boiler, which had broken off near the engine and fallen over upon it. There is no sand in the ship and nothing to prevent her being raised, though she lies in a hundred and twenty feet water. The true chest on board contained a large sum of money in specie and notes. No bodies have been discovered. Arrangements are now making to raise her immediately.

SILK. The machinery for the manufacture of silk in the Sing Sing prison, New York, is ready for operation. It consists of twenty spindles, and is busied for one.

Silk Mill in Mt. Auburn, Ohio. Mr. Wm. Wallace, of Hamilton county, Ohio, manufactured during the last year upwards of 20 000 worth of silk goods. In the first six months of the present year, he says, he has three times as extensive, and commenced this season to feed upwards of a million of worms, which, he calculates, will yield him upwards of six hundred bushels of cocoons, worth at present prices $2,000, but much more hereafter, as he will commence the whole crop next year into thrown. He has now in operation six Piedmontese reels with improvements; one winding machine for raw silk, and twelve twisting machines; proposes to put four trimming, one double machine, two trimming machines for warping. All the machinery excepting that for weaving is principally his own invention. He has made delicate operations are performed with the greatest exactitude. He employs at the factory 25 hands, half of whom are females, and several of these are from 10 to 14 years of age.

TRAVELLING AND TRANSPORTATION. The Wheeling Times says: "L. W. Sneed on expedition said he arrived at Wheeling on Saturday in seventeen hours from Harrisburg, and twenty five hours and ten minutes from Baltimore."

Wait for establishment of a wagon line from Cumberland to Wheeling, and a regular line of boats from here to Cincinnati, goods could be carried from New York to Philadelphia in 8 hours

From Philadelphia to Baltimore	7 "
From Baltimore to Cumberland	10 "
From Cumberland to Wheeling	30 "
From Wheeling to Cincinnati	30 "
From Cincinnati to New Orleans	150 "
	249 "

Often days intervene boats from New York to New Orleans. Is probably the shortest route by which goods can be sent between those points. In the mean time, travel from New Orleans to New York is accomplished in about eight days, a distance hours, costing the traveler about $23.

The New York Journal of Commerce says: The price of emigrant passage now to New York from Liverpool is about a dollar and a half; and has been a dollar and a quarter. Between New York and Liverpool, in the fall of last year, the price was from twenty to five dollar. If we add the price to Cleveland and Detroit, it would not exceed a dollar. So that the people of the old world can now emigrate to the western states and land into the interior of the new world, for seven dollars. We dare say that the provisions for the voyage of an emigrant family are prepared so that fifteen dollars cover the whole, and leaves a dollar for accidents. Certainly the owners of ships and boats must be dreaming. There are many who are calculating upon the cost of what we what is doing now. They would not believe it if they saw it.

The travel from Peoria, Illinois, to Burlington, Iowa territory, a distance of ninety miles and upwards, is made by a line of coaches in one day, and that by daylight, at a cost not exceeding three or four cents per mile.

The New York bulk ship Adirondack, of seven hundred tons was lately loaded in Liverpool for Liverpool, with four thousand barrels of turpentine and one thousand barrels of flour, at a freight of one shilling sterling per barrel—and a freight of twenty pounds sterling per ton—and a penny per pound, being less than one dollar a barrel, and two hundred and thirty odd passengers in the steerage, at an average price of four dollars a barrel, big and little. [*Jour. Com.*

TOBACCO CROP. Instead of complaints which are heard at this season of the year, we have accounts from Virginia, Kentucky, Tennessee and Missouri, of very promising prospects, though not without exception. In Maryland the plants were scarce and less than an average growth, but the crop will be tolerable.

Inspections last week in Baltimore, 575 Maryland, 573 Ohio and 12 Kentucky—total 1,159 hhds.

WHEAT. The first load of new wheat from Pennsylvania reached Baltimore on the 4th inst. It was carried from Perry county, as of brought 1 24.

Wheat is being rapidly manufactured in all directions, and a very considerable decline of prices is apprehended in consequence of the immense surplus. It is quoted at 60 cents at Chicago; at Baltimore good Maryland is commanding 95; inferior 80 to 85

WOODEN PAVEMENTS appears to have been adopted in New York. Broadway Battery Place is to be place—is to be immediately.

YELLOW FEVER. The New Orleans Crescent says: "We are inclined to believe that the disease is on the wane, and hope there are three in the Country possible. Thus should circumstances allow, we shall be in a position to know and every prospect of humanity from the pestilence.

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NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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THE TREATY WITH GREAT BRITAIN RATIFIED BY THE SENATE.

Sincerely do we congratulate the country upon the final settlement, at least so far as depends upon this country, of the difficult matter so long in dispute between the two countries, and ardently do we hope that this event may prove the harbinger of better times and kinder feelings.

Our readers will no doubt recollect, that throughout all the dispute, even under its most lowering aspects, we have never admitted a doubt of an ultimate satisfactory adjustment of the difficulties. We predicated this opinion upon the *interests* that were at stake in both countries, in preserving peace—upon the prevalence of good *sense* and *good feeling* existing in the communities of both countries, and upon the known influence of *public opinion* upon the governments of both,—a wholesome prevailing public opinion, which would have held those who administer the government of either, to a strict accountability for allowing the repose of the world to be disturbed by disputes that were susceptible of amicable and honorable adjustment. There is no concealing the awful consequences that would eventually succeed a renewal of hostilities between Great Britain and America. Mutually beneficial to each other in peace, beyond all other countries, so would they be mutually dangerous and disastrous to each other in war.—The next war between them, will be indeed a fearful and if not an interminable yet a most eventful conflict, *provided it should occur within the next fifty years*. If left beyond that period, the physical preponderance will probably be adjusted by the natural progress of events. Every year contributes to our relative advantage in the scale. America would be mad were she willingly to precipitate a contest for which she is every day acquiring more capacity.—Great Britain would be still more crazed were she to hasten a result which such a contest, come when it may, would almost inevitably bring upon her.—Look for one moment at her possessions, at the necessities she is now under, and judge of the effect of increasing those necessities, as they would be, by abstracting the United States from her, as a customer on one hand, and as a source of indispensable supplies for her manufactures and her navy on the other.—Think of her enlisting all our resources and enterprise in augmenting those embarrassments. Look beyond the channel, at the ill suppressed antipathies rankling in the bosom of the French people, still smarting under a sense of mortification at the conclusion of their long and bloody contest with England, with the greatest difficulty held in the leash by the influence of Louis Philippe alone, and seeking every excuse to spring into renewed hostilities. How long France would be so held, if she could distinguish the United States as an *advance corps* on her side, in a contest, we may judge by recollecting the unanimity with which at the instant all France rallied upon the American question of the "right of search,"—obliging Louis Philippe at once to abandon the treaty he had signed. A war between England and America would speedily marshall all Europe in arms. Republicans but lately maintained a long, sanguinary, premature and therefore, unequal conflict upon that field. They should by every honorable means avert another *premature* conflict. Let the influences of public opinion and liberal principles take deeper root and spread into all the ramifications of European society by the ten thousand avenues which they are now quietly seeking, before revolution is again worked upon the mass of her population. "As easily could you build a navy out of pine saplings as make republics of an uneducated people;" politically uneducated we mean.

From the very thought of such a field of conflict as we believe would have resulted in case of a rupture at this time between England and America, we turn with sincere aspirations of gratitude and thanksgiving to the contemplation of a long career of peace and comparative prosperity and happiness ensured to both countries by the ratification of the treaty that has been concluded and the pacific influences which it will effect over all concerned. It is a result how much more in accordance with the spirit and intelligence of the age, becoming two of the most enlightened nations of the earth, how much more comfortable to the feelings of a kindred people, owning one parentage, how much more in conformity with those Christian injunctions to which they mutually profess respect, than either a prolongation of dispute, or a resort to the "unprofitable alternative of trying which could do the other the most harm."

The question on "consenting to and advising" the ratification of the treaty, was taken in the senate on Saturday evening last, about nine o'clock, after a debate of four or five days. The injunction of secrecy has not yet been removed. The vote stood ayes 39, noes 9. The nays are said to have been, Messrs. TAPPAN and ALLEN, of Ohio, BENTON and LINN, of Missouri, BAGBY, of Alabama, BUCHANAN and SUNBURZON, of Pennsylvania, SMITH, of Indiana, and CONRAD, of Louisiana.

Mr. CALHOUN, of South Carolina, is said to have made an able speech in favor of its ratification.

W. S. DERBIUK, esq. of the diplomatic bureau of the State department proceeds immediately to England with the ratified treaty, and is expected to bring back the formal ratification by the queen of Great Britain.

Of Lord ASHBURTON and Mr. WEBSTER, the people of both countries will cordially adopt the emphatic sentiment of President TYLER,—BLESSED—"BLESSED ARE THE PEACE MAKERS." The former has taken leave of Washington, carried a day or two at Philadelphia and a short time at New York, is now on an excursion as far as Boston, and designs to return to New York in time to partake of a public dinner on Thursday, to which he has been invited by a number of the most respectable citizens of New York, having previously declined the tender by the authorities of the city, of a public room for the reception of his friends whilst in that city. Wherever he moves he receives testimonies of respect. It is stated that he will embark for England this day week, in the Warspite sloop of war, which has awaited him in New York harbor. We may truly say, that he will take with him as much of the respect and affections of the people to whom he has been on this occasion the bearer of the olive branch, as any foreign minister that ever yet has quit our shores.—He came to us as a man of honest views, liberal purpose, and business capacity, without either the foolish formalities or unkind prejudices which so frequently envelope and perplex diplomatic correspondence. He was met with equal frankness and cordiality. Subjects were talked over and canvassed with familiarity as between man and man, with the utmost respect for each other, and in a spirit of amity and good sense which led directly to results so happy for mankind. With whatever foreign governments ours may have to treat hereafter, may heaven direct a selection of such an ambassador as Lord ASHBURTON on their part, and as DANIEL WEBSTER on ours, and that they may *meet*, and *part*, as they have met and parted.

The Washington correspondent of the New York Courier and Enquirer has furnished that paper with a copy of the treaty as so far ratified. It reached us too late to enable us to put it in type for this number, we shall therefore give an abstract of the substance of each article, and defer the document itself until we are furnished with an official copy.

OUTLINES OF THE TREATY OF WASHINGTON.

A long preamble recites the objects embraced in the instrument, and the exchange of credentials.

ARTICLE 1. Designates the boundary line between the British territory and that of the United States, beginning at the monument, at the source of the river St. Croix, and running thence north, following the exploring line as marked by the surveyors in 1817-8, to the middle channel of the St. John's river, up said channel to the St. Francis river, along the middle of said river to Lake Pohenagamook, then S. W. in a straight line to the N. W. branch of the St. Johns, to a point ten miles in a straight line from the main branch of that river, or seven miles in a straight line from the summit of the range, dividing the waters of the St. Lawrence from those of the St. John's. Thence in a straight line S. S. deg. W. to where lat. 45 deg. 25 min. N. intersects the S. W. branch of the St. Johns, thence S. by said branch to its source, and the highlands, thence along said highlands to the head of Hall's stream, and along the middle of said stream till it reaches the old line boundary as marked in 1774, as the 45th deg. of latitude, then along said old line as formerly understood to be the line between New York and Vermont on one side and Canada on the other,—to the St. Lawrence river.

ARTICLE 2. Lays down the line from thence, through the lakes westward to the Lake of the Woods.

ARTICLE 3. Secures the navigation of the entire St. John's river to both parties.

ART. 4. Ratifies all grants of land to individuals heretofore made by either party.

ART. 5. Relates to the disposition of moneys that have accumulated as a "disputed territory fund"—and requires the United States to pay certain expenses and $50,000 each, to the states of Maine and Massachusetts, in consideration of their consenting to the boundary line, and for equivalents received therefor from Great Britain.

ART. 6. Provides that commissioners shall run that part of the boundary line that will require to be surveyed, marked, and mapped.

ART. 7. Secures the use of certain navigable channels to both parties.

ART. 8. Stipulates that each party shall keep a small naval force upon the coast of Africa for the suppression of the slave trade.

ART. 9. Pledges each party to unite in endeavors to induce other governments to abolish the slave trade.

ART. 10. Stipulates that each party, upon requisition from the other, shall deliver up to justice, persons charged with the crime of murder, assault with intent to murder, piracy, arson, robbery, or forgery, upon sufficient proof of their criminality.

ART. 11. Limits article 8 to a period of five years, and article 10 to continue only till one or the other party shall signify a desire to terminate it, and no longer.

ART. 12. Ratifications to be exchanged in London within six months from the date of the treaty.

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Besides the treaty, an interesting official correspondence was entered into upon the subjects,

1st. Of the interference of the colonial authorities of the British West India Islands with American merchant vessels driven by stress of weather, or carried by violence, into the ports of these colonies.

2d. On the subject of the Caroline—and

3d. On the subject of impressment,—but except that a sort of apology, and plea of necessity is made for the burning of the Caroline, with an expression of regard for the sacredness of our neutral rights, —nothing is settled upon these points, and the president is understood to declare in his message accompanying the treaty, that he does not deem it necessary to urge the consideration of those matters further.

THE VOTE ON THE TARIFF BILL. We find in the Clipper the following statement showing the vote on the tariff bill in the house of representatives on Monday last, both in relation to parties and states. Van Burenites are inserted in italics and whigs in Roman.

Maine. Affirmative—Allen, Fessenden, B. Randall. Negative—*Clifford, Littlefield;* three absent, 5 V. B. 1 W.

Vermont. Af.—H. Everett, Hall, Mattocks, Slade, A. Young.

N. Hampshire. Neg.—*Atherton, Burke, Reding, Shaw*—1 V. B. absent.

Massachusetts. Af.—Baker, Briggs, Burnall, Borden, Calhoun, Hudson, Saltonstall, Appleton, Cushing, Parmenter. Neg.—John Q. Adams.

R. Island. Af.—Granson, Tillinghast.

Connecticut. Af.—Boardman, Brockway, Osburn, T. Smith, Trumbull, T. W. Williams.

New York. Af.—Birdseye, A. Babcock, Barnard, Blair, Childs, Chittenden, J. C. Clark, Fillmore, Granger, Hunt, Maynard, Morgan, Tomlinson, Van Rensselaer, *R. D. Davis, Ferris, Gordon, Houk, R. McClelland, Rigg, Sanford, Van Buren, Ward.*—Neg.—*A. Foster, Linn, Clinton, Doig, Egbert, J. G. Floyd, McKeon, Roosevelt, Wood*—absent 2 W. 5 V. B.

New Jersey. Af.—Ayerigg, Halsted, Maxwell, Randolph, Stratton, Yerke.

Pennsylvania. Af.—Jer. Browne, James Cooper, John Edwards, J. R. Ingersoll, James, Irvin, W. W. Irwin, McKennan, Tolland, J. M. Russell, Ramsay, *Beeson, Biddack, Charles Brown, Gerry, Guntine, C. J. Ingersoll, Keim, Newhard, Plummer, Reed*—absent 3 V. 4 V. B.

Delaware. Af.—Rodney.

Maryland. Af.—J. P. Kennedy, Pearce, A. Randall, Sellers. Neg.—W. Cost Johnson, *Mason, J. W. Williams*—absent 1 W.

North Carolina. Neg.—Deberry, Graham, Rayner, Sheppard, Washington, *Arrington, G. W. Caldwell, Daniell, McKay, Saunders*—absent 3 W.—absent 1

Virginia. Af.—Barton, Taliaferro, Powell. Neg.—Botts, Goggin, Summers, *Carey, Coles, Gilmer, W. O. Goode, Harris, Hays, Hopkins, Hunter, Hubbard, J. W. Jones, Mallory, Stanford, Wm. Smith, Wise*—absent 1 W.

South Carolina. Neg.—*P. C. Caldwell, John Campbell, J. E. Holmes, Rhett, Rogers, Sumpter*—absent 1 W. 2 V. B.

Georgia. Neg.—J. F. Foster, Gamble, Habersham, King, Warren, *Black, M. A. Cooper, Colquit*—absent 1 W.

Alabama. Neg.—*Lewis, Houston, Payne, Shields*—absent 1 V. B.

Mississippi. Neg.—*Gwyn, J. Thompson.*

Louisiana. Af.—John Moore, E. D. White. Neg.—Duncan.

Arkansas. Neg.—*E. Cross.*

Tennessee. Af.—J. L. Williams. Neg.—Arnold, M. Brown, T. J. Campbell, W. B. Campbell, Carruthers, Gentry, C. H. Williams, *A. V. Brown, Cave Johnson, J. McClelland, Turney, Watterson.*

Kentucky. Af.—L. W. Andrews, G. Davis, T. F. Marshall, Pope. Neg.—Greene, Owsley, Sprigg, J. B. Thompson, Triplett, Underwood, *Boyd, W. O. Butler*—White, (speaker), did not vote.

Michigan. Af.—Howard.

Ohio. Af.—S. J. Andrews, Cowan, Giddings, P. G. Goode, S. Mason, Morris, Morrow, Ridgeway, Wm. Russell. Neg.—Mathiot, *Deane, Dean, John Hastings, Matthews, Medill, Weller*—absent 2 W. 1 V. B.

Indiana. Af.—R. W. Thompson, Wallace, Proffit. Neg.—Cravens, Lane, *J. Kennedy*—absent 1 W.

Illinois. Af.—John J. Stuart. Neg.—Casey, *John Reynolds.*

Missouri. Neg.—*J. C. Edwards, Miller.*

Mr. Mitchell voted in the negative; but we do not know, either his politics, or the state he represents.

Result. Affirmative, whigs 85, Van Burens 20.—Negative, whigs 34, Van Buren 68; uncertain 1.

FOREIGN ARTICLES.

GREAT BRITAIN.

The steamer Britannia left Liverpool on the 4th, reached Halifax the 17th and Boston on the 19th inst, bringing 86 passengers to Halifax where she landed 22 and took in 15 for Boston. Business has somewhat revived in England, owing in part, no doubt, to the encouragement which the condition of our revenue laws at this moment holds out for shipments to this country. They will profit by the process that imperceptibles us. All that we lose, will be clear gain to foreigners.

THE COTTON MARKET had exhibited activity for the preceding fortnight. Daily sales averaging from 5 to 8,000 bales. Lower quality American had advanced fully ½d. per lb. See *Chronicle* page.

Some attempts had been made by the liberal party to introduce favorable modifications of the corn laws, but they uniformly fail. There is no quibble about protection there.

THE BONDED CORN BILL passed the house of commons on the 26th ult. A proposition to permit the grinding of grain in bond, has been made in parliament, which if carried, may effect our millers very seriously.

It was expected that the queen would prorogue parliament in person on the 17th.

The news received from the United States on the 26th ult. by the Caledonia, indicating some serious difficulty in adjusting the boundary line, had an unfavorable effect upon the money market, and depressed consols for a short time, but they soon rallied.

The London money market evinced strong evidence of improvement. The transactions had been on a more extensive scale than for some time previous, and capitalists evinced a greater desire to invest money. The arrival in London of an accredited agent from the United States government, for the purpose of contracting a loan of twelve millions of dollars was not much liked, and it was confidently asserted in well informed quarters, that he would wholly fail in the object of his mission. The press have treated the gentleman very uncourteously.

HARVEST. Though there were some complaints of drought in portions of England and Ireland, and the south of France, yet, generally, the harvests appear to have been very favorable throughout Europe, and it is said, that the aggregate of the crops will far exceed that of any previous year within the memory of the oldest inhabitants.

The commercial treaty between Great Britain and Portugal has been finally arranged, and upon terms highly advantageous to each.

In the neighborhood of Birmingham, Staffordshire, and other parts of the manufacturing districts, there have been some rather serious outbreaks, which have required the greatest energy and exertion on the part of the magistracy to suppress. The latest accounts from the revolutionary districts, however, inform us that matters were resuming their wonted quiet, and the men and masters were coming to terms.

FRANCE.

The sessions were opened on the 26th by the king in person. He was so much affected during the delivery of his speech on recurring to the death of the duke of Orleans, as to be unable for some time to proceed, repeated cheers and profound sympathy reinspired him—he resumed, again faltered, and again was loudly cheered. He simply proposed the subject of the regency being given due consideration, deferring all other subjects. The replies of the chambers breathed condolence and sentiments of attachment.

It is understood that the duke de Nemours will be regent of France.

Great fears were entertained that the ministry would be left in a minority on the final adjustment of the various parties. A vote was taken in the chamber of deputies in a case of contested election which resulted against ministers. The vote being 185 for the conservative party, 205 for adjourning the subject. The trial of party strength was to be made on choosing presiding officers.

The ceremony of removing the body of the deceased duke of Orleans from Neuilly to the cathedral of Notre Dame, took place on Saturday the 30th July. Nearly the whole population of Paris and of the region around assembled to witness the procession—the number estimated at half a million! The remains laying in state for three days, were visited by from fifty to sixty thousand each day.

A dispute arose between M. Lafitte and the Marshal Soult at Neuilly at forming the funeral. M. Lafitte, president of the chamber of deputies by right of seniority, demanded to occupy the place of honor in holding the cords of the pall. Marshal Soult and the other ministers repudiated this claim, on the ground that the chamber of deputies not being constituted, no place had allocated for its temporary president.—This quarrel of etiquette was finally adjusted by putting eight cords to the pall, and giving one on each side in equal rank to be borne by the president of the chambers of peers and deputies.

SPAIN.

SHIPPING. The Havana government journal of the 30th July, contains a law of the Spanish cortes, which forbids under heavy penalties, any vessel to carry the Spanish flag, which shall not be Spanish built. It provides, however, that vessels of over 400 tons may become naturalized on certain conditions.

The Christinos at Madrid are still active against the regent. It is understood that the cortes will be dissolved and a new one elected about the month of November. The Madrid Gazette published the law sanctioned by the regent, fixing the amount of the Spanish active army at 90,000 men, and the army of reserve at 40,000.

BELGIUM.

The treaty of commerce between Belgium and France has been concluded. Belgian linen is to be admitted into France on the same terms as before, whilst that of England is not to be imported into Belgium excepting on the payment of the duties demanded by the French tariff. Belgium is to reduce the duties on French wines one-third, whilst an attention is to take place in the navigation act, which will give to France a substantial advantage over that produced or manufactured in England. The ratification of this treaty is very unpopular in England, and the feeling generally is in favor of retaliatory measures being adopted, by the increase of duty on French produce, particularly on wine and brandy, or what would be tantamount to the same thing, a reduction of the duty on similar products from other countries.

CHINA, AFFGHANISTAN AND INDIA.

The Hercules, with the Bombay mail of the 18th of June, arrived at Suez on the 16th ult. Her mail reached Alexandria on the 22d, Malta on the 27th, and Marseilles on the 31st. China news to the 12th of April, and Singapore journals to the 5th of May, have been received. The telegraphic despatches reached London on the afternoon of the 3d instant.

The Liverpool "News Letter" of the 4th inst. says: "The main features of the intelligence from China, Afghanistan, and India, the decrees of which we shall publish at length to-morrow, are of a chequered kind. In China the war appears to be about to terminate, in the way in which it was obvious a war with such a people must eventually terminate, by their submission to equitable terms of peace—such as it became a nation like the British to demand, because it presented simple means to enforce them. The news from India indicates a state of things but ill calculated to allay the apprehensions which recent events have so painfully excited. In Scinde there are movements which, if not decided hostile, will require constant vigilance to guard against their becoming the cause and aids of war. In Affghanistan the enemy has shewn himself in increased strength, and with considerable less of a disposition to succumb to the British force which is at present in the Affghan territory."

It was said that Yang, an imperial commissioner, was to remit a sum of 40,000,000 in compensation to the British for the expenses of the war, and the surrendered opium, also the cession of Hong Kong, as the price of peace. The Chinese had already commenced rebuilding the ruins and publish proclamations for rebuilding the Bogue forts. Some fighting had taken place at Ningpo, in which 1,100 British routed 6,000 Chinese with the loss of from 500 to 700 slain. They had three killed and 40 wounded.

The *Agra Ukbar* of June 4th says that it was reported that an army of observation would be assembled at Allahabad in the ensuing cold season.

Among the items of intelligence which have reached us from Scinde, one which may be depended on as authentic, are an announcement that a large army, said to be 25,000 strong, is advancing from Mushed against Herat, and that ambassadors conferences are being held at Hyderabad between the Ameers and others, requiring the most vigilant attention of major Outram.

The Seiks are said to be in force on the Muree territory without their object being understood.

We have news from Jellalabad to the 29th of May. Akbar Khan had demanded 10,000 rupees for Gen. Elphinstone's remains. The *Delhi Gazette* of the 14th of May mentions that they had been interred, on the 30th of April, within the walls of Jellalabad. Akbar Khan claims that Dost Mohamed be sent back, and that we evacuate the country, leaving an agent at Cabul to negotiate for the English captives. The army, it was thought, would not leave the place un-

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til they moved to Cabul, there to meet Gen. Nott from Cardehar. The Khyber Pass was being reoccupied by the Afreenes, and the whole road to Cabul stockaded and defended by all the obstruction the enemy could oppose. Captain Mackenzie had returned to Jellalabad on the 9th of May from Lughman, with terms for the release of the prisoners.

A letter from Saugor of the 26th of May announces the Boondelahs to have fled into the territory of Scindia.

Everything remains in *statu quo*. Half the Candahar force had moved out to reinforce Kelat i Ghilzie, and make a demonstration on Ghuznie.

General England crossed the Sejuck Kothul on the 2d of May, with the loss of only four men wounded.

Instructions had been given on the 14th of May from the adjutant general's office to withdraw the troops serving west of the Indus within the British provinces.

MEXICO AND TEXAS.

Information from both Galveston and Metamoras indicate that Gen. Reis is about to attempt the invasion of Texas, having 4,000 troops under his command. It is reported that Santa Anna had issued orders to take no prisoners. The Texians are on the alert, and energetic measures are in progress to meet the invaders.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT,

BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.

W. H. Simmons, register of the land office at St. Augustine, Florida, re-appointed.

NEW YORK CUSTOM HOUSE. The following is the aggregate of transactions at the New York custom house for the month of July past:

Cash duties received	$230,000 00
Receipts of cash from bonds	906,687 35
Debentures issued	64,000 00
Debentures paid	90,000 00

THE ARMY.

We learn from the St. Louis Republican that Col. Kearney, of the first regiment of dragoons, who has been appointed to the command of this division of the United States army, arrived in that city on the 8th inst. from Fort Leavenworth, to enter upon his duties. His head quarters are at Jefferson barracks.

Captain James Green, of the 2d regiment United States artillery, died at Fort Columbus, N. Y. harbor, on the 17th inst.

FLORIDA. Extract of a letter from Brigadier General Worth, dated "Cedar Keys, Aug. 12, says "I have now to report the thorough pacification of this territory. *Holatto Emathlache*, (Bowlegs,) accompanied by two noted sub-chiefs, representing the southern Indians, met me at Tampa on the 5th inst., and, in their behalf, gladly accept the concession reported in my despatch of the 24th ultimo. Coming with me to this place, they proceeded in search of the Creeks, and returned on the 10th with *Octiarki*, *Tiger Tail*, and others, representing those people. The former are to pass within the designated limits immediately; the latter as soon as they can be collected. Some have already crossed the Suwanee, and the whole will have done so in ten or twelve days. Many have already signified a wish to be sent to their friends in the west. Tiger Tail, particularly, is urgent to go immediately, but I have represented the importance to himself to take a respectable hand with him."

H'd Q'rs military department, Ns. 9.
Cedar Keys, Aug. 14, 1842.

ORDER—NO. 28.

1. It is hereby announced that hostilities with the Indians within this territory have ceased. Measures are taken to pass the few remaining within certain limits—those in the for south immediately, those west of the Suwanee in a few days, who, meantime there is every reasonable assurance, will conduct inoffensively if unmolested to their haunts. The lands thus temporarily assigned as their planting and hunting grounds are within the following boundaries, to wit: From the mouth of Talakebogue, or Pease Creek, up the left bank of that stream to the fork of the southern branch, and following that branch to the head of or northern edge of Lake Istokpoga; thence down the eastern margin of that lake to the stream which empties from it into the Kissimmee river, following the left bank of said stream and river to where the latter empties into Lake Okee-chobee; thence due south through said lake and the Everglades to Shark river, following the right bank of that river to the Gulf; thence along the Gulf shore (excluding all islands between Punta Rasa and the head of Charlotte Harbor) to the place of beginning.

The foregoing arrangements are in accordance with the instructions of the president of the U. States.

II. With a view to economy and convenience of supply, that portion of the 3d infantry and 2d dragoons now widely detached in the western district, will concentrate upon Fort Stanebury; that portion of the 8th along the Georgia border, and south to the Micanopy road, upon Pilotka. Companies posted in unhealthy positions to be withdrawn immediately—others, when the subsistence stores at each station shall be reduced to within the means of transport present.

III. The companies of the 4th, will remain as at present disposed, except company F, which will take post at Micanopy.

IV. Lieut. colonel Hunt, deputy quartermaster general, will make corresponding reductions in the means of transport, and other sources of expenditure, thereby rendered unnecessary.

By order of col. WORTH.

S. COOPER, *asst adj't gen.*

THE NAVY.

Commodore Lavallette has assumed the command of the navy yard at Pensacola.

Commodore Barron is recovering from a severe indisposition.

The United States frigate Constellation, and sloop of war Boston, arrived at Macao, March 23, from Singapore. The Boston as has before been reported sailed from Macao about the 20th, for Manilla.

The United States steam frigate Missouri, Capt. Newton, of the home squadron, sailed from New York on the 17th on a cruize along shore. She will visit most of the ports of the northeastern coast of the United States.

The United States frigate Columbia, from New York for Rio Janeiro, was spoken, 3d inst. lat. 33 30, lon. 55.

Apprentices. An order has been sent from the navy department to New York, directing that no more apprentices be shipped for the present.

The United States ship Vincennes, the flag ship of the exploring expedition, is undergoing repairs, the timbers having met with rough usage amid the storms of the Pacific.

It may not be generally known that there is a 120 gun ship on Lake Ontario called the New Orleans. The vessel is now lying under cover at Sackett's harbor, but we believe was never launched.

The trial of Lieutenant Wilkes is now going on before the court martial at New York. We have read most of the charges and specifications, and if they are substantiated, the lieutenant will be placed in a tight place.

NAVY BILL FOR 1842. The bill provides, 1st. That till otherwise ordered by congress the officers of the navy shall not be increased beyond the number in the respective grades that were in the service on the first day of January, 1842, nor shall there be any further appointment of midshipmen until the number in the service be reduced to the number that were in service on the first day of January, 1841, beyond which they shall not be increased until the further order of congress. The amount appropriated for the pay of the above is $1,335,000

2d. For superintendents, contractors, &c.	75,429
3d. Provisions,	720,000
4th. Medicine and attendance on sick,	30,000
5th. Increase of navy, wear and tear of vessels, &c.	2,000,000
6th. Ordnance & stores on the N. Lakes,	59,097
7th. Portsmouth (N. H.) navy yard (repairs, &c.)	47,425
8th. Charlestown N. Yard (repairs, &c.)	29,000
9th. For improvement and necessary repairs of the navy yard at Brooklyn, New York, one hundred and twenty-nine thousand one hundred dollars—*Provided*, That no part of the money appropriated to the construction of any former appropriation to that object shall be applied to the construction of a dry dock at Brooklyn, nor shall any payment for materials previously contracted for be made, but the materials shall be delivered, and shall be selected in the harbor of New York, and the title to the land obtained, and a plan and estimate of the cost made, under the direction of the secretary of the navy, and approved by him and the president; *And provided, also*, That the secretary of the navy may, in his discretion, apply the sum of one hundred thousand dollars of the amount hereby appropriated, and any balance of former appropriations for the construction of a dry dock at Brooklyn, N. York, to the construction of a floating dock at the same place; and if any part of this appropriation shall be expended upon the construction of a floating dock, as hereby authorized, the construction of the dry dock shall be suspended until the further order of congress. 129,100

10. Navy yard at Philadelphia,	1,000
11. Navy yard at Washington,	15,300
12. Navy yard at Gosport,	56,800
13. Navy yard at Pensacola,	35,300
14. Repairs of hospital at Charlestown,	3,960
15. do. do. at Brooklyn,	15,000
16. do. do. at Norfolk,	13,750
17. do. do. at Pensacola,	2,000
18. Philadelphia naval asylum,	1,300
19. Miscellaneous expenses of all sorts,	450,000
20. Contingent expenses	3,000
21. Charter of steamboats Splendid and Clarion, in 1842,	4,345
22. Suppression of the slave trade,	10,543
23. Transportation of articles by exploring expedition,	20,000
MARINE CORPS.	
24. Pay and subsistence of officers, &c. serving on shore,	183,381 00
25. Pensions for non-commissioned officers, servants, &c. on shore,	15,054 99
26. Clothing,	43,662 50
27. Fuel,	16,274 12
28. Rent and repairs of barracks,	6,000 00
29. Transportation of officers, &c. and recruiting,	8,000 00
30. Medicines, hospital expenses, and stores,	4,140 00
31. Military stores, expenses of arsenals, &c.	2,800 00
32. Contingent expenses of all kinds,	17,930 00
	6,359,022 33

STATES OF THE UNION.

RHODE ISLAND.

It having been fully ascertained that *T. W. Dorr* was in the state of New Hampshire, Gov. King dispatched a messenger with an official requisition for him as a fugitive from justice. Gov. Hubbard peremptorily refused to deliver him up, and stated that he would hereafter, "in a letter to Samuel W. King, acting governor of Rhode Island," assign his reasons for the refusal.

MARYLAND.

PAYMENT. The treasurer of Maryland has paid $100,000 of the 167,000 loaned by the Chesapeake bank to the state.

WHIG STATE CONVENTION. The convention met at Baltimore, on the 24th inst. The delegations generally attended from the counties.

Hon. Prese, esq. of Washington county, president; *George Howard* of Anne Arundel county, *James Murray*, esq. of Queen Anne's, and *John Carey*, esq. of Somerset, vice presidents; *John L. Carey*, esq. of Baltimore, and *James B. Ricaud*, esq. of Kent county, secretaries.

The convention proceeded to nominate a candidate to be supported for the presidency in 1844. Gov. *Howard* named HENRY CLAY, of Kentucky. A spontaneous burst of applause indicated the result. No other name was mentioned. The nomination was announced as unanimous, and three hearty and long continued cheers ratified the nomination.

A proposition relative to nominating a candidate for the vice presidency, occasioned some debate, but was finally *laid upon the table*.

A committee of one from each delegation, was appointed to prepare an address to the people of Maryland,—which address was subsequently reported by *John L. Carey*, esq. chairman, and being read, was unanimously adopted and ordered to be printed for distribution.

On motion of Gov. *Spring*, a resolution was adopted recommending that 100 guns be fired at Baltimore, in honor of the nomination of Henry Clay.

The president of the convention was empowered to appoint delegates to attend the 27th Baltimore to act as a state central committee; after which the convention closed its session.

OHIO.

THE EXTRA SESSION—APPORTIONMENT BILL. The legislature met in extra session on the 23d July for the purpose of dividing the state for representatives to congress under the new apportionment bill. The house failed to agree upon a bill.

On the 9th August the senate passed an apportionment bill by the following vote, and sent it to the house for concurrence:

AYES—Messrs. Barnett, Carpenter, Crowell, Dewey, Ford, Foos, Godman, Henderson, Hugetter, Nash, Rool, Still, Spangler, Stanley, Thomas, Van Vorhes, Wade, Waddle—18.

NAYS—Messrs. Aten, Bartley, Clark, Goodin, Harris, Hazletine, Holmes, Latham, Leonard, Mitchell,

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McConnell, Ream, Ritchey, Robins, Taylor, Walton, and Speaker—17.

Two Van Buren men voting with the whigs for the bill.

This bill was immediately rejected by the house, and a different bill was under consideration, when all proceedings were arrested by the resignation of the whig members of both branches, leaving them without the constitutional quorum to transact business. In that state two-thirds are required to constitute a quorum—a provision which in the nature of things we apprehend will be found exceedingly convenient.

The following account of the subsequent proceedings of the two houses we extract from the Ohio Statesman:

OHIO LEGISLATURE.

Friday, August 12, 1842.

SENATE.

The senate met pursuant to adjournment, and the roll being called, Messrs. Barnett, Carpenter, Crowell, Foos, Henderson, Perkins, Root, Sill, Stanton, Van Vorhes, Wade, and Waddle, were found absent.

On motion of Mr. Bartley, the sergeant-at-arms was despatched with the warrant of the speaker, to the absentees, and which was returned to the speaker, who rose, and amid the breathless silence of the senate, said:

GENTLEMEN OF THE SENATE: From circumstances with which you are all familiar, this body is left without a constitutional quorum. The power of this body to perform its legislative functions is at an end: without commenting upon the revolutionary act which has placed us in this situation, the question may well be asked, what can we do? Can we adjourn without day? The constitution of Ohio provides that neither house shall, without the consent of the other, adjourn for more than two days. How are we to procure the consent of the other branch to adjourn without day? It cannot be done. We cannot interchange communications; we cannot send or receive messages, for we are without a quorum.

The constitution also provides that, "in case of disagreement between the two houses, with respect to the time of adjournment, the governor shall have power to adjourn the general assembly," &c. But there is, and can be, no disagreement between the two houses with respect to the time of adjournment, for we can have no official communication with each other. The governor cannot, then, interfere and adjourn this general assembly.

The constitution further provides, that "two-thirds of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members." Is this, in the nature of things, a quorum? Is it, in the nature of things, a quorum? Is it, in the nature of things, a quorum? Is it

In this state of things and in view of our present pecuniary embarrassments, we believed that the expenseses of an extra session should be avoided.—We so spake; we so acted. A bill to delay the election of members of congress was voted down by the majority, and an extra session ordered. The reason avowed by the speaker of the house, "Mr. Spalding, that the democracy having a present majority would be fools not to district the state themselves; that "a bird in the hand was worth two in the bush." It was thus openly avowed by the acknowledged leaders of the party, that an extra session must be held to enable the present majority to so district the state as to subserve their own party ends. They dared not to trust the men, whom the people might elect as their servants in the next legislature. Party must be cared for; the bird must be firmly clenched. The majority dared not trust a people who had felt the evils of their action.

Thus was the extra session called for the avowed object of so districting the state as to subserve mere party purposes. Mr. Spalding again at the present session boldly put forth the same abominable doctrine, the same infamous motives for their action. Other members also avowed the same rule of action. All seemed agreed in one thing, that of so districting the state as to secure the largest possible number of loco foco members of congress. Thus did members offer up to their oaths and their integrity as willing sacrifice to their party feelings; nor had they the modesty to conceal their shame. It is not necessary for us to reprobate such anti-democratic and immoral principles as these. When they shall become current in this country, and be tolerated by a free people, corruption has already done its work upon the vitals of the republic, and as a people we shall be fitted to become tools to any despot who may claim our allegiance.

We allude to the facts to demonstrate that the present majority was recklessly bent upon perpetuating their power by an utter disregard of their oaths and the interests of the people. The whigs were to be, as far as it was possible, disfranchised. But the majority found unexpected difficulties in carrying out the scheme of iniquity. They could readily agree to despoil the whigs; but not how to divide the spoils among themselves. There were political aspirants in their own ranks who would be provided for, and it was soon ascertained that no bill could pass, which did not secure to them suitable districts. Latham must have his district, with the reversion in Byington; Mr. Speaker Spalding must also be cared for. He represented a whig county, having been elected on a local question, and that question had now been settled. He had, therefore, nothing more to expect from the people of Summit—Summit, therefore, must be placed out of its old associations, in order to afford a passage to him from the speaker's chair to the congress of the United States. There were the Taylors and the McNultys who had also their claims. In the conflict of individual claims, the party were unable to agree upon any bill for districting the state. The power of the *Tin-pan* was invoked in vain. The joint select committee, could not come to any agreement. To be rid of the subject, the chairman reported a bill to the senate, with which no one was entirely satisfied. Other bills were reported, and failed to reunite the party. In these futile attempts of the majority to reconcile among themselves, two weeks of the session were away, and no measure had yet been matured. In this emergency, the *Tin-pan* was again employed, as we have heard and believe. Unable to agree, the leaders induced the rank and file to acquiesce in the appointment of a committee to draft a bill for which the party should pledge themselves to vote, be its provisions what they might. Mr. Bartly, as one of a select committee to whom the former bill had been committed, on Saturday last reported an entire new plan. Having been printed, it was on Monday taken up in the senate, and the day exhausted by the whig senators in exposing its unjust provisions, its party character, its want of contiguity of territory, and the inequality of population in the different districts. Two of the majority Messrs. Spangler and Hostetter, were dissatisfied with the bill. On Tuesday morning on motion of Mr. Spangler, the bill was recommitted to a select, committee of one, with instructions to report a new bill. This was done immediately, Mr. Spangler reporting a new bill as a compromise, in which he hoped all could unite. The bill, however, made no district for Mr. Spalding.—Licking was also attached to Muskingum, whereby the political aspirations of Mr. Taylor were blasted. This move produced an instantaneous explosion among the leaders. Mr. Taylor denounced the venerable senator from Fairfield as an old baldheaded traitor to the democracy. The whig minority had but a moment to examine the bill; they, however, saw at a glance that it had been drawn up in a spirit of concession, and though not a bill they would have proposed, yet they were ready, in order to bring the session to a close, to accept this offer from one of their political opponents. They voted for it to a man and the amendment was carried, and the bill passed the senate the same day, by the vote of the whigs, and Messrs. Spangler and Hostetter. How to defeat this measure of partial justice was next the object of the leaders. The *Tin-pan* was convened, members were dragooned, the refractory whipped in, and the members of the lower house induced to reject this bill of the senate on its first presentation. The bill was rejected by a strict party vote, with the exception of the member from Fairfield.

By this act the house had in effect refused to consider the subject of dividing the state into congressional districts. By the parliamentary law, such was the effect of this vote to reject. It was also a gross disrespect to a co-ordinate house, the like of which cannot be found in the history of legislation. This course of action on the part of the dominant majority clearly demonstrated that they were prepared for almost any move, if they could not otherwise secure their cherished object, districts for themselves and the greatest possible number of L. F. members of congress.

Thus, after a session of more than two weeks, the general assembly, on this, its main business, found itself just where it was at the commencement. How much longer it was to be kept here, no one could tell, the whigs were anxious to leave, and the loco foco leaders began to feel the odium attached to them by longer continuing the session. The state, however, must, be districted, the party must agree. It is said the *Tin-pan* was again invoked, and a bill concocted, in which were combined all the odious features of every other bill. This bill secured both objects—districts to suit themselves and the greatest number of loco foco districts. The majority at first determined to force it through without having it print; but were induced to permit it to lie upon the table until printed, when assured by the whigs that they could not be made to vote upon the bill until they had time to examine it, with reference to its territory, population, and its political character.—The bill was taken up on Wednesday, and discussed, until evening, when it was ordered to be engrossed for a third reading by a strict party vote.

We examined this bill, we studied its combinations, and found them infinitely worse, more unjust, than any of its predecessors. And in order that you may be able to judge of the political character of this bill, we give an abstract of the same, showing the number of the districts, the counties they comprise and the population in each district, with the majorities as indicated by the vote for governor in 1840; a vote more favorable to us than we can soon again expect, as it was a fuller vote. The first column gives the names of counties, the second the amount of population in each county, the third the amount of population in each district, and the fourth the political majorities.

1.—Trumbull	38,107		
Portage	22,965		
Geauga	16,297		
		77,369—2,378 whig.	
2.—Columbiana	40,378		
Jefferson	25,030		
Carroll	18,108		
		83,516—107 L. F.	
3.—Harrison	20,099		
Belmont	30,901		
Monroe	18,521		
		79,521—405 L. F.	
4.—Stark	34,603		
Tuscarawas	25,631		
		60,234—163 L. F.	
5.—Ashtabula	23,734		
Lake	13,719		
Cuyahoga	26,506		
		63,949—4,803 whig.	
6.—Medina	18,352		
Lorain	18,467		
Erie	12,599		
Huron	23,933		
		73,351—1,572 whig.	
7.—Richland	44,532		
Marion	14,765		
Union	8,422		
		67,719—1,016 L. F.	
8.—Coshocton	21,591		
Knox	29,579		
Delaware	22,060		
		73,229—122 L. F.	
9.—Licking	35,096		
Perry	19,344		
Morgan	20,853		
		75,293—1,026 L. F.	
10.—Fairfield	31,934		
Pickaway	19,735		
Fayette	10,984		
		62,653—309 L. F.	
11.—Hocking	7,741		
Ross	27,460		
Pike	7,626		
Jackson	9,744		
Adams	13,183		
		67,754—284 whig.	
12.—Highland	22,269		
Brown	22,715		
Clermont	23,106		
		68,090—384 L. F.	
13.—Hamilton		80,145—21 whig.	
14.—Butler	28,173		
Preble	19,482		
Montgomery	31,936		
		79,593—127 L. F.	
15.—Warren	23,141		
Greene	17,528		
Clinton	15,779		
Clark	16,822		
		73,270—4,235 whig.	
16.—Washington	20,823		
Athens	19,109		
Meigs	11,452		
Gallia	13,444		
Lawrence	9,738		
Scioto	11,192		
		85,768—3,140 whig.	
17.—Holmes	18,068		
Wayne	35,808		
Summit	22,560		
		76,456—741 L. F.	
18.—Muskingum	38,749		
Guernsey	27,788		
		66,497—1,587 whig.	
19.—Franklin	25,049		
Madison	9,025		
Champaign	16,721		
Logan	14,015		
Miami,	19,688		
		84,498—3,795 whig.	
20.—Crawford	13,152		
Seneca	18,198		
Sandusky	19,182		
Ottowa	2,248		
Hancock	9,986		
Hardin	4,598		
Wood	5,347		
		63,651—1,135 L. F.	
21.—Shelby	12,154		
Lucas	9,382		
Henry	2,503		
Williams	4,363		
Putnam	5,189		
Paulding	1,034		
Van Wert	1,577		
Allen	9,079		
Mercer	8,277		
Darke	13,382		
		66,942—799 L. F.*	

*A wit communicated to the *Columbus Gazette*, the following description of the shape of some of the congressional districts as structured by the majority.

The Gerrymander, or the animals starred up with a long pole.

TUNE—OLD ROBIN TAR BOW.

Come all ye young whigs of Ohio,
All ye who are curious to see
The wonderful works of creation
Composing this MENAGERIE.
Holmes, Summit and Wayne in this figure,
Display all the forms of a whale,
Escaped from the hands of its keeper,
And fled, with the loss of its tail.
Here Franklin, Champaign and Miami,
With Logan and Madison too:
A sprightly and beautiful creature
Is this same little KANGAROO.
Old Ross, Adams, Jackson and Hocking,
Would make a GREYHOUND, without tail,
And Pike, the strong hold of the Scioto,
Lies snug at the root of the tail
Washington, Scioto and Lawrence,
Be sober, be whigs, and don't laugh,
With Gallia, Meigs and old Athens,
Presents to the view a GIRAFFE.

APPRAISERS' LAW. The supersessem law takes effect on the 20th of the present month. It is not imperative unless demanded by the debtor. It provides that, before any sheriff or other officer sells any goods or chattles under execution, he must if required by the debtor, summons three respectable householders of the county, who shall, under oath, appraise the value of each article in money; that the appraisers shall deliver their estimate to the sheriff or other officers; and that no [illegible] shall be sold for less than two-thirds of its appraised value.

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From this abstract it will be seen what the political character of the bill is. The bill gives seven districts to the whigs and twelve to the Loco Foco party, and two districts may be said to be doubtful with fair chances for success in favor of our opponents. Were the whigs to carry the state by ten thousand, they could elect only seven members of congress, while the minority would elect fourteen. This at first blush demonstrates that the bill proposes to disfranchise one-half of the whigs in the state.

But let us examine the bill a little more minutely. The law of congress requires the state to be divided in *single districts composed of a contiguous territory.* It needs only a glance at the map to see how far contiguity of territory has been regarded in this bill. It has not only not been regarded; it has been most grossly disregarded. Take the district composed of the counties of Ashtabula, Lake and Cuyahoga; a district running about one hundred miles long the lake shore, and in some places not more than from six to ten miles in breadth. Look at the district formed of counties of Summit, Wayne, and Holmes. Summit scarcely touches Wayne. Why was this unnatural district made? The answer is at hand; in order to gratify the vaulting ambition of Mr. Speaker Spaulding, who had set his heart on going to congress. District No. 7 will show how carefully locofocism has consulted contiguity of territory. Union has no more intercourse with Richland than with Ashtabula. Richland also touches Ashtabula, in 19, running from the centre of the state, almost to the Indiana state line. District No. 16, runs along the Ohio for some two hundred and fifty miles. We will not further particularize. Such are the monstrous features of this bill, it will only be necessary to consult your map; you will there discover the turnings and windings of locofocism, in the construction of this bill; a bill, which while it pretends to follow the law of congress, is a most gross violation of its spirit and letter.

Why was all this done? Why were the counties so disarranged, and the state so gerrymandered? Was it the object of the leaders to make seven districts for themselves and the greatest possible number of locofoco members to congress? That this was the express object of the bill, needs only glances at the map and election returns, to demonstrate. By this bill, every county, which in 1840 gave a locofoco majority, is thrown into districts certain to elect locofoco members to congress; while nineteen counties which gave whig majorities at that election, are swallowed up in Van Buren districts. This strange combination could not have been accidental, it must have been deliberately made, and the motive for it could have been none other than political: it was an open attempt to defraud thousands of whig electors of their proper rights in the congress of the United States. Nor is this all: the seven whig districts gave in 1840 an aggregate whig majority of 21,734; while the twelve locofoco districts gave a majority of only 6,334; leaving an excess of whig majorities in seven whig over twelve locofoco districts of 15,396. By this arrangement and combination of counties, the whigs might have a majority of ten thousand in the state, and but fourteen locofoco members to seven whigs be elected to congress. Would this be a fair representation for the state of Ohio, with such a whig majority?

There are other enormities still. The seven whig districts contain a population of 524,702; while seven locofoco districts have a population of only 462,492, leaving a whig greater by 62,210 than the amount of population that is contained in one of the locofoco districts. Compare whig districts Nos. 1, 16, and 19, containing a population of 205,635 with locofoco districts Nos. 4, 20, and 21, having a population of 190,827, and you find a whig excess of 56,808. What reason for their giving to one portion and taking from another? Can there be any other reason than that the one lie in locofoco, and the other in whig counties? Again: whig district No. 19, adjoins locofoco district No. 11, we say locofoco because this district last fall gave near five hundred of a locofoco majority. No. 16, has a population of 85,768; No. 11, of 67,754; excess in the whig 18,014. Take the county of Scioto from No. 16, and you still have in that district an excess over the congressional ratio of over 4,000, and of near two thousand over the ratio for this state. Now add Scioto county to No. 11, and you have a population of 78,948; and the difference between the two districts is only 4,370 instead of 18,014, as at present. Why was Scioto county added to a district already having an excess of population? There can be but one reason. To have added Scioto, a whig county, to district No. 11, would have rendered it a certain whig district, whereas by the combination of the senator from Ross and the member from Pike would have been extinguished at once. Scioto county must, therefore, be disfranchised rather than that Latham, Byington, & Co. should not have a chance of getting to congress. The people must be defrauded rather than that these candidates should be disappointed. We might point out other contrasts, or transpositions of this bill; but time will not permit. You can examine it for yourselves, and correctly decide upon its monstrous character.

Against the passage of such an abominable bill, we raised our voices in loud remonstrance. We invoked the spirit of our institutions, which frowned upon this attempt of a minority to rule the majority; we pointed to the oath of our ancestors, reminded the majority of the obligations of their oaths; we appealed to their sense of justice, and to their obligations as men; but all in vain. The iron decree had gone forth from the midnight caucus; from the dark recesses of the Tin Pan; and we to the poor locofoco who from a sense of justice or any other motive, should attempt to disobey the decree, or to break the party lock step, or shuffle out of the file, he might as well throw himself from the peak of Teneriffe or into the crater of Etna. Though amendment after amendment was offered with a view to shear the bill of some of its monstrosities, they were regularly put down by a compact, an unbroken party vote; and the bill passed to its engrossment, receiving the sanction of your representatives. One of the majority condescended to defend the bill as a whole; on the contrary, many of the majority have admitted its unjust, odious, and abominable character. The member from Belmont said he had strictly voted for this bill; he said upon the floor, that "he considered the bill in the shape in which he was required to vote, a perfectly ridiculous, indefensible and atrocious; but that he must vote for it under instructions from his constituents. What constituents? The dictators of the Tin Pan. The despotism of party caucuses prevailed. He dared not disobey the decree of party; he voted for the bill. What an iron handed despotism must that be, which can force men thus to vote, against the convictions of their own judgments!

Here then we see the political character of the bill; it is to be declared indefensible by those who voted for it; a bill which disfranchised a large portion of the people of the state, a bill by which its authors proposed to the world, that a minority party majority of the electors of the state, as is demonstrated by the returns of the two last elections, seven members of congress, and secure to the party now in the ascendant in the legislature, by fraud, fourteen, a majority of the people were to be represented by seven; the minority by fourteen. This bill, conceived in fraud, brought forth in iniquity, was about to be fastened upon the people of Ohio utter disregard of their rights, or wishes, or feelings, by reckless party leaders under the infernal agency of the Tin Pan. What wrong, what enormities to do all this, namely by, and permit this bill to become a law—this fraud to be consummated! This very majority now possess their power to do mischief by the perpetration of a similar fraud. The apportionment of 1839-40 was passed by the same party, and to secure the same end, a party majority in the legislature. That fraud was to be heaped upon fraud in order to obtain a party majority in congress, as well as in the general assembly,—a party majority, which should misrepresent the wishes and interests of a great majority of the people, against a tariff to protect our own labors from foreign competition, and for re-establishment of the odious subtreasury. This, too, was not an ordinary act of legislation. Not an ordinary fraud, perpetrated for ten years, and for that length of time to perpetuate the political power of this reckless faction. Had it been an ordinary act of legislation, we might have left its condemnation to the silent tribunal of the ballot box; but this bill disarmed the people themselves, it broke down the power of the ballot box by enabling the few to rule and rule in many. To retain our seats would render us accessary to the passage of the bill. Two-thirds of each house are necessary to constitute a quorum to do business. If the whig members, therefore, retained their seats, this secret denial majority of two could pass this bill of abomination. If the whig members should resign, the two houses would be left without a quorum and the majority without power to pass the bill. To retain our seats then was to pass the bill. In this state of the case, there was but one question for us to determine. We had received our present stations from the hands of a generous people, and for their benefit. We could no longer secure that object; but on the contrary, longer to exercise the powers committed to us, was to inflict a gross injustice upon our constituents, and to enable a reckless party to trample under foot their rights. If a bill was not passed, no injury would accrue to the interests of the people of the state.

Under these circumstances, we thought that our duty as representatives required of us to return to the people again that power, which we could no longer exercise for their benefit, but was to be used by others to their lasting injury. We availed ourselves of the only constitutional means left to us of serving you, by preventing the passage of this monstrous measure. We have thrown back the trust into your hands; and it is now for you to say whether such a proposition shall ever become a law. We have appealed from the iron despotism of the Tin Pan directly to you, in whose hands rests all political power, and by whose breath alone are we, as legislators, permitted to live. In taking this step, we have anxiously sought for the light of truth to guide us in the path of duty; and we have acted in full view of the responsibility resting upon us. The decision is now in your hands. If you wish that the legislation of the state should be controlled by the machinery of a party caucus, you will say so, and we shall acquiesce in their decision, however dissentient our best interests we may know it to be. But we do not believe that you, the people of Ohio, will ever sanction by your votes any such irresponsible power in the state; we believe your good sense, and a regard to your own welfare as individuals as well as that of the state, will induce you to place the seal of reprobation upon it. We believe that you desire that your representatives should follow their own judgments and your wishes, instead of any party leaders, or the decrees of any party caucus. You, the people of Ohio, have now an opportunity to crush the system of *Tin Pan* legislation, whence has originated all the miserable laws, whereby our interests have been trodden down into the dust. You will say, too, whether this bill of abomination shall ever become a law. The men whom you are about to entrust with power, will have the reconsideration of this whole subject. If you wish for an honest apportionment, one which shall enable your different opinions to be fairly represented in the congress of the United States, you will elect men who will in this matter regard your wishes. The whole subject is now in your hands, and we indulge the full assurance that you will fearfully rebuke this spirit of party despotism.

The subject of districting the state was the only occasion of this extra session. Had it not been for this matter, our extra session would have been held. We know that the rash, ill-advised, and reckless legislation of last session has crippled the entire business of the state, and almost deprived the people of currency. We know, too, that other matters, without regard to party consideration, anxiously looked to the action of this session for some measure of relief—some law by which a currency could be supplied to meet your necessities. Knowing the men who compose the present majority, we knew that these hopes would be disappointed. Their business is destructive; other men must re-build the ruins of their legislation. Sufficient had already transpired to show that the majority did not design to touch the subject of the currency at the present session. Early in the session, resolutions had been presented, as well from the people as from one of the banks, asking for the extension of the charters of the specie paying banks, and had been referred to the appropriate committees in the different branches. A bill also was presented in the house by one of the majority, to extend the existence of the specie paying banks, under the provisions of the law of last session. This bill, too, was sent to the same committee; and the chairman of that committee, who well knows the wishes of his party, has never called a meeting of that committee to consider this bill, or these petitions of the people. They have been treated with utter contempt, as unworthy of the consideration of this majority. No report has been made in either house up to the day of our resignation. The senate, too, had passed a resolution to adjourn on Monday next; thus demonstrating that the majority there had no design to touch this subject at the present session. Nay, more; this majority never will do any thing in favor of a sound and safe banking system. Their acts show that they are bank destructives, and the advocates of a system of despotism, a hard money currency. If the people wish, as we are fully convinced they do, for a safe and sound and practical system of banking, they must entrust power to other hands. This question, too, is now in your hands, and can be settled to your wishes and interests by the selection of men who will represent those wishes and interests.

We have done. We have stated the facts and the reasons of our action. We submit our conduct to the arbitrament of a great and intelligent people, with the full assurance that they will vindicate their rights and protect their interests from reckless experiments at the ballot box; that they will place their

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iron heel upon the men who resort to such party machinery, and once more fill the halls of legislation with those who will alone regard the highest interests of the state, the prosperity of the people, instead of offering up both at the altar of this Moloch of party.

SENATORS.

JOSEPH BARNET, of Montgomery.
JAMES S. CARPENTER, of Medina.
JOHN CROWELL, of Trumbull.
CHAUNCEY DEWEY, of Harrison.
SEABURY FORD, of Geauga.
GRIFFITH FOOS, of Clinton.
JAMES H. GODMAN, of Marion.
JAMES HENDERSON, of Muskingum.
SIMEON NASH, of Gallia.
ISAAC S. PERKINS, of Greeee.
JOSEPH M. ROOT, of Huron.
ELISHA N. SILL, of Summit.
BENJAMIN STANTON, of Logan.
WILLIAM L. THOMAS, of Miami.
ABRAHAM VAN VORHES, of Athens.
BENJAMIN F. WADE, of Ashtabula.
ALEXANDER WADDLE, of Clark.

REPRESENTATIVES.

J. B. ACKLEY, of Meigs.
ALBERT A. BLISS, of Lorain.
TURNER G. BROWN, of Guernsey.
CHARLES BOWEN, of Muskingum.
DAVID CHAMBERS, of do.
JOSEPH CHENOWETH, of Franklin.
REEDER W. CLARKE, of Clermont.
JOHN P. CONVERSE, of Geauga.
ELEUTHEROS COOKE, of Erie.
GIDEON DUNHAM, of Brown.
STEVEN EVANS, of Clinton.
JOHN FUDGE, of Greene.
SIMON FULLER, of Lake.
ISAAC H. GARD, of Darke.
MOSES GREGORY, of Scioto.
JOSEPH S. HAWKINS, of Preble.
THOMAS M. KELLEY, of Cuyahoga.
WILLIAM C. LAWRENCE, of Union.
NATHANIEL MEDBERY, of Franklin.
WILLIAM B. McCREA, of Champaign.
JOSEPH OLDS, of Fairfield.
SIMON PERKINS, Jun. of Summit.
THOMAS W. POWELL, of Delaware.
JOHN PROBASCO, Jun. of Warren.
ROBERT C. SCHENCK, of Montgomery.
S. H. SMITH, of do.
JOHN A. SMITH, of Highland.
JAMES STREATOR, of Portage.
JOSIAH SCOTT, of Harrison.
S. F. TAYLOR, of Ashtabula.
STEPHEN TITUS, of Meigs.
JOSEPH UPDEGRAFF, of Shelby.
LORENZO WARNER, of Medina.
STEPHEN M. WHEELER, of Clark.

INDIANA.

ELECTION. If the two last elections are admitted as a criterion, the state would seem to be neatly divided between the two parties. The last legislature was fixed on joint ballot, the whigs having a majority of six in the senate, and V. Boon a majority of six in the house. And, at the recent election, so far as we can judge from returns received, the whigs will for a time have a majority of one on joint ballot in the next legislature. One of the counties having a tie, leaves an odd number upon joint ballot. Until that vacancy is supplied, the whigs will have a majority of 10 in the senate, and their opponents a majority of nine in the house.

ILLINOIS.

THE MORMONS. The St. Louis Bulletin of the 16th states that "Mr. Ford, the gentleman who was the agent of the state of Missouri in conveying from Gov. Reynolds to Gov. Carlin of Illinois the requisition of the former for the person of Joe Smith and O. P. Rockwell, states that the proper authorities have as yet been unable to comply with the demand. The proper writs were issued by Gov. Carlin, and placed in the hands of the sheriff and two deputies, and they, in company with Mr. Ford, proceeded to Nauvoo. They found Smith and Rockwell, and served the writs upon them about 9 o'clock in the morning. They were in a carriage, reviewing a body of Mormon troops. Smith signified his intention of claiming the protection of the corporation ordinance, enacted to suit the case by the Nauvoo council, which declares that no person shall be taken out of the corporation without first having had a trial before the municipal authorities. The officers were unwilling to be a party to this farce, and, after waiting until near sun down, returned to Quincy, and reported the facts to Gov. Carlin.

They state that Smith openly defied the government of both states, and declared that he would not be taken to Missouri, where he could not expect a fair trial. Gov. Carlin manifested every desire to secure the arrest of the accused, but disliked the expense which would attend the calling out of the militia to enforce his order, and the officers were instructed to return a second time to Nauvoo, to execute the process in their hands. They did so, but on their arrival they were unable to find either Smith or Rockwell. It was understood that Smith had been advised of the movements at Quincy, and acted upon the suggestion of his legal counsel at Quincy, to quit Nauvoo for a time. Our informant left the officers at Nauvoo, but there was expectation of their being able to arrest him. His followers are too well armed and too numerous to permit any thing of the kind to be done.

Mr. Ford informs us that it was the general opinion among the Mormons that Rockwell was the person who shot Gov. Boggs, and many of them stated if Rockwell did commit the deed it was at the instigation, or with the knowledge of Smith. He further informs us, that Gov. Carlin is about to remove the state's arms from Nauvoo."

REPORT OF THE MINORITY

ON THE VETO MESSAGE.

PRESENTED TO THE HOUSE OF REPRESENTATIVES, APR. 16.

The undersigned, members of the select committee to whom the president's message was referred, submit a brief and hasty protest against the elaborate report of the majority.

Free government depends on constitutional checks; otherwise, democracy is despotism. Each house of congress has an absolute negative upon the other.—The American judiciary exercises power to annul laws. The union and the states, respectively, in some instances, nullify each other's legislation; the sovereign arbiter, being the people, never yet, in more than fifty years of experience, failed, when called to interpose their political omnipotence, peaceably, intelligibly, and for the general welfare. In addition to these fundamental principles, which are the conservative bases of our free institutions, the constitution of the United States requires the executive magistrate, if he disapproves an act of congress, to return it, with his objections, to its authors, and call upon them to reconsider before it can become a law. There is no veto, as is too often supposed, either in the word or spirit of the constitution, but mere authority for executive reference to legislative reconsideration. Unfounded resemblance has been ignorantly supposed between this American provision for deliberation to prevent error of passion and precipitancy, and the absolute inhibition of the Roman or the modern royal veto. There is no resemblance whatever between them. They are as unlike as free and absolute government; as unlike as the Polish veto, which allows every member of a single branch of legislature, without reason, to repudiate any of its proceedings by his single and solitary voice. Equally unfounded is the supposition, or ignorance of their operations frequently shown, that the monarchs of France and England are not absolute enough to use the veto. They use it every day; one of them, in the exclusive right of initiating all legislation, and both of them by the vaster means of executive influence. What has been passionately stigmatised as the one man power in this country is, in principle, the same thing as the separation of congress into two bodies to correct the errors of each other; though much less powerful, because the power of a majority, by a single vote in either house, is absolute, while that of the executive right is conservative and subordinate. Had all the members of the house of representatives voted on the tariff bill, it would have been either carried or lost by one vote, and that, the casting vote of the speaker. There is much of one man power in all free governments!

The majorities in congress in 1774, on all the essential points and principles of the declaration of rights, were but one, two, or three. All the great critical questions about men and measures, from 1774 to 1778, were decided by a vote of a single state, and that often by the casting vote of one individual. The declaration of Independence itself was so carried.—The English revolution of 1688 was determined by one or two votes in parliament. The king of France was condemned to death by a very few votes. Jefferson was elected in the place of Burr, after thirty-seven trials, by one vote. The expedition in 1745, from New England, against Cape Breton, which gave peace to the world, was carried in the house of representatives of Massachusetts by a single vote.—Most of the acts of congress, in the memorable session of 1794, were carried by the casting vote of the vice president. The vote of New York, which finally led to the convention for forming the present constitution, after the failure of the Virginia attempt, by which only the states were represented at Annapolis, was carried by one vote. The first Bank of the United States failed to be rechartered by the casting vote of the vice president. The late Bank of the United States was negatived, then first proposed, by the speaker's casting vote. This instructive enumeration might be much enlarged, teaching that the responsibility of one man has often saved states and changed constitutions. Such authority and such liberty been exercised from the outset of the American government with marked approval by an intelligent people, wisely appreciating in their chief representative the invaluable value of a firm and judicious interposition of this conservative and indispensable relief. For the first time in the annals of the United States, this immediate emanation of the constitution is subjected, on the motion of a vice-president, the chairman of this committee, to the obstruction of the mere technicalities of legislation.—The constitution commands us to journalize the president's objections, and then, vote on them. The house did so on his premonitory objections to a like bill, but sent him another. Had we power to do so? Were not the functions of the house exhausted by the previous proceeding? Can they retrate upon the executive a bill which he has returned and the house cannot carry? No such attempt was ever made before. The undersigned feel it their imperious duty to protest against and resist it by the only means left to a minority, preventive of the unconstitutional acts of an angry majority, believing that the time is near at hand when they will themselves most regret, as all will condemn, the innovation.

The succession of the acting president of the chief magistracy was unavoidably followed by collisions between him and the party who selected and elected him because he refused himself to remain in the bands of their advisers instead of his own. Those whose political sympathies the undersigned enjoy are in respect to the author of this strife, which they have uniformly treated with moderation, adhering, however, to the faith of their own politics.—We neither made nor aggravate the quarrel, but calmly and moderately, with all due respect to the majorities inexorably ruling in both houses, stand upon our rights, and maintain the even tenor of our way, relying upon the people to correct and restore whatever may be amiss, as they have been doing with alacrity ever since the disastrous commencement of the untoward legislation of sessions of congress which have now endured for nearly twelve months of the fourteen fifteen. All the elections since afford unquestionable proof that if there is any wrong in the federal government the constitutional means of restoring right are in full active operation.—While the controlling their time, the minorities of the two houses of congress abide by the principle that the first magistrate of a great people is entitled to respect, and even by opposition should be treated with decorum. We know no difference in language and feeling towards the president and those which we use towards each other in congress. He not being personally interested in our opinions, no reason for maligning his motives, traducing his character, or vilifying his administration. The most strenuous, inflexible, and successful opposition, consists with the language and spirit of moderation; and if the people are the intelligent sovereignty supposed by our institutions, would be more popular than indignation, violence, and obloquy. The president communicate, in a mild manner, to an act of congress, which numbers so large in both houses voted, as to prove beyond doubt that it is extremely objectionable, and which we, in common with many out of those large numbers, representing, as we have every reason to believe, the wishes of a large majority of the American people, conscientiously deem unwise, unjust, and, as many think, unconstitutional. The president's objections are contained in a respectful message, temperate in tone, persuasive in argument, and developing topics which we believe will meet with popular acceptance. Of the several changes of the same kind, drawn from Mr. Tyler by this congress, candor and history will acknowledge, we think, that the last is the best, as the most in accord of reason, dispassionate, and temperate. The constitution gives him the right which his conscience enjoins him to exercise. Allowing the chief magistrate, therefore, what every president is entitled to, and has enjoined on such occasions, simply to speak and act for himself, the next step, according to the constitution and uniform practice, should have been forthwith to take the votes of the house of representatives, which would undoubtedly have shown that the president is sustained by very nearly if not quite a majority.

The undersigned regret the novel and (as many conceive) unconstitutional innovation to which the president's objections are subjected—not for his account, but that of constitutional liberty and congressional propriety. We believe that he is per-

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ostly right in insisting that the public land fund not be withdrawn from the assets of federal government, when, with all the elements of esource and abundance proffering their relief to congress, it persists in reducing and degrading the ountry, for the first time, to the extremities of inancial want and pecuniary distress. We go much urther than the president. We think that, under such circumstances, to withhold the magnificent rest states of this union from the country, is the ver- ef madness and suicide difficult to conceive of human passions. We have not a doubt that nine-tenths of the people of the United States strongly disapprove of it, and that a majority of those misrepresented by majorities in congress, whatever their impressions might be as to the proper disposition of the public lands under ordinary circumstances, are amazed that, in the emergency of the times, should be applied to restore the credit and relieve the erying wants of government. The objection is equally well taken to the monstrous misdiliner of the lands and the impost in the same bill—pernicious to fair legislation and orderly government. Armies and navies unpaid for months, disbanded and dismantled, not for lack of revenue, but through party passion; congress without their own favorite compensation, putting fetters and vetoes on all the operations of government, betray a spirit of petulant self-denial, the counterfeit of self-government. A president and committee impreciates executive counteraction, by putting the whole country, stripped and scourged, to the torture of trial who can longest bear the agonies of destitution—his position, the well-tried test of public sentiment, arousing ruthless, revolutionary counteraction, if the people are not wiser than some of their representatives. Party, an element and help of patriotism, is not responsible to amend this dissension. The undersigned trust that revolutionary views are not common in congress, as we feel sure that they are not acceptable to the people.

It is not for this protest to explain or enforce the executive objections. Letting them speak for themselves, we vindicate constitutional rights and deprecate wrongs by congress. Whatever may be the measure or measure deemed proper by the frustrated majority, any appeal to the people—we should spare them this protest, but for the character, temper, and tendency of the communication indicative of a tendency on the chief magistrate as on republican institutions. The present proceeding, with all its angry antecedents and violent results, is without example, without warrant, and of evil example.

The deplorable condition of the treasury of the United States is notorious; not only without money, but, as has been said, without law for raising it.—The president's exposure of the condition of affairs, long truth, which unrelenting opposition wrings from him to justify the repeated miscalled vetoes, also wrung from him by the same pertinacious opposition. A concealed whisper, of, in many particulars, high pressure impost calculated to revive appeased dissension and perpetuate unappeasable discontent, forced through congress by inexorable legislation, carried by a majority of one vote if all had been present, of but four as it was, is returned by the president, with objections, for reconsideration. The house of representatives, which ought to be thankful for the opportunity of it, turns upon him with indignant denunciation; he is threatened, and not only threatened with impeachment, but by false analogy to the memorable affair of English ship money, is told, contrary to the general judgment of a much mild law, that his head ought to be brought to the block. Discord is proclaimed as the order of the day. Conciliation is said to be unpatriotic, and concession out of the question. The undersigned flatter themselves that these are but hasty ebullitions through the safety valve of free government. When appeal to battle is menaced, we cannot believe that the battle of bloodshed or civil war is contemplated, but presume nothing worse than conflict by the ballot box, not the cartridge box. The columns of this journal and of the public press, albums, magazines and various other repositories of the ardent temperament which betrays itself in such appeals, may excuse the suggestion that, possibly, they are intended neither for the cartridge box nor the ballot box, but merely for the band box. During the nearly twelve months of irksome and inglorious session of this congress, to the great annoyance of the community, appeals to passion have been much more common than to reason. By the eminent mover of this committee, none of the great subjects of deliberation have hardly been spoken of—banks, exchequer, finances, bankruptcy, tariff—upon any and all of which his wisdom and experience might have afforded edifying discourses, while all the minor topics of personal, party, and especially presidential exasperation, have never failed to be vexed with inpaleable and indefatigable agitation.

It has been said, in the course of indignant harangues, that there is not only no money, but no law to raise it; and that the chief magistrate, like a profligate king of Great Britain, collects revenue without law. Party wish dit perhaps begat mistaken impression will be effed, to which mere professional opinion gave color. But mature consideration, and the true philosophy of interpretation, satisfy the undersigned, and they believe the most distinguished statesmen of the country, that the apprehension to think that congress ever could have intended, by any act or omission, to leave government without aliment for its sub-sistence. This important question will be settled by the supreme court of the United States, in whom the undersigned, with the great body of the American people, without distinction of party, repose confidence. The suspension of the impost, inferred from English history, is not only unjust disparagement, but inaccurate historical recollection. Even the twelve judges of England never yet, as has been said, unworthily submitted royal dictation, but many of them, although their tenure of office, salaries, and perhaps lives, depended on the king's pleasure, manfully resisted his rapacious will. In the United States, the public money, which the president is laudably anxious to raise by law, through the ordinary means, could not be employed in his profligate indulgences, in war or other offensive appropriations. The undersigned, in the spirit of the supreme court of the United States, is no way dependent on the executive, whenever they come to the solemn adjudication of this vital question, will deal with it as they did at their last session with another bill which, probably, provoked the unjust imputation on their rectitude—treating this question of impost, as they did that of slavery, with integrity and independence. The undersigned, with the great body of the people, sustained the most delicate provisions of our union against the clamors and prejudices of negrophilism. Finally, the undersigned are sure that the supreme court does, they will not leave, as has been strangely imagined they must, the determination of this great question of law to the arbitrament of juries. There is hardly a juror in the country who does know that property, liberty, and order are best preserved by maintaining that venerable jurisprudence which, in civil cases, leaves to juries only questions of fact, and refers to judges questions of law. The undersigned have no fear of the judiciary. They dread no veto or dictation from a president. They are not alarmed by cries of party. American republican minds are a continuous series of formidable conjunctures, without detriment to the republic, antagonism without commotion, state and individual conflicts without civil war or any such calamitous catastrophe. The charitable ballot box is always at hand, will inestimable relief, to vent all passions. We are happy to find that a portentous committee, the offspring of indignation, proposes to inquire, if the proceedings will go out in harmless explosion. Eloquent invective, angry denunciation, philippics of speech and print, inflict no fatal blows on the solid bulwarks of this great empire, which for advancedness in greatness, increasing in population, production, and power, rejoicing in peace and plenty, while antagonist parties, and ambitious individuals struggle for the honors with fierce but harmless excitement.—Republican government would else be bereft of its rational attractions and many support, the noble excitements of a free press, free speech, and universal suffrage, admirable substitutes for the stagnant tranquillity, frivolous recreations, and dreadful energy of despotism. Let the battlements of this capitol continue to rock with salutary agitation. Our reliance is in the majestic strength and serenity of a sovereign people.

The undersigned cannot believe that congress will adjourn without enacting a law for revenue.—They will not afford the enemies of order a triumph. The public distemper is so easily remediable that those in power never can answer to the community for longer failing to apply the remedy. The minority is not responsible, nor the president, nor even the senate. The house of representatives is exclusively the national purse-bearer. By the majority of that house, should be annually replenished and arranged its receipts and issues, as the report of the majority of this committee argues. Most of the troubles experienced by the present and penultimate administrations, including the overthrow of the latter, are attributable to supererogatory executive efforts, beyond executive duty, to repair disordered finances, disordered by ill-judged and calamitous acts of congress. The people will hold the majority of the representatives responsible for this their appropriate and chief office. It is disreputable to them that restoration so easy has been long deferred.

No country in the world has such resources and facilities for revenue. One year's administration of such laws as congress should enact would draw from the inexhaustible means, the labor, the industry, the commerce, the manufactures, and the public lands of the United States superabundant income. But, as with the fatal distribution of surplus revenue among the states distress and demoralization began, so are they continuing by the same egregious impolicy, insisting on alms—giving a pittance of land sales to the states. The undersigned discern, with deep approval, that the report of the majority of this committee, in conformity with the votes of the house, strenuously argues distribution of the public lands to pay the debt of the states. This is not the occasion to develop the dangers of that much condemned scheme. In preference for another, and much better, nearly all congress coincide in opinion with the president and the people, viz: that immediate relief would proceed from a moderate, discriminating, permanent tariff. Why is it not a law? Why may it not be at once? Who hinders it? Is party passion to prevail or magnanimous patriotism? The undersigned will not doubt, even though perhaps doomed to disappointment.

This mortal issue, if cast by congress upon an injured, insulted, oppressed, and outraged people, may return, with dread responsibility, with deep damnation, to plague the inventors of such mischief. Those, we be will, are ready to go forth and be tried by the country, in full confidence of popular justice.—Others will determine for themselves, and for us, too, as we are in the same ship. The majority of the majority proposes nothing but that the president be assailed and the constitution assaulted; the president impeached without trial, the country dishonored in him for exercising almost under congressional decree, and unquestionable and much cherished power, dear to a noble people, which it is the widest dream of excited party to suppose that the people will ever suffer to be wrested from the constitution.—Meantime, what is to be done? Are congress to call out more vetoes? Like barbarous nations, worshipping demonic creatures of their own malignant imaginings, are we all to be sacrificed to evil genii of discord and despair? Are distraction and inaction to minister furious and dreadful redress? The undersigned rely on popular providence, which in severer crisis has with the smiles of Heaven, overruled whatever perils have beset our till now thoughtful and considerate country. No god of battles is invoked for our rescue. Deprecating such shocking profanation, we humbly trust that no battle or bloodshed, no civil war or massacre, is the only umpirage to determine for rational freemen the simple question whether they will support or repudiate the government of their own creation. We do not despair. We do not fear that savage infatuation will cast away for future scorn the present admiration and refuge of the world.

C. J. INGERSOLL.
JAMES I. ROOSEVELT.

PROTEST AND COUNTER REPORT OF T. W. GILMER.

One of the minority of the select committee on the objections of the president to the bill to provide revenue, &c.

The undersigned, a member of the select committee to whom the objections of the president to the bill entitled "to provide revenue from imposts, and to change and modify existing laws imposing duties on imports, and for other purposes," were referred, being unable to concur in the views of the majority of the committee, would assign some of the reasons which have influenced him in coming to a different conclusion. He cannot refrain from inquiring for what purposes this committee has been raised, and proceeding against the unprecedented and extraordinary course which a majority of the house of representatives have determined to pursue on this occasion—a course certainly opposed to all the established usages of government, and, as the undersigned believes, in conflict with the provisions of the constitution. The language of the constitution is as follows:

"Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law, be presented to the president of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to

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reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two-thirds of that house, it shall become a law."

The bill in question, having passed both houses, was sent to the president, by whom it was returned to the house of representatives, where it originated. Instead of proceeding (as the constitution directs) "to reconsider it," the bill is laid on the table, and the president's objections are referred to a select committee. In ordinary parliamentary proceedings, where a bill has passed either house of congress, and a motion is made to reconsider the same, pending, such motion the bill itself, having once passed, is not before that house for any general purpose, and can only be brought again within the power of the house by a reconsideration of the vote on its passage. A motion therefore to commit, to postpone, or to lay such bill on the table, could not attain its object, and therefore could not be made. In this case the bill had passed both houses, and could not again come under the action of either, except by the express provision of the constitution. That provision is mandatory and explicit. It prescribes the only legislative action which can take place on the question of objections and the bill. The house is directed "to enter the objections at large on their journal, and proceed to reconsider it," (the bill.) The question of reconsideration, therefore, is raised by the constitution. It is a reconsideration of the bill, not merely of the vote on its passage; it is the only question which is raised in reference to the bill, and it is one which the house is not at liberty to evade or suppress. The objections which the constitution requires the president, if he does not approve, to assign, do no more than suspend the bill, which without them would become a law; and which, notwithstanding them, may become a law, if, on the reconsideration, which is not only permitted but prescribed, it is "approved by two-thirds." The constitution, in these plain and simple templates that, when a bill is returned with objections by the president, it shall be subjected to the test of another vote. The importance attended to this requisition by the wise and patriotic framers of the constitution may be inferred from the provision that "in all such cases the votes in both houses shall be determined by yeas and nays." If the chief executive had been invested with an absolute instead of a qualified veto, there would have been no necessity for these precautions to ensure a veto on the reconsideration. Congresses are more at liberty to pass or refuse to reconsider the bill returned with objections than the president would be to decline to approve or return it with his objections. The bill cannot be altered in any respect by one or both houses. The house to which it is returned is not at liberty to separate the objections from the bill. They are to be entered on its journal, and the bill, if reconsidered, is put to it, to be sent, "together with the objections, to the other house." Before any bill can become a law, it must be "presented to the president." If he approve, it is a law; if he return it, it is bound to state his objections, and congress are not permitted to convert the qualified power of the executive to subject a bill to another direct vote on the yeas and nays into an unqualified and absolute one, as they may effectually do by refusing to proceed to the reconsideration, or by silently acquiescing in the president's objections without another vote. The objections of a president operate as a check on the unconstitutional or inconsiderate legislation of a mere majority in the first instance, and two-thirds, on the reconsideration, are sufficient to check an evil.

Under the constitution "each house may determine the rules of its proceedings," but, in this particular case, the constitution itself has determined the rule of proceeding. The question, then, is whether that rule is paramount and inflexible, or whether, like ordinary rules, it can be modified, suspended, or abrogated. Does the reconsideration spoken of in the constitution give the house a more extensive power over the bill than it had under its own rules after its passage? It is not denied that the reconsideration involves the merits of the bill as well as the force of the executive objections, nor that deliberation and discussion are essential. It is maintained, however, that the action of the house is prescribed, and that it is limited to a single objection, namely, the consideration of the bill as it passed both houses, and said was returned from the executive with his objections. If it can be laid on the table, or postponed, or committed, it may be withdrawn from the reconsideration of the house by the vote of a mere majority.—That same majority may refuse to take it up again, and thus prevent a vote on the reconsideration. In this instance a majority have laid the bill on the table, and have refused to take it up. It depends on the will of that majority whether it shall be taken up and reconsidered at all. They have then claimed, and by force of numbers exercised, an authority which may altogether disregard and dispense with the positive requisition of the constitution. They have separated the bill from the objections. The former may, or it may not, be brought to a direct vote on its merits with the yeas and nays. It may be expedient for the bare majority of four, by which it originally passed, to permit this bill to slumber forever, under the indirect vote to lay on the table—a vote which does not involve the merits of the bill, nor meet the requisitions of the constitution. The power to lay on the table is a power which can also consist to a select or standing committee, or to a committee of the whole, and which may be, and often is, be had, or which can postpone indefinitely beyond the session. The power assumed in these different modes is the same. It is the power to control the consideration by arbitrary rules, and by the party vote of a bare majority of one house of congress. The message containing the president's objections has been referred to this committee. The power of this committee does not extend beyond the subject referred. Reasons or recommendations may be reported, in answer or in connexion with the objections; but it is not competent for the house, or a committee, constitutionally to report any measure which will obstruct the reconsideration of the bill. The committee can, then, neither suggest nor accomplish any practical object of legislation contrary to the constitution. They cannot report an original bill, or any amendment to the bill now on the table. They may recommend an impeachment or a censure of the president, but, if the resolution assume the form (as of a resolution, the question in the house is on the report of the committee, and not on the bill. As two questions cannot be voted on at once, this question must either supercede the reconsideration of the bill, or it must interpose a new question, not contemplated by the constitution.

It is not maintained that the reconsideration enjoined by the constitution precludes discussion in any form, but that the reconsideration of the bill with the objections is imperative, and that it is not within the power of any house of congress to adopt a parliamentary device to avoid it, or to alter or modify the direct question presented by the constitution, by qualifying or connecting it with any other question or measure. If the bill, which this committee can report no measure to the house affecting the bill which the house is required to reconsider, nothing remains which they can do but to present it in the form in which it was originally which could be as well, if not better, presented in debate. This is the most innocent design which can be imputed to this measure. It is, however, only a more imposing form, and to present from a new point of attack, principles and prejudices which have always been hostile to the true spirit of the constitution. Under the specious pretext of protecting congress from what is imagined to be an attack on their constitutional rights, it is sought to strip the other departments of government of powers which the constitution has conferred on them, in conformity with constitutional obstruction to the arbitrary will of congress, to destroy the equilibrium of our well-considered system of government, and to assume unlimited jurisdiction over the other co-ordinate branches, but over the states and the people. Encouraged by the present embarrassed condition of the country and the apprehensions of evil which have been drawn from the general gloom and despondency which their own proceedings have cast over the union, it is attempted to extort from the sufferings of the people a government which they have found to be one which their judgment has never failed to repudiate. The history of our government abounds in examples of conflicts between the several departments. It has sometimes happened that all the departments combined to overthrow the constitution, and but for the intelligence of the people, and the controlling power of the suffrage, in restoring the supremacy of the constitution over the legislature, the executive and the judiciary, such combinations must have been fatal to our institutions. While it is the privilege and the duty of every citizen to arraign either department of the government, or any public officer, for infidelity to the constitution and the laws, it is neither wise, just, or patriotic, to seek to destroy the confidence in the harmony which should subsist between the separate branches of the public service, by fomenting prejudices and discord. They are all agents of the people. Their duties are prescribed by a law which all acknowledge as supreme.

Without inquiring into the motives which induced the framers of the constitution to distribute the powers of our government as they have done, and to confer the particular power in question on the executive, and without reviewing the actual experience of the government, as to what (from a supposed analogy, not at all obvious, to certain powers in other governments) is commonly called the veto power, it is natural that the mind should approve or condemn the exercise of this power, according to its interests, opinions, or prejudices on the subject to which it is applied. This is true, not only as to this, but as to all other powers of government. Zeal in the pursuit of some cherished object of interest or ambition induces some men not only to complain when they are thwarted by what they easily believe to be an improper exercise of power, but to make war on the established forms of government, and to seek, by revolution or radical change, what they cannot lawfully obtain, which, however, has been recently manifested to some extent, to disturb the well-adjusted checks of the Constitution, by claiming powers for Congress which that instrument does not confer, or by claiming to a co-ordinate branch of government powers which it does confer, in order to establish a particular system of party policy, or carry an election, must be regarded as no deep regret or serious apprehension by the people, those in whose province it is to judge, and who, free from the bias of mere party politics, can think and feel and act under the influence of pure and patriotic. The government has survived the shock of many severe political contests, because hitherto these contests have involved only a difference of opinion as to the principles and policy of the government or its organization. It has been deemed unwise, as well as dangerous, to exasperate local or general prejudices against the acknowledged forms of the government, and to engage the spirit of revolution as an auxiliary to the spirit of party.

It has been lately proposed to abolish the powers resulting to the executive from the clause of the constitution cited. There is no evidence of any disposition to second this purpose, either on the part of congress itself or on the part of the states. Despairing of any peaceful change, it is now proclaimed that it is dangerous to intrust the liberty so to justify an appeal to arms. Thus urged by those who desire to secure the enactment of measures beneficial to the interests of the party of the people of the United States, and certainly by the present executive, to be either unconstitutional, or grossly inexpedient and injurious. To obtain the charter for a national bank, the friends of the party hold enough to believe that any prudent man would hazard his capital or his confidence under the charter, or still further to impoverish an already empty and indebted treasury, if the power to abolish, by amending the constitution, or by revolution, one of the checks by which the executive department is authorized to arrest the unconstitutional measures of congress. A double assault is meditated against the constitution, and violence is invoked to annul one of its executive barriers, because it is an obstacle to the enactment of the legislature. If the veto power, as it is called, were abolished in the executive, it would remain in the judiciary, unconstitutional legislation might still be arrested there, and it would not need to be for years to obtain a two-thirds control the decision of the supreme court. Hence it is, perhaps, that distrust has been recently so emphatically expressed as to the competency of that court to decide on questions which have constitutionally arisen as to the authority of the government to collect any revenue since the 30th of June last. The objects of those who besiege the executive measures and policy are of more consequence than the present organization of our government, can only be partially accomplished by abrogating the veto of the executive. There remains, besides the veto of the judiciary, the veto of the people. All the powers of our government, into whatever hands they may be distributed, must be exercised under responsibility to the laws and to popular opinion. When a president returns a bill to either house of congress, with his objections, he is responsible to the law, to all its penalties, and, every representative of a state or district, he is responsible also to the people. These are the great checks of our system, and they are serving the most important end for which they have been established when they restrain the licentious ambition which is chafed only by constitutions, by laws, or by the popular will.

For the first time in the history of our institutions, they are exposed to a novel experiment. It is, nevertheless, one contemplated by the constitution. It is to be tried under very peculiar circumstances. It remains to be seen whether a vice president, called in the regular order of events to the chief executive office, can administer the government without a party pledged in advance to approve or to oppose his administration; or, in other words, whether vigor or security of our government abide in the constitution and laws, or in a mere party. With regard to the constitutional convictions of the present

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incumbent of the executive office, on some of the subjects to which they have been applied, it is undoubtful true that they were known to those by whom he was nominated and elected to the second office of the government, and by many of whom he is now bitterly denounced for being what they in the election proclaimed him to be. With regard to the exercise of the veto power in this instance, a recurrence to a few facts of public notoriety and recent date will render an impartial public to decide.

Before the death of the late president, his proclamation had issued, convening congress in extra session. The necessity for this was alleged to exist in the state of our finances. Congress assembled on the 31st of May, 1841. It has been in session, with the interval of rather more than two months, ever since. Various expedients were resorted to, during the extra session, to enable the government to meet its engagements and defray its ordinary current expenses. Since that period, the pay of the army, the navy, and the civil list, have been frequently suspended, from the utter destitution of the treasury. Loans authorised by congress have failed to be negotiated on any terms. Treasury notes of government have depreciated, and been returned by the needy public creditor under protest. Every device to sustain the sinking credit of the government, short of a direct tax, has failed, and this at a period when our foreign relations were eminently precarious.

The distribution of the proceeds of the public lands from the treasury of the United States to the treasuries of the states was one of the measures of measures urged at the extra session. A loan for 12,000,000 dollars had been authorized for the relief of the national treasury, but not negotiated, when a bill distributing the proceeds of the public lands passed both houses of congress, and, with the approbation of the executive, became a law. It contained a clause without which it could not have obtained either the sanction or the executive sanction, providing, in view of the embarrassed condition of the treasury, that whenever the duties on any article of foreign importation exceeded twenty per cent., the distribution of the states should cease, and the proceeds of the lands should again be applied to pay the debts and defray the expenses of the federal government. A subsidiary bill also passed at the session, raising the duties on most articles which were free under the compromise of 1833 to twenty per cent. This bill was framed with the design to meet any contingency with the twenty per cent. principle of the compromise of 1833, or with the twenty per cent. condition in the distribution act.

At the commencement of the present session, the president, in his annual message, apprised congress that there would be a deficit in the treasury on the 1st of January, 1842, of $627,557 90. At a subsequent period of this session, he urged on congress, in a special message, the inability of the treasury to meet the demands created except by appropriations which congress had made, the necessity of providing adequate means to sustain the government, by an increase of duties on imports, and every other means within their power. He also recommended the repeal of the distribution act, and a pledge of the land fund for the redemption of the public debt. Though less than half of the $12,000,000 loan authorized by the act of 1841 had been taken, and though congress found itself under the necessity, at an early period of this session, of authorizing an issue of $5,000,000 of treasury notes in addition to the loan of $12,000,000, yet no revenue bill was reported until the 3d day of June, 1842, after congress had been in session six months, and when the country was looking anxiously for an adjournment. Congress had gone on meanwhile to appropriate many millions of dollars which the government had not possess, and which it could not obtain without the agency of the legislative department. The revenue bill was reported on the 3d of June, and taken up, for the first time, in committee of the whole, on the 6th of June.

The final reduction of duties to twenty per cent. under the compromise of 1833 was to take effect on the 30th of June, and then then the distribution under the act of 1841 was to commence, provided the duties were not raised beyond twenty per cent. On the 7th of June, the committee of ways and means, to which had reported the revenue bill on the 3d, brought in what was called a provisional bill, the ostensible object of which was to provide for a temporary collection of duties until time could be afforded for the passage of the general revenue bill. The necessity for some such measure was alleged to exist, on account of a doubt whether duties could be collected after the 30th June without additional legislation. The revenue bill provided for a general increase of duties beyond twenty per cent., and its passage would necessarily have enforced the suspending clause of the distribution act. The provisional bill reported on the 7th of June contained no reference to this suspending clause of the distribution act. A second provisional bill was reported from the committee of ways and means, with the same general objects as the first, which had been reported only two days before, and with a proviso repealing the suspending clause of the distribution act. The first provisional bill was never considered. The second was passed by the house on the 15th June, sent to the senate, returned with amendments, which were concurred in on the 25th of June, and was returned by the president, with objections, on the 29th of June. These objections were founded on the deplorable condition of the country, and on the expediency of adhering, under the circumstances, to the terms on which distribution had been authorized by the act of 1841. The revenue bill did not pass until the 5th of August. It was returned, with the president's objections, on the 9th.

These objections are now before the committee. They are substantially the same as those which accompanied the provisional bill the 29th of June. The revenue bill contained a clause most unequivocally repealing the suspension of the distribution act, which in its passage would have enforced, and thus it was, in effect, the enactment of a new distribution law, appended to the revenue bill.

Each house deliberately refused to strike out this clause, and nevertheless passed two different measures—the one an act to raise money for the support of government by the imposition of taxes, the other to distribute the land revenues to the states. The majority of both houses had proclaimed, with the concurrence of the president, in September 1841, that distribution should only be made when the duties were below 20 per cent. The majority of both houses had again and again proclaimed, in 1842, the necessity of raising the duties above 20 per cent. and yet insisted on distributing the land funds, which should regard the conditions they themselves had so recently prescribed, without regard to the situation of the treasury, and without regard to the burdens which might be imposed on the people. They must have claimed to raise revenue from imports, and to distribute the land fund, in separate bills. Then each measure would have rested on its own intrinsic merits. But they persisted in connecting them in one act, in the manner that the distribution act of 1841 was designed to guard against increasing the burdens of taxation to fill a vacuum which might be occasioned by a distribution. The legislation of 1842 is designed to create a vacuum, that it may be filled by increased taxation. There is probably no precedent in the history of any government for the blending of two distinct measures, of a revenue and an appropriation bill. As there was no necessity for such union apparent to the public, we are at liberty to infer that it resulted from a conscionable desire that the two measures could not have separately commanded a majority. The exigencies of the national treasury were supposed to furnish a favorable opportunity for congress to extort terms on which alone the government should be supplied with revenue to meet their own appropriations. It would have been as proper, under the circumstances, for congress to annex a charter for a bank, or a fiscal agent, or a fiscal corporation, as a condition precedent to a revenue bill, and to raise an issue with president or with their constituents, if such a bill had not received the executive sanction.

It is a great mistake to suppose that this is an issue between the majority of congress and the president. There is an issue between the same majority in 1841 and 1842. The president abides by terms which this majority prescribed for themselves and the treasury in 1841, and they can prefer no accusation against him for adhering to their own position. He might with more propriety upbraid them for abandoning it. The issue is between this majority and the country. They who arraign the president for obstructing the will of congress should be well assured that congress does not obstruct the will of the states and the people it represents. Congress is neither infallible nor impeachable. It is not even a question which most fell any interest besides the president of the United States and members of congress, there might be some plausibility in the attempt to narrow the issue to them, but the subject of revenue is one in which those who pay are apt to feel as deep an interest as those who levy taxes. Every citizen of the United States, moreover, feels a solicitude in the government, and all that concerns it, in the fundamental principles on which it is based, in the measures which characterize its administration, in its justice, its faith and its fame; and the judgment of no impartial man can be blinded or biased by the effort to conceal the true points of this issue, under cover of a petty political alteration between a party majority in congress and the president.

The president has either assumed a power which does not belong to his office, or he has abused a power which does belong to it. It has not been denied that the power in question exists under the constitution. Indeed, it has been proposed to abolish it by amendment. If it has been abused, it was done either corruptly or unwarrantably. If he has neither assumed power nor abused it corruptly, then the issue dwindles to a mere question, who is right as to a measure of policy? If the undersigned were allowed, by the circumstances which compel him to omit many considerations very proper to the subject, he would not despair of showing that, independent of all the extraneous prejudices and political feelings which the advocates of error on this occasion endeavor to bring to their aid, the mere opinion of the executive in this case is right, and the mere opinion of congress is wrong. The narrative of legislation on the subject of revenue at the late extra session, and since December last, which has been given, will furnish the facts from which, without explanation or argument, the reader may be enabled to judge whether the majority in congress or the president have erred in matters of opinion. The occasion is both too novel and too grave to be treated as a question such minor question, affecting the comparative taste or wisdom of the majority of congress and the president. As to the mere question of opinion, however, the president stands on the ground taken without assumed by those who concurred with him so recently as September, 1841. If the charge preferred by this majority is understood, it involves no breach of the constitution or of the rights of the other branches, but they accuse him of obstructing *their* will. The accusation implies either a general infallibility on the part of the majority, or a particular exemption from error on this occasion, or it denies to the president the right and the responsibility of judging on a subject which congress submitted to his judgment. They will find that there is no rule of law in this question. The executive is a co-ordinate department of the government. The president is under no obligation implicitly to approve every bill which the legislature may pass. He may approve either to approve, or, if he cannot approve, to return, with objections, *all bills* sent to him, and congress are required to send him *all bills* they pass. It is alleged, however, as a complaint, that the president has brought proper to exercise his constitutional discretion, and withhold his approbation from other bills which congress have passed. In this, the question of power and the question of duty on his part, and on the part of congress, is the same in each instance. Can congress excuse themselves for refusing to provide revenue for the government because the president did not approve either of the forms in which, at the extra session, they attempted to charter a bank of the United States? If this be the object, then those questions should have been all connected in one bill. It has been deemed prudent, however, to connect only two of them. The questions of distributing the land fund and of raising revenue for the support of government were united in such manner as to leave it doubtful whether the majority of congress considered themselves bound to provide revenue first for the states and then for the United States.

Since they insisted on uniting them in a second bill, after a former bill had been vetoed on account of their union, and since it is now declared that congress is responsible for the measures so far as to separate the questions, and that the United States government shall have no revenue unless the land fund is distributed to the states, there can no longer be a doubt of the determination either to bestow the ways and means of the federal treasury on the state treasuries, or to starve the government of the United States.—The majority seem not only resolved on this, but they are resolved to accomplish their object only in one particular mode; and that is, by legislating on the two subjects in the same bill.

What, then, is the issue? It is not whether the power exercised by the president is a lawful power. Its existence is conceded by the proposition to abolish it. It is not whether that power has been corruptly abused. If this is believed, the majority are

guilty of culpable neglect of duty in not impeaching. It is not whether the states shall have the land fund; it is not whether the United States shall have a revenue; but it is whether this government shall have revenue and the states shall have the land fund in a particular form of legislation, which congress have resolved, at all hazards, to persevere in—a form of legislation resorted to, first, to cause the ruin of congress, and persisted in to coerce the executive by putting the treasury under duresse.

As the majority of congress seem to view this question, it is a mere parliamentary punctilio, on which some of them would rouse the country to arms. In other aspects, however, in which it will be viewed by those who in this case are more impartial arbiters than either this majority or the president, it is a question worthy of the most serious consideration. The government has now no revenue. It is in debt; it is completely organized under the forms of the constitution; its legislature, its judiciary, its executive, are at their posts; its army is in the field; its navy is on the seas; its representatives are honorably accredited by all foreign governments; and the representatives of foreign governments are here. There is profound peace and a general sense of security throughout the country. Our fields are teeming with abundant harvests. Industry and economy are gradually repairing the evils of extravagance and indolence, and as they develop our great national resources, they are restoring a general confidence which will revive prosperity, and teach us, for a time at least, the danger of preferring again artificial wealth and delusive splendor to real independence and substantial comfort. With the means of individual happiness and national glory within our reach, the people of the United States may well ask why it is that the constitution has failed—why the laws are impotent—and why the representatives of twenty-six states and seventeen millions of people are unable to provide revenue to save the government from dispersion and dissolution? A majority of these representatives have given the answer. It is because they do not choose to do what they have the power to do. They forget their duty to the country and the constitution, and remember only the imaginary resentments which they suppose to exist between themselves and the president of the United States. If these resentments were real, will the country tolerate a suspension of the entire government until a political quarrel is settled, by revolution or reason, between those who ought to feel on both sides a weight of official responsibility which permits no motive of malice or animosity to inflict on their country the consequences of their passion. Whence can such resentments arise, unless from motives in ambition equally unworthy a president and a legislator? If the majority of congress wish to submitmen issue to the country involving any policy of government, any question of constitutional liberty or legislative expediency, let them not present it in the shape of a mere controversy between themselves and the president; let them invoke the judgment, and not merely the prejudices, of their countrymen to decide it.

It too often happens that a party attempts to prescribe law for the constitution, and to interpolate substantive restrictions or enlargements of the powers to be derived from the text. Necessity or expediency is always the pretext. The first necessity is the soundest expediency in a government of a written constitution, is to preserve its organic law inviolate. That instrument may be as effectually changed (and the government is changed with it) by this means, as by an amendment in the prescribed mode. The constitution is designed to furnish a permanent, uniform and universal rule of government, which shall fluctuate and change with the caprices of passion or the convictions of judgment. These decisions of mere party are too apt to be regarded as authority, and hence the conflict which frequently occurs between them and the constitution itself. The undersigned has already expressed his conviction that the proceedings in this case are in manifest violation of the constitution. It is to be regretted that it is not the only evidence of a disposition, during the present congress, to disregard the authority of that instrument, or to create unnecessary collisions between the legislature and the executive departments. When a subject distinctly embraced in one bill has been the cause of the executive objections to that bill, respect for the opinion of a co-ordinate department with the power to veto unnecessary collisions with it, would suggest the propriety of not immediately presuming that identical subject upon the consideration of the executive, without some intimation of a change of opinion. The objections of the president to the provisional revenue bill, and the general revenue bill, are the same.—They relate to the insertion of a clause directing distribution of the land fund without regard to the rates of duties on imports. The first bill was temporary in its duration, and comparatively unimportant in its objects. It was sent to the president in advance of the second, and only five days prior to the 30th of June, when it was alleged there would no longer be authority to collect revenue. It contained a clause in relation to the distribution of the land fund. It was vetoed on account of that clause. On the 5th of August congress passed the second or general revenue bill, containing a clause still more unequivocally authorising distribution, notwithstanding the twenty per cent. restriction of the set of 1841. Whether the first of these bills was designed only to feel the way for the second, and to ascertain if the president could be brought to the dilemma, after objecting to that bill, of either retoing a revenue bill or submitting to the distribution clause, in order to obtain the means of carrying on the government, or to re-enact, by the vote of a majority, a single principle which had been so recently vetoed, and which could not obtain the vote of two-thirds, is a part of the history of these proceedings which may shed some light on our examinations. The legislation of congress, at the late extra session, on the subject of the bank and its various modifications, is familiar to the same question. Two bills, under different titles, but both for the object of chartering a national bank, were successively passed, sent to the president, and returned with his objections. If, then, there has been a disposition on the part of the executive to resist the action of congress on certain subjects, there has certainly been a correspondingly disposition on the part of congress to attack, and to repeat the attacks on the executive.

Congress have appropriated the money required to carry on the government. They have authorised the debts which are contracted. They alone, under the constitution, can furnish means of meeting their own appropriations. It is not in the power of the minority of congress to legislate. All that the executive can do is to convene congress, should it adjourn without providing revenue to carry on the government.—It is hoped, however, that calmer consideration will inspire some equitable and patriotic spirit stronger than any feelings of party resentment. The threats of violence which have been heard from quarters whence better counsels should have proceeded, will not disturb the repose nor provoke the dispute of a free and enlightened people. THOMAS W. GILMER.

TWENTY-SEVENTH CONGRESS.
SECOND SESSION.

SENATE.

AUGUST 18. Soon after convening the senate entered into executive session and the treaty ratified. treaty negotiated with Great Britain, and thereafter adjourned.

AUGUST 19. Mr. *Preston* moved to take up the joint resolution of the house fixing the time of adjournment. The question being taken, there were for it 18, against it 18. Mr. *Buchanan* having asked the yeas and nays, Mr. *Preston* apprehended it would lead to debate and withdrew the proposition.

On motion of Mr. *Rives* the senate then went into executive session, on the British treaty, and at a late hour adjourned.

AUGUST 20. Mr. *Preston* moved to take up the house resolution for adjournment. After some remarks by Messrs. *Preston*, *Tallmadge* and *Crittenden*, Mr. C. moved to lay the question table, and by yeas 25, nays 23, the resolution was laid on the table.

The senate then proceeded to executive business, and after having been engaged thereto till a late hour, resumed public session and adjourned.

[At this executive session the British treaty was ratified.]

AUGUST 22. Several bills from the house were passed, among them a bill for the suppression of the sale of lottery tickets in the District of Columbia with an amendment.

The senate then took up the contingent bill, and Mr. *Evans* stated that the amendments of the senate had been under consideration in the committee of finance, who had come to the conclusion that a committee of conference would be necessary. They, therefore, moved that the senate insist upon its amendments.

The private morning business having been gone through with, Mr. *Bates* submitted a motion that the reports from the pension committee be taken up and disposed of.

Mr. *Archer* stated that the committee had labored most zealously during the session of congress. They had reported adversely upon eight of the ten bills from the house, and he hoped that this motion would be taken up and disposed of.

The motion to take up the bills prevailed, and the senate proceeded to the consideration of the bills from the pension committee, after which the senate adjourned.

AUGUST 23. Mr. *Choate* presented a memorial from between five and six hundred of the citizens of Boston, asking that the revenue bill vetoed by the president may be passed with the 27th section out, or some bill of a similar import. The memorialists do not approve of the veto power, but are anxious that the bill should be passed irrespective of the clause of distribution.

The bill from the house of representatives granting bounty land warrants to be issued on account of the services of Major General Desportail, Brigadier General Armand, and Major de LaColombe was debated and rejected.

Mr. *Crittenden*, called for the consideration of the bill from the house of representatives in relation to contested elections, &c.

Mr. *Walker* opposed the bill as unjust, inexpedient and unconstitutional; in that, it was, he said, a bill of outlawry, a bill to disfranchise several states, a bill to disfranchise his own state; and closed with a call for the yeas and nays, which were ordered.

Mr. *Crittenden* said he should not now stop to discuss the question, and the remarks of the gentleman from Mississippi be considered premature. The yeas and nays were then taken, and the senate decided to postpone the previous orders, by yeas 25, nays 20.

Mr. *Wright* called for the reading of the bill, which was read accordingly, and the bill having been read, Mr. *Crittenden* proceeded to defend its provisions, the language of which were to provide *prima facie* evidence of the election of members of the other house. Mr. *Crittenden* answered briefly the objections made by Mr. *Walker*, and with sarcasm his menace to defeat the bill by delay.

Mr. *Walker* replied to Mr. *Crittenden*. Mr. *Bagby* followed in opposition to the bill.

Messrs. *Calhoun*, *Allen*, *Wright* and *Cuthbert*, severally proposed amendments, which were rejected, sustaining them in brief remarks, when the bill was postponed until to-morrow, and then went into executive session.

The revenue bill was reported with amendments, as the senate came out of executive session, but no action was had thereon, and the senate adjourned.

AUGUST 24. A message was received from the president stating that it is not incompatible with the public interests to communicate correspondence in relation to the awards made or omitted to be made under the commission for settling claims between the United States and Mexico.

Mr. *Evans* from the committee of finance reported a bill to carry into effect the treaty with the Wyandot Indians.

Mr. *Merrick* submitted the following resolution:

Resolved, That the president of the United States be requested to communicate any detailed statement he may have caused to be prepared at the treasury department since the passage by congress of the bill to provide revenue from imports, showing the amount of revenue which would have been produced by said bill if it had become a law, together with a brief explanation of the data and reasons on which the estimate was founded which may have accompanied the same.

Mr. *Evans* thought the whole call improper; and if the president sought to influence legislation by having recourse to the estimates furnished by subordinates of his department, he (Mr. E.) would not lend his aspect to any such proceeding. Whatever the estimates in question had been made either by the desire of the president or by executive dictation, was the question. It was said, it was said that these same estimates had said the bill in question would not yield $12,000,000 of revenue, when the proper officer, the secretary of the treasury, had said it would yield $20,000,000. If any information of the kind was to be furnished, let it emanate from the law officer of the treasury, and not from the president's subordinates. The president was not to furnish his estimates in order to influence the action of congress, and he should object to the consideration of the resolution.

Mr. *Merrick* did not desire to be understood as intending that the estimates alluded to showed any authority or binding force. It had been intimated that such estimates had been made, and if so he thought it very desirable for the senate to be possessed of them. These estimates had been carefully and diligently prepared by the order or desire of the executive. If, as suggested by the senator, the call should be made on the secretary of the treasury, its tenacity that he would be defeated. The secretary of the treasury was not here, and if he were, he was physically incapacitated for attending to the business. The estimates were important at the present time; and if they afforded any information, he thought there was no senator but would be glad to receive it.

The reception having been objected to, the resolution was laid over one day under the rule.

The senate then took up the bill to regulate the taking of testimony in certain cases, and for other purposes.

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The question pending being on the amendment of Mr. *Berrien*, to come in at the first section of the bill;

Mr. *Archer* moved an amendment to the amendment. Carried by yeas 21 to nays 15. Mr. *Bates* and Mr. King moved amendments which were rejected. Mr. *Berrien's* amendment as amended was carried by yeas 30, nays 6. The debate proceeded and the bill, after being variously amended, was finally reported to the house.

Mr. *Evans*, from the committee of conference, on the disputed points between the two houses in relation to the contingent appropriation bill, made a report, which was concurred in by the senate.

Mr. *Conrad* submitted a resolution that on and after Thursday next the senate should meet at 10 o'clock and at 11 o'clock proceed to the discussion of the revenue bill and continue at the same until finally disposed of. Objection being made, the resolution was ordered to lie over.

Mr. Tomlinson moved to take up the joint resolution just received from the house fixing upon Monday the 29th August as the day of adjournment.

Mr. *Tallmadge* was not prepared to vote on the resolution and would, therefore, move to lay it on the table.

The question was then taken on laying the resolution on the table, and decided in the affirmative yeas 24, nays 17.

The senate, on motion of Mr. *Benton*, proceeded to the consideration of executive business, and, after sometime spent therein, adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Aug. 18. Mr. *W. C. Johnson*, laid on the table a memorial from citizens of Pennsylvania praying the issue of two hundred millions of stock.

Mr. *Fillmore* asked leave to make a report from the committee of ways and means.

Mr. *Botts* objected.

Mr. *Fillmore* said that the committee of ways and means, under a sense of duty, had instructed him to report the resolution merely to take the sense of the house upon it.

Mr. *Botts* reiterated his objection.

The house proceeded to the consideration of the unfinished business of yesterday, being the motion of Mr. *Wise* to reconsider the vote by which the resolution, appended to the veto of Mr. *Tyler*, from the select committee on the veto, had, (in the absence of the two-thirds affirmative majority required by the constitution), been rejected.

The debate was continued by Messrs. *Wise*, *Rayner*, *G. Davis*, *Arnold*, and *Colquit*.

Mr. *Granger* moved the previous question, and by yeas 14, nays 140, the house refused to reconsider.

Mr. *Adams* wished to know the action that the report of the select committee on "the reasons why" he taken up from the speaker's table, where it had been laid, and considered.

Mr. *Cushing* objected.

Mr. *Fillmore* rose and said that he was instructed be the committee of ways and means to present the following resolution:

"*Resolved*, That it is expedient to pass another revenue bill, the same as that which recently passed both houses of congress, and has been returned by the president with his objections to this house, and on reconsideration lost for want of a constitutional majority, entitled "an act to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes," with the exception of the 27th section of the said bill, which repeals the proviso to the land distribution act, and so modified as to make tea imported in American vessels from beyond the Cape of Good Hope, and coffee, free from duty; and that the committee of ways and means be, and they are hereby, instructed to report such a bill to this house, with all convenient despatch."

The resolution having been read, Mr. F. said that it was only necessary for him to state that he had reported this resolution by the instruction of the house under the order of the committee of ways and means, for the purpose of testing the sense of the house whether any action was necessary or could be had with any prospect of passing a revenue bill at this time. It was now too late an hour in the session to admit of the possibility of commencing a revenue bill *de novo* and perfecting it in its details. If any thing could be done, it must be done by some bill that had already been elaborated and perfected; and it was for that reason that the resolution limited the action of the house to the bill already passed, with certain exceptions, calculated to meet objections to the bill in some quarters. What the sense of the house might be he knew not. The committee of ways and means did not feel authorised to introduce a new bill, without first testing the sense of the house whether there was any possibility or probability of passing it. Situated as he himself was, he should not vote upon the resolution at all. He had nothing further to say, and he moved the previous question.

Mr. *Botts* moved that the resolution be laid on the table.

The question being taken the house refused, by yeas 75 nays 103, to lay the resolution upon the table.

The question then recurred on the demand for the previous question, a call of the house was moved and carried, after which, the question on the adoption of the resolution was taken and agreed to as follows:

YEAS—Messrs. Allen, Sherlock J. Andrews, Appleton, Ayerigg, Baker, Beeson, Bidlack, Birdseye, Blair, Boardman, Borden, Brockway, J. Brown, Burrell, Wm. B. Calhoun, Chittenden, John C. Clark, Cowen, Cranston, Cushing, Garrett Davis, Richard D. Davis, John Edwards, Everett, Ferris, Fessenden, Gerry, Giddings, Patrick G. Goode, Granger, Hall, Halsted, Howard, Hudson, Hunt, Charles J. Ingersoll, J. R. Ingersoll, James Irvin, Wm. W. Irwin, Keim, McKennan, T. F. Marshall, S. Mason, Mattocks, Maxwell, Maynard, Moore, Morgan, Morris, Morrow, Newhard, Osborne, Parmenter, Pendleton, Plumer, Pope, Powell, Proffit, Ramsey, Benjamin Randall, Randolph, Read, Ridgway, Riggs, Rodney, Wm. Russell, Sanford, Saltonstall, Sheppard, Shields, Slade, Truman Smith, Stratton, John T. Stuart, Toland, Tomlinson, Trumbull, Van Rensselaer, Wallace, Ward, Westbrook, E. D. White, T. W. Williams, Joseph L. Williams, Yorke, Aug. Young—83.

NAYS—Messrs. Adams, L. W. Andrews, Arnold, Arrington, Atherton, Barton, Black, Botts, Boyd, Milton Brown, Burke, W. O. Butler, C. W. Caldwell, Patrick C. Caldwell, J. Campbell, William B. Campbell, Thomas J. Campbell, Caruthers, Cary, Casey, Chapman, Clifford, Clinton, Coles, Colquit, Mark A. Cooper, Cross, Daniel, Dawson, Deberry, Dean, Doan, John C. Edwards, Egbert, Fillmore, John A. Floyd, Gamble, Gentry, Gilmer, Goggin, Wm. O. Goode, Gordon, Graham, Green, Gwin, Habersham, Harris, Hays, Hemphill, Hopkins, Houck, Houston, Hubard, Hunter, W. C. Johnson, Cave Johnson, John W. Jones, John P. Kennedy, Andrew Kennedy, King, Lane, Lewis, Linn, Littlefield, Abraham Lott, Cullen, Robert McClellan, Jas. McKay, McKeon, Mallory, John T. Mason, Mathiot, Mathews, Medill, Miller, Mitchell, Owsley, Payne, Alexander Randall, Rayner, Reading, Reynolds, Richard Rogers, Roosevelt, Saunders, Shaw, Sheppard, Shields, Wm. Smith, Sollers, Sprigg, Stanly, Steenrod, A. H. H. Stuart, Summers, Sumter, Taliaferro, John B. Thompson, Richard W. Thompson, Tillinghast, Tripplett, Turney, Underwood, Warren, Washington, Watterson, Weller, Jos. L. White, James W. Williams, C. H. Williams, Wise, Wood—114.

So the resolution was rejected as follows:

[After the list had been called through, Mr. *Barton* rose and remarked that he had given a very reluctant vote in the affirmative (i. e. to surrender the principle of distribution of the land fund) in the forlorn hope of doing something for the country; but it seemed in vain to try to conciliate, and he therefore changed his vote to the negative.]

Mr. *W. W. Irwin*, of Pennsylvania, rose and moved that the rules of the house be suspended, for the purpose of enabling him to introduce a bill entitled, "a bill to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes."

[This bill is substantially the same bill as that rejected in the president with his objections, striking out the 27th section, which repealed the proviso in the land distribution law of the extra session, and admitting tea imported in American vessels from beyond the Cape of Good Hope, and coffee, free of duty.]

On which motion Mr. I. asked the yeas and nays.

Mr. *Botts* moved that the house do now adjourn.

The speaker then announced the vote on adjournment to be yeas 110, nays 80. So the adjournment was carried.

Friday, Aug. 19. Mr. *Campbell*, of S. Carolina, presented a resolution instructing the committee of ways and means to report a bill, to provide revenue from imports under the compromise act, to impose an ad valorem duty on tea and coffee and to tax gold and silver ware.

Objection was made and a suspension of the rules being moved by Mr. C. the house refused to suspend.

Mr. *Everett* moved that the rules of the house be suspended for the purpose of enabling him to offer the following resolution, which was read for information:

Resolved, That under the present emergency, it is expedient to pass, and that the committee of ways and means be instructed forthwith to report the following bill:

"A bill to provide revenue from imports.

Be it enacted, &c. That from and after the passage of this act, the same duties upon imports shall be levied, collected and paid under the same laws, rules and regulations, which were levied, collected and paid on the 1st day of January, 1840, under the provisions of the act approved 2d March, 1833, entitled "an act to modify the act of the 14th of July, 1832, and all other acts imposing duties on imports," except that the said duties shall be paid in cash. *And provided*, That in all cases where specific duties were imposed upon imports prior to the passage of the said act, it shall be the duty of the secretary of the treasury to ascertain the average rate of duty which was collected upon each of the said articles throughout the year 1839, and such average rate of duty shall hereafter be levied, collected and paid as a specific duty upon the importation of the said articles, in the same manner as if such respective specific duties were respectively imposed by this act.

Sec. 2. *And be it further enacted*, That on the importation of all the articles made subject to a duty of twenty per cent. ad valorem under the provisions of the act entitled "an act relating to duties on drawbacks," approved September 11, 1841, there shall hereafter be levied, collected, and paid a duty of 30 per cent. ad valorem, except upon rail road iron, which shall be subject to the same rate of duty as per act last aforesaid; similar manufactures under the first section of this act; but nothing herein contained shall be so construed as to deprive any state or incorporated company which shall have imported rail road iron prior to the 3d day of March next of the benefits and advantages secured to them, respectively, by the proviso to the 5th section of the said act relating to the duties and drawbacks."

Mr. *Proffit* objected to Mr. E. then moved a suspension of the rules and by yeas 81 nays 105, the house refused to suspend.

Mr. *C. J. Ingersoll* moved that the house go into committee of the whole on the state of the union with a view of taking up a revenue bill. The motion prevailed. 96 to 84.

The house having gone into committee of the whole, Mr. *J. Campbell* was called to the chair.

Mr. *C. J. Ingersoll* moved to postpone the order of business in order to take up the bill reported by the committee on the judiciary. And the committee accordingly voted to consider the bill reported by Mr. *Ingersoll*.

The bill was read as follows:

A bill to supply a temporary defect or failure in the laws relating to the collection of duties on imports.

Be it enacted, &c., That upon all goods, wares, and merchandises which have been imported into the U. States since the thirtieth day of June last, or shall be imported between that day and the day when any act which may be passed at the present session of congress imposing duties on imports shall become a law and be in operation, and which goods, wares, and merchandise would have been subject to any duty upon their importation by laws then existing, if they had not been imported at any time between the first and thirtieth day of June last, there shall be levied, collected, and paid on such as would have been subject, by such laws, to a duty of twenty per centum ad valorem, or more, a duty or tax of twenty per centum ad valorem; and on such as would have been subject by such laws to a duty of less than twenty per centum ad valorem a duty or tax, in every case, equal to the duty to which they would have been subject by such laws.

Sec. 2. *And be it further enacted*, That all laws existing and in force on the first day of June last, imposing duties on imports, or providing for the collection of such duties, and all provisions in such laws, or any of them, in regard to the payment of duties in cash or the allowance of credit, in regard to the keeping of goods in public stores, in regard to appraisements and the duty of appraisers, collectors, and others officers, in regard to discriminations, in regard to drawbacks, in regard to pains, penalties, and forfeitures, and in regard to all other matters and things embraced in such laws and provisions, shall, so far as the same are or may be applicable and can be applied to this act, as an act for imposing and collecting a duty or tax on imported goods, wares, and merchandise, be deemed and taken to be, and shall be, in force for the collection of the tax or duty imposed by this act, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing in the laws aforesaid were inserted in and re-enacted by this act; but the same shall not be deemed to be revived and in force, by any thing in this act contained, for any other purpose and to any other effect whatever.

Sec. 3. *And be it further enacted*, That in all cases of goods, wares, and merchandise, on which a duty or tax is imposed by this act, and upon which, on their importation, duties have been or shall be paid, under any laws supposed to be in force for the imposition and collection of duties on imports, since the

thirtieth of June last, and which payments of duties have been or shall be made under protest, it shall be lawful for the respective collectors or other officers of the customs having the matter in charge, retaining so much of such duties, paid as aforesaid under protest, as will satisfy the duty or tax imposed by this act, to remit and pay over the excess, if any, to the person or persons claiming and entitled thereto.

Mr. C. *J. Ingersoll* moved to amend the bill, by striking out all after the enacting clause, and inserting in lieu thereof the bill which was reported by the resolution of Mr. *Everett*, (given above), except that Mr. *Ingersoll* proposed to change the "year 1839," where it occurs in the fourteenth line of the first section of said bill, to the "year 1840."

But, for the purpose of first perfecting the bill, amendments were received.

Mr. *Barnard* moved to amend the second section of the bill, by adding a provision, the object of which was to prevent any thing in the section being regarded as authorizing the application of its provisions to any case where a penalty might have been imposed by law, &c.

Mr. *Adams* asked for explanation.

Mr. *Barnard*, chairman of the committee on the judiciary, said that the bill when reported by that committee was accompanied by a report in relation to the condition of the revenue laws, the conclusion of that report being, according to the view taken of the subject by the committee, that all laws imposing duties on imports, or rather *any rates* of duties on imports, had expired by their own limitation on the 30th day of June. This act proposed to reach imports into the country from the 1st day of June down to the time when some permanent revenue bill should be passed by congress. This, it would be observed, was a retroactive bill, which took back your its date, and reached transactions which had already transpired. It proposed to lay a duty or tax, as he supposed it to be, upon imports into the country after the expiration of the existing law to the 30th day of June. As an act of legislation affecting past transactions, he supposed it to be perfectly competent for congress to pass such a law. It was, as he had said, retroactive, but it affected only civil and not criminal transactions. Mr. B. explained that the object of the section was to revive the laws in force on the first day of June last; in those laws there were a great many fines and penalties, &c. imposed. The application of those penalties to transactions occurring since the expiration of those laws, would, as he supposed, be perfectly unconstitutional; not so in civil transactions. Yet, even as to the latter, the government could not touch them in such a way as to do injury or damage; but he denied that either result from this bill. After a few further explanations—

Mr. *C. J. Ingersoll* modified his motion so as to offer his proposition as an amendment to the end of the bill, instead of being a substitute for the whole.

The question recurring on the amendment of Mr. *Barnard*—

Mr. *Adams* arose and addressed the committee at length in opposition to the bill and amendment. The very title of this bill was an acknowledgement that from the 30th June last there was no power competent to levy duties of imposts without the action of congress. He regarded this as an ex post facto proposition and as tending to screen the president from punishment for violation of public law in levying money precisely as the king could do in money in English history. The supreme court had decided that the clause of the constitution prohibiting ex post facto laws applied not only to penalties, but to judicial construction which in his opinion, the letter of the constitution did not warrant but which he would not now discuss. By the amendment proposed, this bill professed to be ex post facto in relation to its civil construction only. The report from the judiciary committee had ground to dust the reasons assigned by the attorney general for maintaining that the authority exercised by the president was legal. The majority of this house has, by a solemn declaration of opinion sent forth to the union, pronounced that the very act on the part of the executive which was intended to be removed by this law, had rendered him worthy of impeachment. There have been considerations of prudence and expediency to waive this remedy of the constitution at this time. The final decision of the question by the supreme court not being yet given, is a reason why the house was not called upon, in the report to which he had alluded, to bring forward articles of impeachment. It is expedient to await for the more perfect consummation of the illegal proceeding by the decision of the supreme court, and then there will be no question whether the action of the executive has amounted to crime. Mr. A. was of opinion that congress ought not to pass any law at this time in relation to a tariff. The one now in operation by executive will is as productive as any we can now pass. The votes of southern gentlemen here to-day and yesterday, to strike out duties on tea and coffee as made in all the propositions at this time for altering the tariff, had not a little surprised him. These duties were levied for revenue and the more they were taken off, the more the bill became a protective bill and the less a revenue bill. Mr. A. begged not to be understood as having any objection to striking out tea and coffee so far as it operated on the protective system.

Mr. *Proffit* replied to Mr. A's speech and denounced what he conceived to be the course of that gentleman, who, he said, was contending that there was no law and yet was in the pursuit of a law. &c.

Mr. *Cushing* said that his colleague (Mr. *Adams*) had said that there was no law for the collection of revenue; that was (Mr. A's) opinion and he had accordingly indulged in inflammatory language on the usurpation of the president, but had he shown that there was no law? He had affirmed an universal negative. How did it appear that there was no law? This was a question to be decided by the supreme court. Notwithstanding all his efforts to prejudice the question, the supreme court might decide that there was law for proceeding. Was there any provision of any act which operated as a constructive *repeal* of the act of 1832? Mr. C. denied that there was, and challenged any gentleman to shew him any such provision.

Mr. *Botts* signified his willingness to accept the challenge and show such a provision of law.

Mr. *Cushing* declined to yield the floor. The gentleman could reply after he had yielded the floor.—This was a question of law which after all would have to be decided by the supreme court of the land. Now suppose that on the opinion of the attorney general having been pronounced against, the president had said "I am of a different opinion, there is no law," and had ordered the custom house officers to install and collect the duties, what would have been heard with the eloquent indignation of his colleague called in one breath, a tyrant, in another a cypher. Away then with these miserable pretexts that the president is the mere instrument to carry on the navy. Why should they not vote for a tariff?—What reasons had his colleague given? His first proposition had been an appeal to the God of battles.—He had said that the tariff and distribution were constitution. The third reason of his colleague for not enacting a tariff law, was that there was now no law! What were the reasons for not at once enacting some law? His colleague had referred to the resolutions of Massachusetts on the subject of the distribution of the land proceeds. Mr. C. said, if there ever was a decided unanimous expression of opinion in any state it was the demand in that state, that the distribution clause should be stricken out. Mr. C. had heard gentlemen talk about the one man power.—Every day there had individual members objecting to propositions in that house, and that was as much a one man power as the power of the president. Mr. C. maintained that the tariff and distribution were perfectly distinct questions, and went at some length into the subject of distribution, distinguishing between the lands ceded and those acquired by purchase, and arguing that it might be claimed that the distribution among them of any other of the property of the United States as of the latter class of the lands at least. Mr. C. spoke of the continual political dissensions created by the lands, and said if some benign Providence could give them the power of getting rid of this public domain by sinking it deeper than ever it could be reached, he would gladly do it.—It needed only the discovery of some efficient means on the part of the representatives of the people to restore harmony and prosperity to the country.

Mr. C.'s hour having expired he resumed his seat.

[A message was received from the senate by Asbury Dickens, esq., their secretary, informing the house of the passage by that body of certain bills, and asking concurrence therein, also of the passage of certain bills from the house, and the indefinite postponement of others.]

Mr. *Granger*, after a clearing up with Mr. *Wise* as to a remark of his applying to Mr. G. on Saturday last, proceeded to comment on Mr. *Cushing's* speech and explained the feeling under which he had voted yesterday for a tariff bill, notwithstanding the veto.

Mr. *Wise* replied at some length, declining to interrogate Mr. *Granger* as to past interviews between him and the president.

Mr. *Marshall* went into a speech at large on the existing state of parties, the duty of the whigs to pass some bill to relieve the country, and the political consequences to themselves which must ensue if they would borne without doing it.

Mr. *Thompson*, of Indiana, took the opposite side, insisting that consistency with the principles avowed in the contest of 1840 left them no other course.

Mr. *McKinnon* then, after some preliminary remarks, moved as an amendment to the amendment proposed by Mr. *Ingersoll*, and as a substitute for his bill, the bill which had been sent to the president and returned, and striking out the land clause, and exempting from duty, tea, imported in American vessel from beyond the Cape, and coffee.

The chair pronounced the motion to be not now in order.

Mr. *McKennan* said that, though not satisfied of the correctness of the decision, he should submit, as he was always in favor of sustaining the chair. He would take this opportunity of giving notice that at the first proper opportunity he should offer this amendment, (viz: to bring in a bill similar to that vetoed, but without the land clause, and making tea and coffee free in American vessels).

And here he would take leave to say that he had proposed this measure after deep and anxious reflection. He had brought his mind at length to assent to do, for a suffering, bleeding country, that which, under other circumstances, he would sooner have lost his right arm than submit to. Under the circumstances which did exist, however, he had come to the conclusion that it was his duty to yield. And, though he looked upon the distribution of the land fund among the states as having ever been one of the favorite measures of the whig party, yet if, under an arbitrary administration, it could not be obtained, he did not, on that account, feel himself justified in throwing away the tariff bill which would save the country from destruction. But let him not be misunderstood. He was prepared to surrender distribution unless for the sake of securing such adequate protection as should enable all industrial interests of the country to live. ["Good—that's right—go on."]

For conciliation, and to save the country, he would go far; but when he yielded distribution, we was not to be expected to adopt another bill that they might here hastily propose, and give up protection too. What evidence had they that his colleague's amendment would afford adequate protection? None whatever. They were asked to do it in the dark. If, indeed, there was now time for a full investigation, and for all the figuring it would require, the case would be different; but there was now no time for that.—Meanwhile, there was a bill which, in the house had been deliberately matured by an able and diligent committee, who had all the facts before them. After a full and fair discussion, and fifty weeks of discussion, it had passed both houses. All the light was had which could be obtained, and in two houses had settled on this measure as giving both protection and revenue. He was not willing to throw it aside to grope in the dark, and adopt he knew not what. He would not have the friends of a tariff throw themselves into the arms of their enemies. He was sorry that some of the southern gentlemen were ready to vote for his colleague's bill, but he was not going to put the interests of his constituents into their hands.

A gentleman from Ohio near him (Mr. *Weller*) had just told him that the opposition would not go for the measure he proposed. If so, he regretted to hear it; but, however that might be, he should not vote for a bill which contended with protection as it did give only *to two years*. What would be the consequence? If the whigs were out of power at the next congress, as the gentleman loudly vaunted that they certainly would be, (Mr. McK. said he did not doubt that they might, though he trusted they would not, [a laugh]—then the law would be permitted to expire by its limitation, and the manufacturers and agriculturists were thrown on their mercy, and might expect a bill with a horizontal duty of twenty per cent, or some such matter. If a good bill were now passed, the country would secure full its life giving operation, they would not dare to repeal it; but if it expired of itself, the case would be wholly altered. He appealed to all the friends of protection to look where they were about to cast themselves, and consider well before they took a step which could not be recalled. Mr. McK. concluded by a motion that the committee rise, and the house adjourn (at a quarter before five o'clock) rose and reported.

The house adjourned.

SATURDAY, AUG. 20. The house confirmed the senate's amendments to several bills, among them that to establish a police for the protection of public property in the city of Washington, and then resolved itself on motion of Mr. *J. R. Ingersoll* into committee of the whole in order to take up the contingent bill. Its various amendments were then discussed and the bill finally reported to the house.

Mr. *Fillmore* rose and presented the following communication from the treasury department:

Treasury department, Aug. 20, 1842.

SIR: Appropriations for a large amount having already passed congress, and bills being now pending

before the two houses which may require further sums to be paid out of the treasury, it seems to be the duty of this department, under existing circumstances, to apprize the financial committees of the senate and house of representatives of the discredit with which the public service is threatened unless some measure shall be adopted to provide for the burdens imposed on the treasury by law.

As the pressure will be immediate, in consequence of arrearages caused by delay of appropriations, the remedy should be of such a character as may be forthwith available for the public exigencies.

In reflecting on this subject I have not been able to devise any mode of meeting the present emergency which will be open to fewer exceptions than to grant express authority to this department to issue treasury notes, instead of such portion of the loan remaining unnegotiated as may be deemed necessary to meet the required payments out of the treasury.

It will doubtless be borne in mind that, under the 2d and 3d sections of the act of the 15th April last, this department was empowered to issue stock certificates in convenient sums, transferable by delivery, payable either on six months' notice or at any specific period within twenty years, and carrying interest at a rate not exceeding six per cent. These clauses authorise this department to issue public obligations of the same general character and attributes as treasury notes. But, before undertaking to exercise the power thus expressly conferred for the purpose of meeting claims on the treasury, it would be very desirable that the securities against forgery, as well as the uniform practice as to official signature, heretofore applied by law to treasury notes, should be adopted. It would also add much to the public convenience and enhance their credit should they be made receivable by law, as treasury notes are, in all public payments, and reissuable in the same manner whenever redeemed during the year, should the wants of the treasury require. In short, if the authority to issue stock certificates be changed for the issue of treasury notes, as heretofore, greater security and availability would be furnished. I trust, therefore, that the committee of ways and means will excuse my pressing this subject upon their immediate attention. I am, sir, very respectfully, your obedient servant,

TH. McLAREN TOWNS,
Acting secretary of the treasury.

HON. MILLARD FILLMORE,
Chairman of the committee of ways & means, H. R.

The communication having been read,

Mr. *Fillmore* said that the communication should have been made to the house; but it seemed it had been made to the committee of ways and means. He brought it into the attention of the house merely to see what it might think proper to do. And, with a view of bringing up that question, he would move that it be referred to the committee of ways and means, and that it be printed. If the house thought proper to adopt any instructions, he was willing it should be done.

Mr. *W. Cost Johnson* proposed to instruct the committee to bring in his bill relative to the assumption of state debts.

Mr. *Holmes*, of S. C., moved to instruct the committee to enquire into the expediency of issuing treasury notes.

Mr. *Botts*, after some remarks, moved to lay the communication on the table. Rejected—ayes 69—nays 114.

The communication was then referred to the committee of ways and means, and the propositions to instruct rejected, that of Mr. *Holmes* by ayes 65—nays 80. The house then adjourned.

MONDAY, AUG. 22. The bill from the senate for the publication of the discoveries of the exploring expedition was taken up and passed.

Mr. *Arnold* made a motion in the form of a resolution to take the bill from the table proposing the reduction of the mileage and per diem of members of congress. The previous question was moved, seconded, and the main question ordered. The resolution was not adopted. The vote was 74 in the affirmative to 96 in the negative.

A bill was then reported to modify the act for the prevention of steamboat accidents.

Mr. *Barnard* of New York, submitted a resolution that all debate in committee of the whole upon the revenue bill should cease at one o'clock this day, and that the committee should then proceed to vote upon amendments pending and which may be offered. The resolution was adopted without yeas and nays.

On motion of Mr. *Cowen*, the house resolved itself into committee of the whole on the state of the Union, (Mr. *Joseph R. Ingersoll* in the chair,) and resumed the consideration of the bill to supply a temporary defect or failure in the laws relating to the collection of duties on imports.

The pending question being on the motion of Mr. *Barnard*, to amend the second section by adding a proviso, the object of which was to prevent any thing in the section being regarded as authorizing the application of its provisions to any case where a penalty might have been proposed by law, &c.

Mr. *Roosevelt* was opposed to the amendment, and also to the bill itself, because it was based on the ground that there existed at present no authority to collect duties on imports to any extent or at any rate—a fact which he was not prepared at present to deny.

Mr. *Fillmore* said that he did not know that he cared much whether the bill from the judiciary committee passed or not; but, in a few explanatory remarks, he expressed some surprise that if it was only *a question of doubt* whether revenue could be collected under existing laws or not, the interests of the country would have to be subordinated to suffering them to remain as they were until a permanent tariff bill could be agreed upon.

The amendment which had been proposed by the gentleman from Pennsylvania (Mr. *C. J. Ingersoll*) would answer no good purpose, either to the Government or the People. As a revenue measure, the experience of the last two years would demonstrate its entire insufficiency; and as a measure of protection to domestic industry against the labor of foreign nations, gentlemen had only to point to the dilapidated condition of the manufactories in this country for the last two years to satisfy every body that it was wholly inadequate.

But, in addition to that, the great benefit which the country would derive from any tariff must arise from its being a permanent system. No bill that was adopted for the space of two years only could give any confidence or benefit to the industry of the country. What the country wanted on this subject, they should be satisfied, should be and permanently, not for two years, or five, but, if possible, for a length of time, and, he was going to say, forever. He could not, in the present state of circumstances, vote for the proposition of the gentleman from Pennsylvania (Mr. *C. J. Ingersoll*.)

As to the proposition of the other gentleman from Pennsylvania, (Mr. *McKennan*,) which proposition was to pass the retoed revenue bill, striking out the distribution clause and modifying the bill in one or two items) he (Mr. F.) had more difficulty. It was well known that he was in favor of that bill, not that he thought it perfect; for he thought it contained provisions which might be altered to advantage. But he had no hesitation in giving his vote for that bill as the best that could be obtained.

There was a still greater difficulty, however, on his mind. When, under the instructions of the committee of ways and means, the chairman of day introduced a resolution declaring that it was expedient to pass such a bill as that last mentioned, it would be recollected that he had voted against it. He had expressed and his feelings had been, and still were, opposed to any further legislation which should yield the principle of distribution. Not that he had any entertainment of doubts as to what his duty to the country required at his hands. He saw the country suffering beyond measure for the want of a tariff—he saw its treasury exhausted, and its credit disturbed. On that ground, he had at first appeared to him to be a yielding of the principles of the constitution that might prove injurious hereafter. True it was, however, that a precedent set by an administration like this, would not fail to have very little influence on the prejudices of any one hereafter. That, of itself, was a reason in favor of yielding to the urgent necessities of the country and the treasury. But these considerations would not, of themselves, have been sufficient to induce him to do so. He felt, in the first instance, that it was due to himself, and due to the constituency whom he represented, and who were wholly independent of the subject, to express his opinions by his vote as to the propriety of yielding the principle of distribution.

But since that vote was given, a great change of circumstances had taken place. He had seen more than half of the party with whom he acted feel bound to yield this principle. He did not doubt their patriotism; he did not doubt that they had yielded, on mature reflection, from a sense of what they deemed best for the interests of the country; but he had seen that yielding, and he had very probably all the moral influence of further resistance. Under these circumstances, and situated as he was in relation to this measure, he felt bound to yield his own opinions and go with them. He confessed he did so with great reluctance. He would, if necessary to the passage of this bill, yield it his vote; and he trusted that the country would derive from it all the benefit which those who support it anticipate from its passage. At all events, whether it did or not, he should feel that in giving his vote for it, he was discharging his duty to the country, and in yielding now he yielded much for the sake of his friends.

Mr. *Holmes* said that gentlemen who really and truly wished the government to go on, it appeared to him must vote for the bill reported by the chairman of the committee on the judiciary, (Mr. *Barnard*.)—Mr. H contended that the bill should be passed whether the existing laws should finally be decided operative or not. If they were operative the bill could do no harm; and if not, they ought to be rendered operative as far as it could be done. He concluded by making an urgent appeal to the house not to leave the matter in uncertainty, but to legalize a twenty per cent. duty in preference to leaving the country with none; and expressed a preference himself for a twenty per cent. duty before any other.

Mr. *Everett* followed in a few remarks. Mr. *Ward* then obtained the floor and declined yielding it to Mr. *Barnard*, chairman of the judiciary committee, who wished to make explanations of the bill in reply especially to Mr. *Adams*. Mr. W. was about to proceed when

The hour of 12 having arrived, the committee, in pursuance of the order of the house of this morning, proceeded to vote.

The question was taken first on the amendment of Mr. *Barnard*, and it was *rejected*.

Mr. *Barnard* offered several amendments, which were agreed to.

Mr. *Botts* moved to strike out a portion of the first section of the bill, so as to strike out its respective provisions.

[A message was received from the senate, by A. Dickins, esq. secretary, informing the house that the senate had insisted on its disagreement to certain amendments of the house to the contingent appropriation bill, and asking a committee of conference.

Mr. *Fillmore* moved that the house insist on its amendments. *Agreed to.*

And a committee on the part of the house was ordered to be appointed].

Amendments were also offered to the bill by Messrs. *John Campbell*, *Roosvelt* and *W. C. Johnson*, all of which were rejected.

The question was then recurred on the motion of Mr. *C. J. Ingersoll*, (which he had again modified so as to let his proposition stand as a motion to strike out all after the enacting clause of the bill, and to insert the bill published,)

The vote stood, by tellers, ayes 38, noes not counted.

So the amendment was *rejected*.

Mr. *McKennan* then offered as a substitute for the bill under consideration the bill vetoed by the president, striking out the clause in relation to the distribution, and so modifying the bill as to admit tea imported in American vessels from beyond the Cape of Good Hope free of duty, as well as coffee; and also making two verbal amendments, one on the item of sugar and the other on the item of ivory.

Mr. *Underwood* moved to amend the motion by reinserting the 27th section, which the gentleman from Pennsylvania (Mr. *McKennan*) proposed to strike out —i. e. in relation to distribution.

Mr. *Cushing* submitted that the amendment of Mr. *Underwood* was not in order.

The chair overruled Mr. *Cushing's* objections, and decided that Mr. *Underwood's* motion was in order.

The question was then taken on the motion of Mr. *Underwood*, which, by ayes 35, noes not counted, was rejected.

Mr. *Hale* demanded a count of the negatives, which was taken, and the negative vote stood 111.

Mr. *Barnard* moved to amend the proposition of Mr. *McKennan* by inserting in lieu of the 27th section a section suspending the operation of the distribution law until the 4th of March, 1845: after which day it should be in full force, excepting the proviso to the 6th section; and providing that moneys received into the treasury in the mean time from the proceeds of the sales of the public lands should be set apart for the payment of outstanding treasury notes, and in payment of the principal and interest on any loan negotiated, &c.

The amendment, by ayes 38, noes not counted, was rejected.

Mr. *W. C. Johnson* moved as an amendment to the substitute of Mr. *McKennan* a proposition, which, under leave, he explained, and which, among numerous other things, proposes a system of countervailing duties on certain products of countries placing heavy duties on tobacco; and proposes also, in lieu of the 27th section, his proposition for the issue of 200 millions of dollars to pay the state debts, and pledging the proceeds of the public lands therefor, &c.—*Rejected.*

Amendments of the same character as those which were offered to the details of the bill when before under consideration were offered by Messrs. *Gamble*, *Roosevelt*, *M. A. Cooper*, *Owsley* and *Weller*, and uniformly rejected.

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The question was then taken on the proposed substitute of Mr. *McKennan*, and, by ayes 99, noes 67, it was *agreed to*.

Mr. *Kennedy*, of Maryland, offered an additional section, repealing the first nine sections of the distribution law, which motion, by ayes 57, noes not counted, was *rejected*.

Further amendments were proposed by Messrs. *Rosewell* and *Shields*, all of which were *rejected*.

On motion of Mr. *McKennan* the committee rose and reported the bill and amendment to the house.

And the question on concurring in the substitute amendment of the committee, and on ordering the bill to a third reading being put, was decided in the affirmative, by yeas 102 noes 99.

The question then being taken, shall the bill be engrossed, the vote stood yeas 100, nays 100, and the speaker voting in the negative, decided it in the negative. A motion was then made to reconsider the last vote and carried by yeas 106 nays 98.

The question then recurring, shall the bill be engrossed for a third reading? it was decided in the affirmative by yeas 105, nays 103.

And having been read a third time by its title; and the question being "Shall this bill pass?" Mr. *McKennan* moved the previous question, which was seconded. And the main question was ordered to be now taken. Mr. *Black* asked the yeas and nays thereon, which were as follows:

YEAS—Messrs. Allen, Landaff W. Andrews, Sherlock J. Andrews, Appleton, Averigg, Babcock, Baker, Barnard, Barton, Beeson, Bidlack Birdseye, Blair, Boardman, Borden, Briggs, Brockway, Chas. Brown, Jeremiah Brown, Burnell, Calhoun, Childs, Chittenden, John C. Clark, James Cooper, Cowen, Cranston, Cushing, Garrett Davis, R. D. Davis, John Edwards, Everett, Ferris, Fessenden, Fillmore, Gerry, Giddings, Patrick H. Gilmer, Gorham, Gringer, Gustine, Hall, Halstead, Houck, Howard, Hudson, Hunt, Charles J. Ingersoll, Joseph R. Ingersoll, Jas. Irvin, Wm. W. Irwin, Jackson, Jenks, J. Kennedy, R. McClellan, McKennan, Thos. F. Marshall, Samson Mason, Mattocks, Maxwell, Maynard, Moore, Morgan, Morris, Morrow, Newhard, Osborne, Parmenter, Pearce, Plumer, Pope, Powell, Profit, Ramsey, Benj. Randall, Alexander Randall, Randolph, Read, Ridgway, Riggs, Rodney, William Russell, J. M. Russell, Saltonstall, Sanford, Slade, Truman Smith, Solters, Strong, John T. Stuart, Talliferro, R. W. Thompson, Tillinghast, Toland, Tomlinson, Trumbull, Van Buren, Van Rensselaer, Wallace, Ward, Edward D. White, Thomas W. Williams, Joseph L. Williams, Yorke, Augustus Young—105.

NAYS.—Adams, Arnold, Arrington, Atherton, Black, Botts, Boyd, Aaron V. Brown, Milton Brown, Burke, William O. Butler, Green W. Caldwell, J. C. Caldwell, J. Campbell, Wm. B. Campbell, Thos. J. Campbell, Caruthers, Cary, Casey, Clifford, Clinton, Coles, Colquit, M. A. Cooper, Cravens, Cross, Daniel, Dawson, Dean, Doberty, Dunn, Doig, John C. Edwards, Egbert, John G. Floyd, A. Lawrence Foster, Thomas F. Foster, Gamble, Gentry, Gilmer, Goggin, William O. Goode, Graham, Green, Gwin, Habershaw, Harris, Hastings, Hays, Holmes, Hopkins, Houston, Hubbard, Hunter, Wm. Cost Johnson, Cave Johnson, J. W. Jones, Andrew Kennedy, King, Lane, Lewis, Linn, Littlefield, A. McClellan, McKay, McKeon, Mallory, J. T. Mason, Mathiot, Mathews, Medill, Miller, Mitchell, Owsley, Payne, Rayner, Reding, Reynolds, Rhett, Rogers, Roosevelt, Saunders, Shaw, Sheppard, Shields, W. Smith, Sprigg, Steenrod, Summers, Sumter, J. B. Thompson, Jacob Thompson, Triplett, Turney, Underwood, Warren, Washington, Winthrop, Yancey, James W. Williams, C. H. Williams, Wise, Wood—103.

So the bill was passed.

Mr. *McKennan* moved to reconsider the vote, and demanded the previous question.

There was a second. The main question was ordered; and, being taken, the vote was not reconsidered.

And the question being on the title of the bill, Mr. *Rendolph* moved to amend it by causing it to read "a bill to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes."

Mr. *Roosevelt* moved to amend the amendment by adding the words, "and to protect domestic manufactures."

Mr. *Stanly* moved the previous question.

And there was a second.

Mr. *Lewis* asked the yeas and nays on the amendment to the amendment; which were ordered, and, being taken, were, yeas 74, nays 105. So the amendment to the amendment was rejected.

And the amendment of Mr. *Rendolph* was agreed to. Whereupon the house adjourned.

TUESDAY, AUG. 23. Mr. *Stanly*, on leave given, offered the following joint resolution, which was read:

Resolved, &c. That the secretary of the navy be, and he is hereby, instructed to render Mr. Samuel Colt facilities to test his submarine battery to an extent which will settle the questions whether these can, with ease and safety sufficiently be employed as a power sufficient to destroy the largest class of ships of war, when in motion passing in or out of a harbor, without the necessity of approach within reach of shot from guns of the largest caliber; and whether continued operations of the destruction of one or more vessels can be effected without renewing the means under exposure of an advancing squadron; and whether the same can be used for the defence of a harbor without endangering the passage in or out of other than hostile vessels.

And be it further resolved, That, should Mr Colt's submarine battery stand the above tests, he is hereby authorised to proceed, under the direction of the president and the secretaries of the navy and of war, to fortify whatever harbor may be agreed upon for that purpose, provided he will undertake the same at a cost not exceeding the mean cost of the United States steamships Missouri and Mississippi; the necessary expenses to be paid out of any money in the treasury not otherwise appropriated.

On motion of Mr. *Mallory*, the resolution was referred to the committee on naval affairs.

Mr. *Bennet* moved up the following resolution, heretofore offered by him, and on which the previous question was pending:

Resolved, That all debate in committee of the whole house on the state of the union on the bill from the senate No. 181, entitled "an act to protrude further remedial justice in the courts of the United States," shall cease after the same shall have been further considered in said committee for two hours, and the committee shall then proceed to vote on all amendments pending or which may be offered thereto, and then report the same to the house.

Mr. *Saunders* moved that the resolution be laid on the table. By yeas 73, nays 82, the house refused, and the main question being put, the resolution was adopted by yeas 75, nays 54.

The house then resolved itself into committee of the whole, Mr. *J. R. Ingersoll*, in the chair.

A message was received from the president with his signature to the army appropriation, and other bills.

The bill establishing certain post roads, and a bill appropriating $61,278 for expenses of Louisiana militia engaged in Florida in 1836, were then acted on in committee and thereafter reported to the house.

Mr. *J. R. Ingersoll* from the joint committee of conference on the disagreeing votes of the two houses on the bill making contingent appropriations made a report, which was then concurred in and the house adjourned.

WEDNESDAY, AUG. 24. Mr. *Botts* asked leave to offer the following resolution:

Resolved, That the committee of ways and means be instructed to report a bill limiting the rate of discount at which the loan shall be taken authorised by the act of 31st July 1841, and an explanatory provision denying the construction put on the loan bill at the treasury department relative to the issue of stock to perform the functions of treasury notes.—Also, that they be instructed to bring in a bill repealing the proviso to the 34th section of the distribution bill passed on the —— day of September last.

Mr. *Barnard* objected. Mr. *Botts* moved that the rules of the house be suspended for the purpose of receiving and considering the resolution. The vote stood yeas 61, noes 62; so the rules were not suspended.

Mr. *Cave Johnson* of Tennessee presented a resolution calling upon the secretary of the navy to furnish annually at the commencement of the session the full expenditure in detail made upon every ship in the public service. The resolution was debated at considerable length, modified and then passed.

Mr. *Botts* asked leave to offer the following resolution, which was read for information:

Resolved by the house of representatives, the senate concurring, That the speaker of the house and the president of the senate adjourn the two houses of congress *sine die* on Monday the 29th instant, at two o'clock, P. M.

Mr. *Profit* objected. Mr. *Botts* moved a suspension of the rules. The vote stood yeas 117, nays 49.

And the resolution being thus before the house—Mr. *Fillmore* desired to say a few words in explanation of his reasons for voting against the suspension of the rules. He was as anxious to adjourn as any member of the house, and, probably, had as much reason to be so.

But he was fearful that the resolution might be misunderstood by our friends at the other end of the capitol. He was fearful they might take it as an intimation that the house did not desire them to act on the tariff bill passed by this body. Believing as he did, however, that that was not the opinion of a great majority of the house, whatever their opinions might have been as the propriety of passing the bill—believing that they did now desire the final action of the senate—he had thought proper to make the explanation of the only object he had in view in voting against the suspension; and he was now willing to vote in favor of the resolution.

Mr. *Profit* said, he was anxious to have a tariff bill passed this session, and he was mortified and mortified to see a vote of two-thirds fixing an early day for adjournment. The resolution has been permitted to be introduced by tariff votes, or at least those who say they are anxious to pass a tariff. It required two thirds of the house to introduce the resolution; it now requires but a majority to pass it.—That majority is on this floor. The resolution will pass, and I say that it is the death-blow of the tariff for this session. The house has passed a tariff bill; it has been sent to the senate and reported from the committee on finance unfavorably, and now the house, without waiting the action of the senate, or giving it time to act, or at all events limiting its action to three working days for action on the bill and amendments which may come to the house, fixes a time for adjournment but three days distant.—Again, I say, this resolution sounds the death-knell of the tariff for this session, and it is rung by the men from the tariff states in despite of all that the true friends of the tariff can do. It gives some members of this house and of the senate an opportunity to that indirectly which they would dislike very much to do directly. It defeats the tariff bill. I tell the tariff men throughout the union that their democrats are mortified and destroyed by a masked battery. It behoves those who are their real friends to let the country know how it has been done.—But if this resolution passes, the tariff bill is dead, and on those who vote for it rests the resolution of this resolution the responsibility of its failure rests.

Mr. *Gordon*, of New York, made some remarks in support of proceeding therewith when he was called to order, and resumed his seat.

Mr. *Habersham* moved to lay the resolution on the table. Lost, 101 nays, to 65 yeas. The resolution was then adopted, ayes 96 to nays 71, after the previous question, and sent to the senate.

Mr. *Mallory*, on leave given, reported from the committee on naval affairs, to which was yesterday referred the joint resolution authorising experiments to be made for the purpose of testing Colt's submarine battery, reported the same with amendments.

The resolution followed as follows: "Be it resolved, that the secretary of the navy had or had not authority to act without this resolution under the law of the extra session.

An amendment, offered by Mr. *Wise*, to include other submarine bursting inventions, was understood to be incorporated in the resolution by general consent.

Mr. *Arnold* moved that the resolution be laid on the table, which motion, by ayes 59, noes 57, was agreed to.

So the resolution was laid on the table.

The house then resolved itself into committee of the whole on the state of the union, (Mr. *Pope*, of Kentucky, in the chair.)

And, on motion of Mr. *Wise*, the committee took up the senate bill to regulate the pay of purisers and warrant officers in the navy.

The bill having been read, was variously discussed, amended, and finally reported to the house.

Mr. *Mallory* moved the previous question on the passage of the bill, which was seconded, and the main question was ordered; and, being taken, was decided in the affirmative: ayes 90, noes 40.

So the bill was passed.

Mr. *Mallory* moved to reconsider the vote on the passage of the bill; and, being taken, it was decided in the negative without a division, (and the bill having passed both houses, awaits only the signature of the president to become a law.)

The following bills were taken up, read a third time, and passed:

A bill making an appropriation for the erection of a marine hospital at or near Ocracoke, N. Carolina.

A bill authorising an examination and survey of Memphis, Tennessee.

Mr. *Cowen* moved to reconsider the vote by which the resolution reported this morning by Mr. *Mallory*, from the committee on naval affairs, relative to Colt's submarine battery, was laid on the table.

This motion lies over. The house then adjourned

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CHRONICLE.

☞ THE REVENUE OR TARIFF BILL, passed by the house of representatives last week, excluding the land distribution clause, and admitting tea and coffee free, was in the senate, referred to their committee on finance. That committee reported it with various amendments, in considering which the senate have occupied several days. Some of those amendments were adopted, others rejected. The question on the passage of the bill as amended, will probably be decided this day.

ARRESTS. Hill's New Hampshire Patriot states that Dr. Charles T. Jackson, state geologist, has lately examined a vein of arsenic on Dunbarton—two of which in its single state he represents to be worth forty dollars delivered in Boston. It is extensively used in printing. Dr. Jackson says this may be easily mined; it may be taken to Boston by rail road, at an expense probably not exceeding four or five dollars per ton.

AN ANTI SLAVERY CONVENTION held at Gloucester during several days of last week, was broken up by stones, rotten eggs, &c. thrown at them by an assemblage, that surrounded the building, in consequence, the Inquirer says, of grossly insulting and personally abusive language used by members of the convention towards those that differed from them on religious as well as abolition opinions.

AMERICAN ANTIQUITIES. The relics from Central America brought by Stevens and Catherwood, it appears, were not burnt at New York, as was apprehended.

ARISTOCRACY. Gen. Foy, a distinguished French orator, on one occasion, was entering, with much fervor, into a political discussion in the chamber, and had just pronounced the word "aristocracy." A voice from the ministerial side asked him for a definition of it. "Aristocracy, in the nineteenth century, is the league, the union, of those who wish to consume without producing, live without working, occupy all public places, without being competent to fill them, and seize upon all honors without meriting them—that is aristocracy."

BANK OF ENGLAND. Quarterly average 23d April, to 16th July—compared with the return from the 29th of March to the 18th of June, the circulation is £21,270,000 against £17,795,000, increase £4,84,000, the deposits are £8,865,000, against £8,011,000, increase £,569,000, making the total liability £29,135,000. The securities are £21,713,000, against £21,181,000, being an increase of £532,000. The bullion is £7,818,000, against £7,329,000 being an increase of £489,000, and making the total of the assets £29,531,000. The surplus on rest is £2,687,000 against £2,695,000, being a decrease during the past month of £8,000.

STATE BANK OF INDIANA. The Indiana State Sentinel of August 16th says: "The State Bank Directors was in session last week. They decided that specie payments shall be maintained in all and full bills by all the branches, until, if necessary, they have paid out their last dollar."

CANADA "PATRIOTS." The Montreal Herald says it is rumored, on pretty good authority, that the Sunday Dial will shortly bring with him from Dawning street an unconditional pardon for both refugees and banished rebels."

CANAL TO THE PACIFIC. A Mexican paper of the 19th June, states that the commissioners for surveying the route of a canal between the two oceans, through Tehuantepec, had reported favorably for the grand enterprise.

CARRIER PIGEONS. In the foreign papers received by the Britannia, there is an account of an extraordinary flight of carrier pigeons, from Ghent, Belgium, to Antwerp to decide a match. About three hundred pigeons, belonging to merchants and other parties at Antwerp, were despatched simultaneously at Hendaye, at 6 o'clock, on the morning of the 12th ult. The whole flock reached Antwerp the same morning, the first pigeon being reached at three o'clock, followed in quick succession by the others, in five and tens, the last pigeon reaching its destination at half past 10. Distances were measured from Birmingham to Antwerp (measuring in a straight line) 330 miles, and allowing for the difference in time between the two places, the birds, it appears, must have travelled at the surprising velocity of 90 miles per hour! It is not the least singular fact connected with the sport that amongst so large a number of pigeons, not one should have wandered from its forward course. At the same rate of speed, the Atlantic (3,000 miles broad) could be crossed in about 34 hours, or a day and a half, if the powers of any bird could endure so long a flight, without rest or sustenance.

COTTON. Liverpool, August 4. Prices have improved—1-8 to 1-4d. for lower quality, American. The demand is active. Sales on the 29th ult amounted to 4,400 bales, American—of other kinds 600. On the 30th 4 000 bales. Aug. 1, 6 030 bales—2d, 6,000 bales, of 3,500 for export. On the 2d 10,000 bales sold the lower quality American at fully 1-4d. higher than the prices the preceding Friday. On the 4th the demand continued—6 or 7,000 bales sold at the prices of the preceding day.

New cotton is reaching Savannah, &c. fair quality brings 8 1 2 cts. common 4 to 6 1-2.

COLT'S SUBMARINE BATTERY. Mr. Colt succeeded in the exhibition of his apparatus on the 23rd at Washington, as was witnessed by the president of the U. S., heads of departments, members of congress, public officers and thousands of spectators.

A signal gun invented him the moment to apply the electric spark at Alexandria, a distance of five miles from the object, and in an instant, the vessel moored for the purpose, was shattered into a thousand fragments.

FIRE. The operations last week in Baltimore amounted to 17,460 bbls. and 500 half bbls., of this week 14,602 bbls. and 1,417 half bbls. The price has declined to $4 87½. At Alexandria it is quoted at $4 50 ship. At St. Louis, Mo. on the 18th it was offered at $2 75, only $2 50 could be obtained for best brands.

HOG TIDE. Considerable damage was experienced on the wharves in Baltimore on the morning of the 25th by an unusually high tide induced by a heavy S. E. gale. Part of Pratt street was navigated by small boats, the water extending up to Lombard street. Sugar, tobacco, salt, &c. in the warehouses suffered to a large amount, and the wharves in many places were injured.

INSPECTORY. The grand jury of Albany have found an indictment against Rev. Abel Brown for a libel on Henry Clay, in advertising to prove, in a public lecture, that Mr. Clay was a "thief, duellist, gambler, robber, adulterer, man stealer, &c. The reverend gentleman will now have an opportunity to prove his imaginary charges or to suffer the punishment for his villainous slanders. [N. Y. Tribune.

LIGHTNING. Clouds charged with electricity have been more frequent than usual this season. In this country twenty-two deaths from lightning have been published, and more than fifty houses and barns burnt since the first of June.

The steeple of St. Martins' church, said to be one of the handsomest in England, was shattered to pieces by lightning on the 28th inst.

MISSISSIPPI. The Baptist Board are likely to loose $9,347 by the failure of an agent at Calcutta.

OILS. Winter strained Sperm oil recently sold at auction in Cincinnati, at 37½ cents per gallon, whilst last oil, No. 1, fetches 150 cents.

PHONOGRAPHY. A late English work has the following account of a new discovery, viz: the art of writing by sound: "Another art has been lately added to various forms of shorthand, which seems to promise far more available than any which have been hitherto invented—It is called Phonography, or literally writing by sound—Mr. Pitman, the inventor, has made it very ingenious—It does away altogether with the tedious method of spelling, for it has distinct signs for all the sounds of the human voice. It is perhaps rather dangerous, at first, before us a book containing a part of the scriptures in English, French, German Chinese, Hebrew, all written in the phonography. Nothing of the kind has been invented which comes nar near to the "universal character" so much desired by Bishop Wilkins. If generally introduced it would be a very valuable acquisition to the deaf and dumb, enabling them to express their thoughts with almost as much rapidity as we can do by speech.

PEACH ORCHARDS. From the peach orchard owned by Jacob Ridgway, near Delaware city, on Delaware river, 45 miles below Philadelphia, in the year 1839, 170 acres in trees yielded 10,000 bushels of first rate fruit—50 acres being then in full bearing. It now contains 300 acres in trees.

A peach orchard owned by Major Reybold near Delaware city, it is affirmed will this season yield to the owner the sum of $25,000. He has contracted to deliver to some New Yorkers 10,000 bushels at $2 50 per bushel, amounting to $25,000, and a large portion of that complement has already been delivered.

QUEEN VICTORIA. Her position in a state to engage the confidence of the people in their belief that the king of Hanover will not succeed to the crown of Great Britain.

RAIL ROAD ITEMS. B. S. Roberts, formerly of the United States army, has sailed for St Petersburgh, under the auspices of M. De Bodisco, to join major Whistler in the construction of rail roads for the Emperor Nicholas.

Cattle are transported from Greenbush to Brighton, the great cattle market of Boston, on the Boston and rail road, at $18 per 2,000 pound weight. The sale of cattle at Brighton is said to amount to two millions of dollars annually.

ROUSE'S POINT, the key to Lake Champlain, it is understood, has been ceded to New York in the settlement of the north eastern boundary question. Intrinsically, Rouse's Point is of little value, but it is one of the keys with Great Britain and her Canadian dependencies, this point would be most formidable—as a small fortress would perfect and easy command of the whole river, which here forms a junction with the lake. In 1832, it was supposed this point belonged to New York, and was purchased by government with a view to build upon it a fortification. A contract was made with McIntyre and McMurtrie, who went on and expended several thousand dollars, when the work was stopped by a protest from the British government, stating that the point was clearly within their jurisdiction according to the conventional line agreed upon at the treaty of Ghent. Hence that time this point has been in dispute, both governments claiming and neither possessing it. The fortifications so far as they had gone, were taken down and the material disposed of by public auction. A few miles below Rouse's Point the British have a fortification on the Isle Aux Noix.

SICKNESS STATISTICS. It has been computed that nearly two years' sickness is experienced by every person before he is 70 years old; and, therefore, that ten days per annum is the average sickness of human life. Till 40 it is but half, and after 50 it rapidly increases.

STOCKS. The New York Express of the 19th says:—"The large movements in the Ohio legislature, both financial and political, have caused a bad effect on the stocks of that state. The last sales show a decline of 7 to 8 per cent. The scrip was freely offered at the board to-day at 60 but no sales were made."

August 23d. Illinois 6's 71½; Indiana 5's 20½; New York stocks 99½; sixtens 101.

ATLANTIC STEAMERS. The chamber of commerce of New York held a meeting on the 17th, to consider what ought to be done in reference to the mission of the French commissioners who arrived in the Gomer.

The Steamer Columbia left Boston on the 17th with 22 passengers for Liverpool and 7 for Halifax.

The steamboat Lebanon, of St. Louis, was snagged while ascending the river, laden with goods, of which 40,000 worth belonged to merchants of Santa Fe uninsured.

The steamboat John Perry struck a snag and sank at the head of Island No. 14; cargo much damaged. They hope to save her cargo.

The steamboat Eliza struck a snag on the 31st ult. at Morgan's Bay, 15 miles above Bayou Sara. They hope to save her and get her up. Cargo damaged or lost. She had 200 packages of merchandize belonging to Santa Fe merchants.

The steamboat Rapid, regularly made the run between New Orleans and Natchez in 22 hours and 25 minutes, being the quickest trip ever made between the two places.

The lake steamboat Missouri left Chicago on the 10th inst. and reached Detroit in 61 hours 56 minutes, exclusive of stoppages at Southport, Racine, Milwaukie and Mackinaw—and from Detroit reached Buffalo in 25 hours 15 minutes (actual time 41 hours 40 minutes).

The lake steamboats Illinois and Great Western met in collision a few days since. The stem and plank shire of the Illinois were stove in, the figure head broken and taken, and some other upper works injured. Although the engines of both boats had been stopped, the shock was so great as to throw the officers of the Great Western, who was on board the Great Western, was thrown from that steamer on to the deck of the Illinois. He was left considerably bruised by the shock.

STEAMERS. The steam frigate Gomer, now at New York, has an apparatus for distilling water, which produces an abundant supply. Nearly all the French merchant vessels now carry an apparatus for distilling all the water they need.

SLAVE TRADE. In the house of lords on the 31 instant, the earl of Aberdeen moved the second reading of the bill for suppressing the slave trade, the first reading of which passed some time since. The act he proposed to suspend had, his lordship said, been rendered unnecessary by a treaty just concluded, in which the Portuguese government had engaged to concur heartily in all measures necessary for the suppression of the slave trade, and being of longer duration, such an act could not be otherwise than offensive to the nation affected by it. The bill was read a second time, after which lord Brougham in a long and highly animated speech, moved a resolution calling upon the queen's government to take into consideration the present state of the trade in slaves, with a view to its entire suppression.

A letter from a navy officer at Montevideo, states that such great orders have been received from the Portuguese government, that the slave trade is completely broken up, and the place ruined.

TOBACCO. Fine qualities are in demand—common and inferior very dull—prices remain as last quoted. The Baltimore inspections last week were 1,016 hhds. Maryland, 298 Ohio and 1 Virginia—total 1,315.

VERMONT SUGAR. It is a singular fact, that next to Louisiana, Vermont is the greatest sugar producing state in the union. The amount of maple sugar produced in 1840 was over 2,559 tons, being over 17 pounds to each inhabitant, allowing a population of 291,948. At five cents a pound, this is worth $255,963 20. The Montpelier Watchman states that this quantity is very far below that produced the present year, and thinks it may be safely estimated that the sugar produced this season will, at the low price of five cents, be worth ONE MILLION OF DOLLARS.

WHEAT. Over one hundred thousand people have come into the city of Baltimore and Washington, since the census was taken in June. [Mil. Courier.

WHEAT is selling at Springfield, Ill. at from 25 to 30 cents; at Quincy, Ill it brings 37½; at Cincinnati 50 cts. Maryland red ranges in the Baltimore market from 50 to 90; Pennsylvania prime 90 to 95.

YELLOW FEVER. The New Orleans Bee of the 16th states that a few cases have proved fatal amongst the shipping. The city generally is in good health.

END OF VOLUME SIXTY-TWO.

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